

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL
JOURNAL OF PROCEEDINGS

No. 15 City Council Regular Meeting, Wednesday, July 3, 1991, 6:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

JAMES A. PETROSINELLI

ROLL CALL

Present: Council President Petrosinelli,
Councilmen Clarkin, DeLuca, Dillon,
Councilwomen DiRuzzo, Fargnoli,
Councilmen Fenton, Glavin, Igliozi,
Lombardi, Mancini, Councilwoman Nolan,
Councilman Rollins, Councilwomen
Williams and Young—15.

Absent: None.

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IN CITY COUNCIL

AUG 1 1991

APPROVED:

Richard L. Clement CLERK

INVOCATION

The Invocation is given by COUNCIL-
WOMAN RITA M. WILLIAMS.

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

COUNCILMAN ROBERT M. CLARKIN
leads the members of the City Council and
the Assemblage in the Pledge of Allegiance
to the Flag of the United States of America.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated June 19, 1991, Informing the Honorable City Council that pursuant to Sections 302 (b) and 1010 of the Providence Home Rule Charter of 1980, he is this day appointing Americo Mallozzi of 1 Hooker Street, Providence, Rhode Island, as a Member of the Housing Board of Review, for a term to expire on the first Monday

in January, 1996, and respectfully submits the same for Approval.

Communication Received and Appointment Referred to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

PRESENTATION OF ORDINANCE

COUNCILMAN DILLON (By Request):

An Ordinance Authorizing the Issuance of Refunding Bonds not to Exceed Thirty-Two Million Dollars (\$32,000,000.00).

Referred to Committee on Finance, on

motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILMAN CLARKIN:

Resolution Requesting the Traffic Engineer to prohibit Motor Vehicle Traffic along Middle Street, from Dorrance Street to Eddy Street on Thursday, July 4, 1991 from 5:00 o'clock P.M. to 2:00 o'clock A.M. to accommodate a Fourth of July Day Party.

Resolved, That the Traffic Engineer is requested to prohibit Motor Vehicle Traffic along Middle Street, from Dorrance Street to Eddy Street on Thursday, July 4, 1991 from 5:00 o'clock P.M. to 2:00 o'clock A.M. to accommodate a Fourth of July Day Party.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion for Passage is Sustained.

CILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILWOMAN DIRUZZO, COUNCILWOMAN FARGNOLI, COUNCILMAN FENTON, COUNCILMAN GLAVIN, COUNCILMAN IGLIOZZI, COUNCILMAN LOMBARDI, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILMAN ROLLINS, COUNCILWOMAN WILLIAMS and COUNCILWOMAN YOUNG:

Resolution Extending the Best Wishes of the Members of the City Council to Rose M. Mendonca upon her retirement after many years of dedicated service and designating her "City Clerk Emeritus".

Whereas, Rose M. Mendonca was born in Providence, the daughter of the late John E. Coury and Anna Stevens Coury. She grew up in the Fox Point section with two brothers, Fred P. Coury and the late Joseph J. Coury, and attended the Arnold Street and Thayer Street Schools, Nathan Bishop Jr. High and Hope High School, and

Whereas, Shortly after graduation from Hope High School, Rose began her career with the City

COUNCILMAN DILLON, COUNCIL PRESIDENT PETROSINELLI, COUN-

of Providence, a Clerk Stenographer I, at a salary of \$26.46 per week, and

Whereas, The Late City Clerk D. Everett Whelan got Rose in the habit of working long hours early in her career. He also instilled in her a deep respect for the importance of City documents and the unique role which the City Clerk's office plays as keeper of the City's records and guardian of the City's History. Rose took these lessons very much to heart, and has seen to it that they have become a tradition in the City Clerk's Department and,

Whereas, Rose took a couple of years off in 1956 and 1957 to begin her family, which would eventually consist of daughter Karen, stepdaughter Donna, granddaughter Chelsey and grandsons Victor, Wayne and newly arrived Tyler. Upon her return to the City Clerk's office in 1959, Rose began a series of promotions which culminated in her unanimous election as City Clerk in 1977. She was the first woman to head a department in the City of Providence, and

Whereas, Rose has served under five mayors — Dennis J. Roberts, Walter J. Reynolds, Joseph A. Doorley, Vincent A. Cianci, and Joseph R. Paolino, Jr. As City Clerk alone she has dealt with more than fifty members of the City Council, and perhaps the only thing that all of those mayors and all of those City Council members would agree on is that Rose Mendonca's service to this city has been nothing less than exemplary, and

Whereas, All of City Government has come to rely on the knowledge and experience Rose has acquired through years of experience and painstaking research. For questions involving the City Charter, Council Rules and procedures, and City Ordinances, the answer, for the rest of us, has been simple: "Ask Rose."

The career of Rose Mendonca truly sets an example for all public servants. Her cheerful disposition and charming personality conveyed to every citizen and co-worker a sense that she

truly enjoyed serving the public. Her work ethic and attention to detail proclaimed her belief that the public's work was worth doing right. And her unquestioned integrity and unwaivering commitment to defend the Charter and Ordinances of the City demonstrated that she truly valued the public trust.

Now Therefore, Be It Resolved, That the members of this City Council do express, on behalf of all previous members of the City Council and a generation of Providence citizens, their sincere gratitude to Rose M. Mendonca for her dedicated service, along with their very best wishes for a long and happy retirement, and

Be It Further Resolved, That Rose M. Mendonca be, and hereby is designated "City Clerk Emerita"; said title granting to her at all times permission to enter within the rail in the Chamber of the City Council at all City Council Meetings, and further granting her permission to use the Seal of the City of Providence, Rhode Island on her personal stationery to be supplied by the City as "City Clerk Emerita", and

Be It Finally Resolved, That her successor in the office of City Clerk is directed to cause all subsequent copies of Supplements to the Code of Ordinances be made available to Rose M. Mendonca as "City Clerk Emerita".

Read and Passed, by Unanimous Rising Vote, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion for Passage is Sustained.

COUNCILMAN FENTON and COUNCILMAN GLAVIN:

Resolution Commending Julie Goins of the Providence Police Department for her efforts in rescuing a Puppy.

Resolved, That the Members of the City Council hereby Commend Julie Goins of the Providence Police Department for her efforts in rescuing a Puppy.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion for Passage is Sustained.

COUNCILMAN FENTON:

Resolution Commending the Residents of the Mount Hope Apartments and the Providence Police Department's Neighborhood Response Team, in improving the Quality of Life on Pleasant Street.

Resolved, That the Members of the City Council Commend the Residents of the Mount Hope Apartments and the Providence Police Department's Neighborhood Response Team, for improving the Quality of Life on Pleasant Street.

COUNCILMAN FENTON and COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Director of Public Works to cause Winfield Road, from Eighth Street to Blackstone Boulevard to be Paved.

Resolved, That the Director of Public Works is requested to cause Winfield Road, from Eighth Street to Blackstone Boulevard to be Paved.

COUNCILMAN GLAVIN (By Request):

Resolution Requesting the Director of Public Works to cause Mansfield Street to be Paved.

Resolved, That the Director of Public Works is requested to cause Mansfield Street to be Paved.

Resolution Requesting the Director of Inspection and Standards to refrain from Issuing any additional temporary certificates of occupancy or final certificates of occupancy along Derry Street, until said public street improvements have been completed according to City Specifications.

Resolved, That the Director of Inspection and Standards is requested to refrain from Issuing any additional temporary certificates of occupancy or final certificates of occupancy along Derry Street, until said public street improvements have been completed according to City Specifications.

COUNCILMAN IGLIOZZI (By Request):

Resolution Requesting the Traffic Engineer to prohibit Motor Vehicle Traffic along Matson Avenue, from Hartford Avenue to Dresser Street, on Thursday, July 4, 1991, from 10:00 o'clock A.M. to 7:00 o'clock P.M. to accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit Motor Vehicle Traffic along Matson Avenue, from Hartford Avenue to Dresser Street, on Thursday, July 4, 1991, from 10:00 o'clock A.M. to 7:00 o'clock P.M. to accommodate a Neighborhood Block Party.

Resolution Requesting the Chief Electrical

Inspector to Upgrade the Street Lighting on that Pole located in front of 42 Merino Street.

Resolved, That the Chief Electrical Inspector is requested to Upgrade the Street Lighting on that Pole located in front of 42 Merino Street.

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

The motion for Passage is Sustained.

COUNCILMAN LOMBARDI (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of Four-Way "Stop" Signs along Messer Street, at key locations as determined.

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

The motion to Refer is Sustained.

Resolution Requesting the Superintendent of Parks to replace those Trees along Messer Street that were recently damaged.

Resolved, That the Superintendent of Parks is requested to replace those Trees along Messer Street that were recently damaged.

Resolution Requesting the Superintendent of Parks to install Tree Supports for the Newly Planted Trees located along Messer Street.

Resolved, That the Superintendent of Parks is

requested to cause the installation of Tree Supports for the Newly Planted Trees located along Messer Street.

Resolution Requesting the Chief of Police to place Radar along the Armory and West Broadway Districts.

Resolved, That the Chief of Police is requested to place Radar along certain streets within the Armory and West Broadway Districts.

COUNCILWOMAN NOLAN (By Request):

Resolution Requesting the Traffic Engineer to prohibit Motor Vehicle Traffic along the following locations on Saturday, August 17, 1991, from 10:00 o'clock A.M. to Midnight to Accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit Motor Vehicle Traffic along the following locations on Saturday, August 17, 1991, from 10:00 o'clock A.M. to Midnight to Accommodate a Neighborhood Block Party:

Gallatin Street, from Elmwood Avenue to Melrose Street,

Ruskin Street, between Gallatin Street and Warrington Street, and

Kipling Street, between Gallatin Street and Warrington Street.

Resolution Requesting the Director of the Division of Grounds Maintenance Services to cause those Tree Branches along the right side of Cyr Street,

between Broad Street and Montgomery Avenue, to be trimmed.

Resolved, That the Director of the Division of Grounds Maintenance Services is requested to cause those Tree Branches along the right side of Cyr Street, between Broad Street and Montgomery Avenue, to be trimmed, because the tree branches are rubbing off shingles from rooftops.

Resolution Requesting the Superintendent of Parks to cause that opening in the fence located at the Sackett Street Playground to be Closed.

Resolved, That the Superintendent of Parks is requested to cause that opening in the fence located at the Sackett Street Playground to be Closed by placing a pole in the middle of the opening, preventing motor vehicles from entering the Playground and to leave a small opening for Pedestrian Traffic only.

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

The motion for Passage is Sustained.

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

Resolution Requesting the Traffic Engineer to cause the installation of Four-Way "Stop" Signs at the intersection of Laura Street and Hamilton Street.

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

The motion to Refer is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "Children Playing" Signs at various locations along Lenox Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "Children Playing" Signs at various locations along Lenox Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of "Children Playing" Signs in front of the Elmwood Community Center, 155 Niagara Street, at Atlantic Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "Children Playing" Signs in front of the Elmwood Community Center, 155 Niagara Street, at Atlantic Avenue.

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Traffic Engineer to prohibit Motor Vehicle Traffic along Meeting Street, from Brook Street to Hope Street, on Saturday, July 13, 1991, from 10:00 o'clock A.M. to 5:00 o'clock P.M. to accommodate a Neighborhood Barbecue.

Resolved, That the Traffic Engineer is requested to prohibit Motor Vehicle Traffic along Meeting Street, from Brook Street to Hope Street, on

Saturday, July 13, 1991, from 10:00 o'clock A.M. to 5:00 o'clock P.M. to accommodate a Neighborhood Barbecue.

on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion for Passage is Sustained.

Severally Read and Collectively Passed,

REPORTS FROM COMMITTEES

COUNCILMAN DAVID G. DILLON, Chairman COMMITTEE ON FINANCE

Transmits the following with recommendation the same be Approved:

Communication from His Honor the Mayor dated June 10, 1991 Informing the Honorable City Council that pursuant to Sections 302 (b) and 1103 of the Providence Home Rule Charter of 1980, he is this day appointing Millie Gomez of 90 Corinth Street, Providence, Rhode Island, as a Member of the Human Relations Commission for a term to expire on the first Monday in January, 1994, replacing Jaime Aguoyo whose term expired, and respectfully submits the same for approval.

June 10, 1991

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Sections 302 (b) and 1103 of the Providence Home Rule Charter of 1980, I am this

day appointing Millie Gomez of 90 Corinth Street, Providence Rhode Island, a member of the Human Relations Commission for a term to expire on the first Monday in January, 1994, and respectfully submit the same for your approval.

Millie Gomez will be replacing Jaime Aguoyo whose term expired in January, 1991.

Sincerely,

VINCENT A. CIANCI, JR.
Mayor of Providence

Communication Received and Appointment Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.

The motion of Approval is Sustained.

**COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman
COMMITTEE ON URBAN REDEVELOPMENT,
RENEWAL AND PLANNING**

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

Resolution Designating and Naming that Newly Developed Street located between Hazael Street and Atlas Street as "Dosco Drive".

Resolved, That the newly developed street located between Hazael Street and Atlas Street be designated as "Dosco Drive".

Resolution Changing the Name of Richardson Street, from Eddy Street to Rugby Street to "Applegate Lane."

Resolved, That Richardson Street, from Eddy Street to Rugby Street, is hereby changed to "Applegate Lane."

Resolution Creating or Extending the Thoroughfares through the Capital Center Project be named as follows: Station Place, Dreyfus Lane, Park Row West, Stillman Street, Joslin Court, Memorial Boulevard, Exchange Street, Steeple Street, Washington Place and College Street.

Resolved, That the thoroughfares created or extended through the Capital Center Project be named as follows:

1. *Station Place*: Beginning at its intersection with Dreyfus Lane and then running northeasterly to a termination point at its intersection with Park Row West.

2. *Dreyfus Lane*: Beginning at its intersection with American Express Plaza and then running northeasterly to a termination point at its intersection with Station Place.

3. *Park Row West*: Beginning at its intersection with Canal Street, running northwesterly and then southwesterly to a termination point at its intersection with American Express Plaza.

4. *Stillman Street*: Beginning at its intersection with Park Row West, then running southwesterly to a termination point at its intersection with Exchange Street.

5. *Joslin Court*: Beginning at its intersection with Stillman Street, then running southeasterly to a cul de sac.

6. *Memorial Boulevard*: Beginning at its intersection with Francis Street, running northeasterly, easterly, and then southeasterly to a termination point at its intersection with Crawford Street.

7. *Exchange Street*: Extending beyond its intersection with Exchange Terrace and running northwesterly to its termination point at Dreyfus Lane.

8. *Steeple Street*: Extending beyond its intersection with Canal Street and running southwesterly to Exchange Street.

9. *Washington Place*: Extending beyond its intersection with Canal Street and running southwesterly to Memorial Boulevard.

10. *College Street*: Extending beyond its intersection with South Main Street and running southwesterly to Memorial Boulevard.

Said streets are further identified as shown and numbered on the attached map.

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

The motion for Passage is Sustained.

COMMUNICATIONS AND REPORTS

FROM CITY CLERK, ROSE M. MENDONCA:

Communication Informing the Members of the City Council of her retirement date to be effective Friday, July 5, 1991.

Received.

FROM THE CITY ASSESSOR:

Certificates (Nos. 33U and 34U) Recommending the Same be Severally Cancelled pursuant to the provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, 1956 as Amended.

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

The motion to Refer is Sustained.

FROM MICHAEL S. VANLEESTEN, EXECU-

TIVE DIRECTOR OF THE PROVIDENCE REDEVELOPMENT AGENCY:

Communication Informing the Honorable Members of the City Council that pertaining to the proposed Leases to the City of Real Property owned by the Providence Redevelopment Agency, as submitted pursuant to Sections 45-32-5 (j) and 45-32-48 of the General Laws of Rhode Island.

Received.

FROM THE CITY CONTROLLER:

Monthly Financial Report for May, 1991.

Received.

FROM THE PORT DIRECTOR:

Monthly Report for May, 1991.

Received.

FROM THE CLERK'S DESK

Petition of Dulgarian Properties to Abandon a Five Foot Strip along the Northerly Side of East George Street, from Gano Street to Wayland Avenue.

David A. Carlozzi

R. DiCarlo, K. Bagley and S. Fraiello

Andres A. Espinal

Fireman's Fund, a/s/o D. Senske

Petition to Abandon a Portion of River Road, from Richmond Square to Gulf Road and Gulf Road in its Entirety.

David M. Gannon

Richard W. Gottlieb

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

Edward Laurenzo

Metropolitan Ins., a/s/o R. Williams

The motion to Refer is Sustained.

Antonio Pires

Mark L. Smith

Kim E. Walsh

Petitions for Compensation for Injuries and Damages, viz:

Joseph P. Bruno

Joyce E. Bussiere

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

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT PETROSINELLI
and the MEMBERS of the CITY COUNCIL:

Resolutions extending Sympathy.

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

Anthony S. Rainone

Carmella Amore

John T. Zavota

Ernest M. Kee

Brandon Barrett

Joseph Catanzaro, Sr.

Ida A.L. Santangini

Manuel M. Vezinho

Mary E. McDonnell

Concetta Emma

Pacqualina DeStefano

Severally Read and Collectively Passed,
by a Unanimous Rising Vote, on motion of
COUNCILMAN GLAVIN, seconded by
COUNCILMAN LOMBARDI.

The motion for Passage is Sustained.

ADJOURNMENT

There being no further business, on
motion of COUNCILMAN GLAVIN, second-
ed by COUNCILMAN LOMBARDI, it is
voted to adjourn at 7:35 o'clock P.M. (E.D.T.)
to meet again on THURSDAY, AUGUST 1,
1991 at 7:30 o'clock P.M. (E.D.T.).

Rose M. Mandonea

City Clerk

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL
JOURNAL OF PROCEEDINGS

No. 16 City Council Special Meeting, Thursday, July 11, 1991, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

JAMES A. PETROSINELLI

ROLL CALL

Present: Council President Petrosinelli,
Councilmen Clarkin, DeLuca, Dillon, Coun-
cilwomen DiRuzzo, Fargnoli, Councilmen
Fenton, Glavin, Igliozi, Lombardi, Mancini,
Councilwoman Nolan, Councilman Rollins,
Councilwomen Williams and Young—15.

Absent: None.

IN CITY COUNCIL

AUG 1 1991

APPROVED:

Michael R. Clement CLERK

INVOCATION

The Invocation is given by COUNCILMAN
DAVID G. DILLON.

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

COUNCILMAN JOSEPH DeLUCA leads
the members of the City Council and the
Assemblage in the Pledge of Allegiance to
the Flag of the United States of America.

CALL FOR SPECIAL MEETING COMMUNICATION FROM MAYOR VINCENT A. CIANCI, JR.

EXECUTIVE CHAMBER

July 9, 1991

The Honorable Michael R. Clement
First Deputy City Clerk
City Hall
Providence, RI 02903

Dear Mr. Clement:

Pursuant to Section 406 of the Providence Home
Rule Charter of 1980, I am this day requesting
a special meeting of the Providence City Council
to be held on Thursday, July 11, 1991 at 7:30 P.M.
in the City Council Chamber to consider the
following ordinances:

(A) An Ordinance making an Appropriation
for the Fiscal Year Ending June 30, 1992.

(B) An Ordinance Establishing the Classes of

Positions, the Maximum Number of Employees, and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 1990-14, Approved July 3, 1990.

(C) An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Ordinance Chapter 1990-13, Approved July 3, 1990.

(D) An Ordinance Providing for the Assessment and Collection of 1991 Taxes, being Based

on One Hundred Percent (100%) of the 1991-92 Fiscal Year Tax Collections.

Your assistance in this matter is greatly appreciated.

Sincerely,

VINCENT A. CIANCI, JR.
Mayor of Providence

Received.

FROM THE FIRST DEPUTY CITY CLERK

The First Deputy City Clerk reads the following Warrant with Return Certification Endorsed thereon by a Member of the Providence Police Department that He did notify the Members of the City Council of the Special Meeting to be held Thursday, July 11, 1991 at 7:30 o'clock P.M. (EDT) by Personally Delivering a Copy of the Warrant on July 9, 1991:

July 9, 1991

*To Members of the Providence
Police Department:*

Whereas, His Honor, Mayor Vincent A. Cianci, Jr., Mayor of the City of Providence has, pursuant to Section 406 of the Providence Home Rule Charter of 1980, requested the First Deputy City Clerk, in writing, to call a Special Meeting of the City Council to be held on the 11th Day of July, 1991 at 7:30 o'clock P.M. (E.D.T.) for the purpose of Enacting the following:

An Ordinance making an Appropriation for the Fiscal Year Ending June 30, 1992.

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees, and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 1990-14, Approved July 3, 1990.

An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Ordinance Chapter 1990-13, Approved July 3, 1990.

An Ordinance Providing for the Assessment and Collection of 1991 Taxes, being Based on One Hundred Percent (100%) of the 1991-92 Fiscal Year Tax Collections.

You are therefore, hereby commanded and required to summon each Member of the City Council to that Special Meeting, as Called.

Hereof, Fail Not, and make true return of this Warrant, with your doings thereon.

Given under my Hand and Official Seal of the City of Providence, State of Rhode Island, and

Providence Plantations, this 9th Day of July,
A.D., 1991.

MICHAEL R. CLEMENT
First Deputy City Clerk

do hereby certify that they have notified each
Member of the City Council of the Special Meeting
Scheduled to be held on Thursday, July 11, 1991
at 7:30 o'clock P.M. (E.D.T.) in the Chamber of
the City Council, City Hall, Providence, in
accordance with the subject warrant by delivering
to each member, a copy thereof.

JOHN P. GANNON
July 9, 1991

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

THE CITY OF PROVIDENCE, Sc.

Received.

Members of the Providence Police Department,

NEW BUSINESS

SUBMISSION OF PROPOSED BUDGET OF REVENUES AND EXPENDITURES

HIS HONOR, MAYOR VINCENT A.
CIANCE, JR., Presents:

An Ordinance making an Appropriation for the
Fiscal Year Ending June 30, 1992.

COUNCILMAN GLAVIN moves the
Ordinance be Amended by Reducing Envir-
onmental Control Services by \$935,000.00
(from \$6,386,273 to \$5,451,273) and to
reduce Property and Excise Taxes by
\$935,000 (from \$164,222,349 to
\$163,287,349).

This motion is seconded by COUNCIL-
MAN LOMBARDI.

COUNCILMAN FENTON requests a legal
opinion from CITY SOLICITOR BRODSKY

relative to whether or not a Public Hearing
should be held according to Section 411 of
the Providence Home Rule Charter.

CITY SOLICITOR BRODSKY submits the
following Legal Opinion:

Mr. President and Members
of the City Council:

Let me for the record read the pertinent
provisions of Section 411 of the Providence Home
Rule Charter. It provides "The city council shall
not take final action on the following types of
legislation without a public hearing, which shall
be held not less than ten (10) days following notice
published in a newspaper circulated generally in
the City of Providence", and the one that is
material for this evenings' discussion Mr. Pres-

ident, is subsection (b) 'The annual appropriation ordinance and capital improvement budget'.

The Budget Message and the four pertinent Ordinances that comprise the Budget were properly advertised and the period as set forth of the ten (10) days following the notice of publication was adhered to. There were hearings before the Finance Committee of this City Council. That Finance Committee, in its judgment, believed that the Tax Increase should be less than what the Mayor had proposed. That came before the Council at the last meeting I believe the Special Meeting, Mr. President, and the City Council in its wisdom, did not approve the recommendations of the Finance Committee, that the Budget with a Tax Increase of \$2.84 be adopted.

Contrary to what Councilman Fenton has just declared, it is my considered judgment that the Budget as submitted by the Mayor to this Special Meeting, is not different, but his recommendation is that the \$2.84 that had been approved by the Finance Committee, be now re-submitted to this Council for reconsideration. What then, Mr. President, is the import of Section 411 with reference to ten (10) days of advertising and the Public Hearing? It was to afford to everyone, every citizen of our community, the opportunity to be heard. They heard a proposal of \$3.80, that was uppermost in their minds. They certainly did not read the Budget Message, nor the four Ordinances and when the Finance Committee changed that or recommended it to \$2.84, I address myself now to Councilman Fenton, had this City Council last meeting adopted the recommendation of the Finance Committee and enacted this Budget at \$2.84, how different then is that consideration of a week ago, than tonight when it is being re-submitted in an amount that is less than it is advertised on an amount that the Finance Committee had verified and the spirit and substantive adherence to the provisions of a Public Meeting have been met.

Mr. President, I believe I have read this Charter since I've become the City Solicitor a hundred

times and I find new material every time I read it. It's like the Bible, I find new passages of meaning. I find nothing here in this Home Rule Charter that meets the peculiar situation of this evening, of a reconsideration or a re-submission to adopt the very recommendations of the Finance Committee whom you lauded last time for its laborious and intent meetings that it held. The spirit, the intent and the substantive hearings I tell you, Mr. President, have been fully met under the provisions of 411."

COUNCILMAN GLAVIN requests a Ruling from the Chair.

COUNCIL PRESIDENT PETROSINELLI Rules that the Amendment is in Order, according to the Opinion submitted by the City Solicitor.

COUNCIL PRESIDENT PETROSINELLI directs the First Deputy City Clerk to Call the Roll on the foregoing Amendment:

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Fenton, Glavin, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—14.

Noes: Councilman Iglioizzi—1.

Absent: None.

The motion to Amend the Appropriation Ordinance, is Sustained.

COUNCILMAN GLAVIN moves the Ordinance be further Amended by reducing Property Taxes by \$200,000.00 (from \$163,287,349 to \$163,087,349) and to reduce Fire Department Salaries by \$200,000.00 (from \$22,643,810 to \$22,443,810).

This motion is seconded by COUNCILMAN LOMBARDI.

COUNCILMAN LOMBARDI moves that the Amendment be Laid on the Clerk's Desk.

This motion being seconded by **COUNCILMAN GLAVIN** and having precedence over the Main Motion to Amend, is Put to Vote and Not Passed.

COUNCILMAN GLAVIN Moves that the Ordinance be Read and Passed, the First Time, as Amended.

This motion is seconded by **COUNCILMAN IGLIOZZI**.

COUNCILMAN DeLUCA moves that the Ordinance be Denied.

This motion being seconded by **COUNCILMAN FENTON** and having precedence over the Main Motion for Passage, as Amended, is Put to Vote and Not Passed by the following Roll Call Vote:

Ayes: Councilman DeLuca, Councilwoman DiRuzzo, Councilman Fenton, Councilwomen Williams and Young—5.

Noes: Council President Petrosinelli, Councilmen Clarkin, Dillon, Councilwoman Fagnoli, Councilmen Glavin, Igliozi, Lom-

bardi, Mancini, Councilwoman Nolan and Councilman Rollins—10.

Absent: None.

The motion to Deny is Not Sustained.

COUNCIL PRESIDENT PETROSINELLI directs the First Deputy City Clerk to Call the Roll on the Main Motion for Passage for the First Time, as Amended.

The Roll is Called as follows:

Ayes: Council President Petrosinelli, Councilmen Clarkin, Dillon, Councilwoman Fagnoli, Councilmen Glavin, Igliozi, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins—10.

Noes: Councilman DeLuca, Councilwoman DiRuzzo, Councilman Fenton, Councilwomen Williams and Young—5.

Absent: None.

The motion for Passage the First Time, as Amended, is thereupon Sustained.

PRESENTATION OF ORDINANCES

COUNCIL PRESIDENT PETROSINELLI
(By Request):

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees, and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 1990-14, Approved July 3, 1990.

An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Ordinance Chapter 1990-13, Approved July 3, 1990.

An Ordinance Providing for the Assessment and Collection of 1991 Taxes, being Based on One Hundred Percent (100%) of the 1991-92 Fiscal Year Tax Collections.

Severally Read and Collectively Passed, the First Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN IGLIOZZI, by the following Roll Call Vote:

Ayes: Council President Petrosinelli, Councilmen Clarkin, Dillon, Councilwoman Fagnoli, Councilmen Glavin, Igliazzi, Lom-

bardi, Mancini, Councilwoman Nolan, Councilman Rollins—10.

Noes: Councilman DeLuca, Councilwoman DiRuzzo, Councilman Fenton, Councilwomen Williams and Young—5.

Absent: None.

The motion for Passage the First Time, is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN IGLIOZZI, it is Voted to Adjourn at 10:00 o'clock P.M. (E.D.T.).

Michael R. Clement

First Deputy City Clerk

