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CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 40 City Council Regular Meeting, May 16, 1996, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT PRO TEMPORE

EVELYN V. FARGNOLI

IN CITY COUNCIL

JUN 6 1996

APPROVED:

Michael A. Clement CLERK

ROLL CALL

Present: Council President Pro Tempore Fargnoli, Councilmen Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Iglizzi, Jackson, Lombardi, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—11.

Absent: Council President Petrosinelli, Councilmen Allen, Glavin and Mancini—4.

INVOCATION

The Invocation is given by COUNCILMAN
KEVIN JACKSON.

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

COUNCILWOMAN JOSEPHINE DIRUZZO 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

The Journals of Proceedings No. 35 of the Regular Meeting of the City Council held March 21, 1996; No. 36 of the Regular Meeting of the City Council held April 4, 1996; No. 37 of the Regular Meeting of the City Council held April 18, 1996, and Collectively Posted on that Bulletin Board located on the Ground Floor Level of City Hall, are Severally Approved as Printed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.

ORDINANCES SECOND READING

The following Ordinances were in City Council May 2, 1996, Read and Passed the First Time and are returned for Passage the Second Time:

An Ordinance amending Chapter 20 of the Ordinances of the City of Providence entitled: "Redevelopment Areas" as amended.

Be it ordained by the City of Providence:

1. That Sections 20-1 through 20-20 of Chapter 20-20 entitled, "Redevelopment Areas" is hereby eliminated and the following five (5) Sections will be added in their stead:

Section 1. Authority; designation of areas.

The City Council of the City of Providence hereby designates, in accordance with R. I. G. L. 45-32-4, the redevelopment areas as set forth in this Chapter.

Section 20-2. Area 1.

The following area in the City of Providence shall be designated as Area-1:

Beginning at a point at the centerline intersection of Interstate Route 146 and the North Providence Town Line;

Thence turning and running southerly along Interstate Route 146 to its intersection with Interstate Route 95;

Thence turning and running southerly along Interstate Route 95 to its intersection with Interstate Route 6;

Thence turning and running westerly along Interstate Route 6 to its intersection with the Johnston Town Line;

Thence turning and running northerly along the Johnston Town Line and Providence City Line to its intersection with the North Providence Town Line;

Thence turning and running along the City Line and the North Providence Town Line to its intersection with Ferncrest Blvd and the westerly boundary of Rhode Island College;

Thence turning and running southwesterly along the westerly boundary line of the Rhode Island College approximately 1,230 feet to the intersection of the westerly boundary line of the State Home and school and the northerly Boundary of Triggs Memorial Park;

Thence turning and running southwesterly across Triggs Memorial Park approximately 1,440 feet to the intersection of the westerly boundary of Triggs Park and Bullock Avenue on range of the southerly side of Batterson Street;

Thence southerly and easterly along the Triggs Park boundary approximately 2,230 feet to the intersection of the park boundary and Chalkstone Avenue;

Thence in a generally easterly direction along the northerly side of Chalkstone Avenue approximately 2,492 feet to the intersection of Chalkstone Avenue and the easterly boundary of Triggs Park;

Thence in a generally northeasterly direction along the Triggs Park boundary approximately 2,522 feet to the intersection of the easterly boundary of Triggs Park with the southerly boundary of the Mt. Pleasant High School property;

Thence easterly along the southerly boundary of Mt. Pleasant High School approximately 1,325 feet to the westerly side of Mt. Pleasant Avenue;

Thence southerly along the westerly side of Mt. Pleasant Avenue to its intersection with Canonchet Street;

Thence westerly along the westerly side of Canonchet Street to its intersection with Winthrop Avenue;

Thence southerly along the westerly side of Winthrop Avenue to its intersection with the southerly side of Chalkstone Avenue;

Thence westerly along the southerly side of Chalkstone Avenue to its intersection with Leah Street;

Thence southerly along the westerly side of Leah Street to its intersection with the southerly side of Atwells Avenue;

Thence easterly along the southerly side of Atwells Avenue to its intersection with the easterly side of Academy Avenue;

Thence northerly along the easterly side of Academy Avenue to its intersection with the southerly side of Newark Street;

Thence easterly along the southerly side of Newark Street to its intersection with the easterly side Cutler Street;

Thence northerly along the easterly side of Cutler Street to its intersection with the southerly side of Cliff Street;

Thence easterly along the southerly side of Cliff Street to its intersection with the easterly side of Allston Street;

Thence easterly along the southerly side of Allston Street to its intersection with the westerly side of Wolcott Street;

Thence southerly along the westerly side of Wolcott Street to the rear lot line of Lot 437 on A. P. 66;

Thence easterly along the northerly lot line of Lot 437 to the easterly lot line of Lot 437;

Thence southerly along the easterly lot line of Lot 437 to its intersection with the northerly lot line of Lot 216 on A. P. 66;

Thence easterly along the northerly lot line of Lots 216, 217, and 220 on A. P. 66;

Thence southerly along the easterly lot line of Lot 220 to its intersection with the northerly side of Valley Street;

Thence easterly along the northerly side of Valley Street to its intersection with the westerly side of Raymond Street;

Thence northerly along the westerly side of Raymond Street to its intersection with the southerly side of Smith Street;

Thence westerly along the southerly side of Smith Street to its intersection with the westerly side of Huxley Avenue;

Thence northerly along the westerly side of Huxley Avenue to its intersection with the southerly side of Admiral Street;

Thence westerly along the southerly side of Admiral Street to its intersection with the westerly side of Sharon Street;

Thence southerly along the westerly side of Sharon Street to its intersection with the northerly side of Naples Avenue;

Thence southerly along the northerly side of Naples Avenue to the easterly intersection with Enfield Avenue;

Thence northerly along the easterly side of

Enfield Avenue to its intersection with the southerly side of Isabella Avenue;

Thence westerly along the southerly side of Isabella Avenue to its intersection with the easterly side of Longwood Avenue;

Thence southerly along the easterly side of Longwood Avenue to its intersection with the northerly side of Smith Street;

Thence southerly along the northerly side of Smith Street to its intersection with the southwesterly side of Cathedral Avenue;

Thence southerly along the southwest side of Cathedral Avenue to its intersection with the easterly side of Mt. Pleasant Avenue;

Thence northerly along the easterly side of Mt. Pleasant Avenue to its intersection with the North Providence Town Line;

Thence northerly along the North Providence Town Line to the point and place of beginning.

Section 20-3. Area 2.

Beginning at a point of the centerline of Interstate Route 146 and its intersection with the North Providence Town Line;

Thence turning and running in a southerly direction along Interstate Route 146 to its intersection with Interstate Route 95;

Thence and running in a northerly direction along Interstate Route 95 to its intersection with the southerly side of Industrial Drive;

Thence turning and running in a easterly direction along the southerly side of Industrial Drive to its intersection with the westerly side of North Main Street;

Thence turning and running in a southerly direction along the westerly side of North Main Street to the intersection with the westerly side of Canal St.

Thence turning and running southeasterly along Canal Street to the point where Canal Street becomes South Water Street;

Thence turning and running in a southeasterly direction to the southeasterly intersection of Crawford Street and South Water Street;

Thence turning and running southeasterly along the southeasterly side of Crawford Street approximately 55 feet to the southeasterly intersection of the Crawford Street Bridge and the harbor line;

Thence turning and running along said harbor lines of the Providence River and Seekonk River to its intersection with the New York, New Haven and Hartford Railroad right-of-way;

Thence in a generally northwesterly direction approximately 1,200 feet to its intersection with the westerly side of Gano Street;

Thence northerly along the westerly side of Gano Street to its intersection with the southerly side of East George Street;

Thence westerly along the southerly side of East George Street to its intersection with the easterly side of Governor Street;

Thence southerly along the easterly side of Governor Street to its intersection with the southerly side of Power Street;

Thence westerly along the southerly side of Power Street to its intersection with the easterly side of Thayer Street;

Thence southerly along the easterly side of Thayer Street to its intersection with the southerly side of John Street;

Thence westerly along the southerly side of John Street to its intersection with the westerly side of Benefit Street;

Thence northerly along the westerly side of

Benefit Street to its intersection with the southerly side of Angell Street;

Thence easterly along the southerly side of Angell Street to its intersection with the easterly side of DeFoe Place;

Thence northerly along the westerly side of the extended easterly side of DeFoe Place to its intersection with southerly side of Meeting Street;

Thence westerly along the southerly side of Meeting Street to its intersection with the easterly side of Congdon Street;

Thence northerly along the easterly side of Congdon Street to its intersection with the southerly side of Halsey Street;

Thence easterly along the southerly side of Halsey Street to its intersection with the westerly side of Brown Street;

Thence northerly along the westerly side of Brown Street to its intersection with the southerly side of Olney Street;

Thence easterly along the southerly side of Olney Street to its intersection with the westerly side of Hope Street;

Thence northerly along the westerly side of Hope Street to its intersection with the southerly side of Doyle Avenue;

Thence westerly along the southerly side of Doyle Avenue to its intersection with the westerly side of Camp Street;

Thence northerly along the westerly side of Camp Street to its intersection with the southerly side of Rochambeau Avenue;

Thence westerly along the southerly side of Rochambeau Avenue to its intersection with the westerly side of North Main Street;

Thence northerly along the westerly side of

North Main Street to its intersection with easterly side of Cemetery Street;

Thence northerly along the easterly side of Cemetery Street to its intersection with the westerly side of Nashua Street;

Thence northerly along the westerly side of Nashua Street to its intersection with the city line;

Thence turning and running in a westerly direction along the city line to the point and place of beginning.

Section 20-4. Area 3.

Beginning at the southwesterly intersection of Interstate Route 146 and Interstate Route 95;

Thence turning and running along Interstate Route 95 in a southerly direction to a point opposite the westerly side of Henderson Street;

Thence turning and running easterly along the southerly side of Henderson Street to its termination at the harbor line;

Thence turning and running northerly along the harbor line to its southwesterly intersection with the Crawford Street Bridge;

Thence turning and running northeasterly along the southeasterly side of Crawford Street to its intersection with South Water Street;

Thence turning and running northerly along South Water Street to the point where South Water Street becomes Canal Street;

Thence turning and running northerly along Canal Street to its intersection with the westerly side of North Main Street;

Thence turning and running northerly along the westerly side of North Main Street to its intersection with the southerly side of Industrial Drive;

Thence turning and running westerly a long the southerly side of Industrial Drive to its intersection with Interstate Route 95;

Thence turning and running southerly a long Interstate Route 95 to the point and place of beginning.

Section 20-4. Area 4.

Beginning at the intersection of the centerlines of the Town of Johnston and the Woonasquatucket River;

Thence turning and running westerly along the Johnston Town Line and the Providence City Line;

Thence turning and running southerly along the Providence City Line and the Johnston Town Line to its intersection with Sunset Avenue;

Thence turning and running southeasterly along the southerly side of Sunset Avenue to its intersection with Killingly Street;

Thence turning and running southeasterly along the southerly side of Killingly Street to its intersection with Duxbury Street;

Thence turning and running southerly along the westerly side of Duxbury Street to its intersection with Plainfield Street;

Thence turning and running southerly along the westerly side of Plainfield Street to its intersection with the Cranston City Line;

Thence turning and running easterly along the Cranston and Providence City Line;

Thence turning and running along the Cranston and Providence City Line to its intersection with the Harbor Line;

Thence turning and running northerly a long the Harbor Line to its intersection with Henderson Street;

Thence turning and running westerly along the southerly side of Henderson Street to its intersection with Interstate Route 95;

Thence turning and running northerly along Interstate Route 95 to its intersection with Interstate Route 6;

Thence turning and running westerly along Interstate Route 6 to its intersection with the Woonasquatucket River;

Thence turning and running northerly along the Woonasquatucket River to the point and place of beginning.

An Ordinance approving and adopting the Official Redevelopment Plan and the attached restrictions for the Douglas Avenue Revitalization Project.

Be it ordained by the City of Providence:

Whereas, The Providence Redevelopment Agency (PRA), pursuant to the provisions of the Rhode Island General Laws (RIGL) Title 45, Ch. 32, as amended, has formulated a plan entitled "The Douglas Avenue Redevelopment Project," (Redevelopment Plan) attached and made part of this Ordinance; and

Whereas, *Providence 2000, The Comprehensive Plan* has been prepared and adopted by the City Plan Commission and the City Council pursuant to RIGL Section 45-22.2 et. seq., and is recognized and used as a guide for the general development of the City of Providence as a whole; and

Whereas, The said Redevelopment Plan's Project Boundary encompasses an area which has been designated "Redevelopment Areas" by the City Code of Ordinances, Chapter 20, as amended; and

Whereas, The City Plan Commission, which is

the duly designated and acting official planning body for the City, has submitted to the City Council its report and recommendations respecting the Douglas Avenue Redevelopment Plan and has certified that said Redevelopment Plan conforms to the said Comprehensive Plan for the City as a whole, and the City Council has duly considered said report, recommendations and certification of the planning body; and

Whereas, A structural quality survey, conducted by the City of Providence, Department of Planning and Development, indicated that a number of the structures have deficiencies that included serious deterioration. The Douglas Avenue Revitalization Project Area is not restricted to, nor does it consist entirely of lands, buildings, or improvements which of themselves are detrimental, but is an area in which such conditions exist and injuriously affect the entire area.

Now, therefore, be it ordained by the City of Providence:

1. The Project is hereby designated as "The Douglas Avenue Revitalization Project." The Project Area will be designated number 35.

2. It is found and declared that the Douglas Avenue Redevelopment Plan Area contains blighted and substandard properties, some of which require demolition and clearance while others require rehabilitation and improvement. These include:

A. *Defective or Inadequate Street and/or Lot Layout.* The intersection of Eaton Street and Douglas Avenue is poorly laid out and in need of redesign. There are also building lots which were platted at a time when open space was not a concern. When possible, it is important to expand the size of the building lots through merging with adjacent properties, while insuring that the dense character of the housing in the neighborhood is not lost.

B. *Incompatible Uses.* Douglas Avenue was intended to serve as a commercial corridor for

the Smith Hill neighborhood of Providence. It was also lined with relatively high density residential uses. Both the vacant lots and vacant buildings are a blighting influence on the neighborhood and do not support the intended use.

C. *Obsolete or Aged Buildings, Not Suitable for Improvement for Conversion.* While there are a number of older buildings which have been well maintained over the years, there are also structures which are both aged and in dilapidated condition. Some of these, where the cost rehabilitation is prohibitive, must be removed.

D. *Inadequate Provision for Ventilation, Light, Sanitation, Open Space and Recreation Facilities.* There is a lack of public open space and recreational facilities on Douglas Avenue itself. The vacant lots do have sanitation problems which would be solved through new investment.

E. *Defective Design or Unsanitary or Unsafe Character or Condition of Physical Construction.* The vacant buildings help create an unsafe character in parts of Douglas Avenue.

3. It is the intent of the City Council to use powers granted under RIGL 45-32-1 et seq, as amended, to acquire vacant and/or blighted properties, reduce density of housing, facilitate rehabilitation of deteriorated structures, provide site improvements, and provide for the orderly redevelopment of the project area.

4. It is found and declared, pursuant to RIGL 45-32-20, that:

A. The Douglas Avenue Redevelopment Plan Area is feasible, conforms to the Comprehensive Plan, and if carried out, will promote the public health, safety, morals and welfare of the City of Providence.

C. The acquisition of the real property in accordance with the Douglas Avenue Redevelopment Plan Area is in the public interest.

D. The Redevelopment Plan shall provide for payment of property which may be acquired by the exercise of eminent domain has been made in the Redevelopment Plan.

E. The Redevelopment Plan contains adequate safeguards to assure the carrying out of the work of redevelopment.

F. The Redevelopment Plan provides for the retention of controls and the establishment of restrictions and covenants which may run the land.

5. The Douglas Avenue Revitalization Project, is hereby approved, adopted and designated as the Official Redevelopment Plan for the Douglas Avenue Revitalization Project Area and is herein incorporated by reference, made a part hereof and designated as "Exhibit A".

6. In order to implement and facilitate the effectuation of the Redevelopment Plan hereby approved, the City Council declares:

A. That it will provide the cost of the redevelopment of the Redevelopment Project Area, and hereby allocates \$125,000.00 representing the estimated amount of the Project Cost;

B. That the PRA and hereby is authorized and directed to utilize from time to time, in such sums as may be necessary, not exceeding One Hundred Twenty Five Thousand (\$125,000.00) Dollars and to disburse that the amount from the City's Community Development Block Grant (CDBG) for Program Year 21. The money thus obtained shall be used from exclusively for carrying out the Official Redevelopment Plan for the Douglas Avenue Revitalization Project. Future funding may be allocated from succeeding years of the CDBG Program, as available.

C. That the street layout deficiency at the intersection Douglas Avenue and Eaton Street be remedied, if funds are available.

D. That payment for property to be condemned is permitted.

E. That the Community Development Block Grant (CDBG) funds are available to effectuate said Douglas Avenue Revitalization Project.

F. That the controls contained within the Redevelopment Plan shall follow the Zoning Ordinance of the City of Providence, as amended.

7. This ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy of this Ordinance to the Providence Redevelopment Agency.

An Ordinance amending the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, approved June 27, 1994 and amended May 26, 1995.

Be it ordained by the City of Providence:

Section 1. Chapter 1994-24, No. 365, approved June 27, 1994, and amended May 26, 1995, shall be amended as follows:

Section 103 — Official Zoning Map, by changing the zoning designation on Providence Zoning District Map 100, Portion of Lot 2, and described as a rectangular parcel beginning at a point on the northeastern corner of Lot 499 on Assessor's Plat 76, and running approximately 117 feet southeasterly along the State of Rhode Island Highway Line (Route 146), thence turning approximately 112° along a line parallel to Clarksen Street and running 306.3 feet, thence turning 90° and running in a northerly direction 109.25 feet to the southeastern corner of said Lot 499 on Assessor's Plat 76, thence running along the eastern boundary of said Lot 499 on Assessor's Plat 76, 348.63 feet to the beginning point, from OS Open Space District to M-1 Industrial District.

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

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

Noes: None.

Absent: Council President Petrosinelli, Councilmen Allen, Clarkin, Glavin, Mancini, Rollins and Councilwoman Young—7.

Ayes: Council President Pro Tempore Fagnoli, Councilman DeLuca, Councilwoman DiRuzzo, Councilmen Igliazzi, Jackson, Lombardi, Councilwomen Nolan and Williams—8.

The motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCE

COUNCILWOMAN FARGNOLI (By Request):

FARGNOLI Refers the Ordinance to the Committee on Ordinances.

An Ordinance relating to Smoke Detectors.

The motion to Refer is Unanimously Sustained.

COUNCIL PRESIDENT PRO TEMPORE

PRESENTATION OF RESOLUTIONS

COUNCILMAN CLARKIN (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Charlesfield Street, from Hope Street to Brook Street and "No Parking on Either Side" Signs at that location on Tuesday, May 14, 1996 beginning from 12:00 o'clock Noon to 1:30 o'clock P.M. on Wednesday, May 15, 1996, as requested by Brown University Police and Security Services who will be holding a Memorial Service to honor Police Officers killed in the line of duty.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Charlesfield Street, from Hope Street to Brook Street and "No Parking on Either Side" Signs at that location on Tuesday, May 14, 1996 beginning from 12:00 o'clock Noon to 1:30 o'clock P.M. on Wednesday, May 15, 1996, as requested by Brown University Police and Security Services who will be holding a Memorial Service to honor Police Officers killed in the line of duty.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Tockwotton Street, from South Main Street to Traverse Street, on Saturday, May 25, 1996, between the hours of 12:00 o'clock Noon to 7:00 o'clock P.M. to accommodate a parade sponsored by the Providence Caribbean Association.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Tockwotton Street, from South Main Street to Traverse Street, on Saturday, May 25, 1996, between the hours of 12:00 o'clock Noon to 7:00 o'clock P.M. to accommodate a parade sponsored by the Providence Caribbean Association.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Tranton Street, from Ives Street to Gano Street on Sunday, June 23, 1996, between the hours of 10:00 o'clock A.M. to 9:00 o'clock P.M. in celebration of the Portuguese Sporting Club Feast.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Tranton Street, from Ives Street to Gano Street on Sunday, June 23, 1996, between the hours of 10:00 o'clock A.M. to 9:00 o'clock P.M. in celebration of the Portuguese Sporting Club Feast.

COUNCILMAN CLARKIN:

Resolution Extending the sincere best wishes of the Members of the City Council to William Murphy for a complete and speedy recovery from his recent illness.

Resolved, That the Members of the City Council hereby extend their sincere best wishes to William Murphy for a complete and speedy recovery from his recent illness.

COUNCILMAN DeLUCA (By Request):

Resolution Requesting the Acting Director of Public Works to repair and/or repave Leander Street.

Resolved, That the Acting Director of Public Works is requested to repair and/or repave Leander Street.

COUNCILMAN GLAVIN (By Request):

Resolution Requesting the Traffic Engineer to undertake a feasibility study regarding allowance of left movement of vehicular traffic along Olney Street onto North Main Street.

Resolved, That the Traffic Engineer is requested to undertake a feasibility study regarding allowance of left movement of vehicular traffic along Olney Street onto North Main Street.

COUNCILMAN JACKSON (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Cypress Street, from Knowles Street to Camp Street and Camp Street from Cypress Street to Locust Street on Sunday, May 19, 1996 between the hours of 11:00 o'clock A.M. to 6:00 o'clock P.M. to accommodate Family Non-Violence Day.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Cypress Street, from Knowles Street to Camp Street and Camp Street from Cypress Street to Locust Street on Sunday, May 19, 1996 between the hours of 11:00 o'clock A.M. to 6:00 o'clock P.M. to accommodate Family Non-Violence Day.

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

The motion for Passage is Unanimously Sustained.

COUNCILMAN MANCINI (By Request):

Resolution Requesting the Traffic Engineer to remove the "No Parking" Sign located at 69 Coggeshall Street.

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

COUNCILMAN ROLLINS (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Indiana Avenue, from Naragansett Boulevard to Virginia Avenue on Saturday, May 18, 1996, between the hours of 7:00 o'clock P.M. and 11:00 o'clock P.M. to accommodate the Portuguese Crown celebration.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Indiana Avenue, from Naragansett Boulevard to Virginia Avenue on Saturday, May 18, 1996, between the hours of 7:00 o'clock P.M. and 11:00 o'clock P.M. to accommodate the Portuguese Crown celebration.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Croyland Road, from Oxford Street to Sayles Street on Saturday, May 18, 1996, between the hours of 10:00 o'clock A.M. to 4:00 o'clock P.M. to

accommodate the South Providence Library Fair.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Croyland Road, from Oxford Street to Sayles Street on Saturday, May 18, 1996, between the hours of 10:00 o'clock A.M. to 4:00 o'clock P.M. to accommodate the South Providence Library Fair.

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

The motion for Passage is Unanimously Sustained.

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

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Director of Public Works to repair the depressions at the manholes on Prairie Avenue, from Public Street to Broad Street.

Resolved, That the Director of Public Works is requested to repair the depressions at the manholes on Prairie Avenue, from Public Street to Broad Street.

Resolution Requesting the Superintendent of Environmental Control to cause various vacant lots to be cleaned of all garbage and debris located within the Tenth Ward.

Resolved, That the Superintendent of Environmental Control is requested to cause various vacant lots to be cleaned of all garbage and debris located within the Tenth Ward as follows:

Devine Street and Seymour Street

132-152 Rugby Street

159 Rugby Street

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

The motion for Passage is Unanimously Sustained.

COUNCILWOMAN YOUNG and COUNCILMAN CLARKIN (By Request):

Resolution Authorizing His Honor the Mayor to transfer to the Providence Redevelopment Agency for the sum of One Dollar (\$1.00) that portion of Lester Street and A Street which was abandoned by Resolution No. 434, approved July 18, 1994.

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Resolution to the Committee on City Property.

The motion to Refer is Unanimously Sustained.

COUNCILWOMAN YOUNG (By Request):

Resolution that the City Council opposes passage by the General Assembly of House Bill 96-H 8382 and Senate Bill 96-S 2748 relating to "An Act relating to Alcoholic Beverages — Retail Licenses" in substantially the form attached.

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Resolution to the Special Committee on State Legislation.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Chief Electrical Inspector to upgrade the Street Light on Pole No. 36 on Pine Street to 27,000 lumen, due to the increase in crime and illegal drug activity.

Resolved, That the Chief Electrical Inspector is requested to upgrade the Street Light on Pole No. 36 on Pine Street to 27,000 lumen, due to the increase in crime and illegal drug activity.

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

The motion for Passage is Unanimously Sustained.

REPORTS FROM COMMITTEES

COUNCILMAN ROBERT M. CLARKIN, Chairman COMMITTEE ON PUBLIC WORKS

Transmits the following with recommendation the same be Severally Approved:

Resolution to abandon a portion of Gilbert Street.

Resolved, decreed and ordered:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works — Engineering Office, Street Line Section Plan" No. 064567 dated September 28, 1995.

viz:

Gilbert Street, (portions of), shown as cross-hatched area on accompanying plan as designated by the letters (A-B-C-D-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) Compliance with the Communication of the City Plan Commission dated 22 November 1995 requiring the merger of Lots 317 and 377 into a single lot, in the event the same has not yet occurred. (2) Petitioner shall tender the amount of Three Thousand Seven Hundred Ninety Seven Dollars (\$3,797.00) in legal tender U.S. to the City of Providence. (3) 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 be determined by the petitioner that any such facilities, or in the alternative should 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) The Petitioner shall convey an easement acceptable to the New England Tele-

phone and Telegraph 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.

(5) The Petitioner shall convey an easement acceptable to the 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.

(6) The petitioner shall convey an easement acceptable to the Providence Water Supply Board 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.

(7) Receipt by the Office of the City Clerk of communication from the Department of Public Works indicating that said department has no objection to the abandonment and the damages to the abutters is appraised at nothing and so awarded. And it is further

Ordered, That the Traffic Engineer be and is hereby directed to cause a sign to be placed on the above-named highway abandoned as afore-

said, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after 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 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.

Resolution Requesting the Traffic Engineer to post "15 Minute Limit Parking" Signs in the vicinity of 228-232 New York Avenue, near the intersection of Narragansett Boulevard.

Resolved, That the Traffic Engineer is requested to post "15 Minute Limit Parking" Signs in the vicinity of 228-232 New York Avenue, near the intersection of Narragansett Boulevard.

Resolution Requesting the Traffic Engineer to

cause the installation of Four-Way "Stop" Signs at the intersection of Ninth Street and Summit Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "Four-Way "Stop" Signs at the intersection of Ninth Street and Summit Avenue.

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

Resolved, That the Traffic Engineer is requested to cause the installation of Four-Way "Stop" Signs at the intersection of Irving Avenue and Taber Avenue.

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

The motion for Passage is Unanimously Sustained.

**COUNCILWOMAN EVELYN V. FARGNOLI, Chairwoman
COMMITTEE ON FINANCE**

Transmits the following with recommendation the same be Approved:

Resolution Accepting and Approving KPMG Peat Marwick to perform an Independent Audit of the Financial Accounts of the City of Providence for the fiscal years ending June 30, 1996, 1997 and 1998.

Resolved, That the City Council hereby selects KPMG Peat Marwick, Certified Public Accountants, 600 Fleet Center, 50 Kennedy Plaza,

Providence, Rhode Island 02903-9605, to complete the Audit of City Departments and Funds in accordance with their proposal submitted to the Committee on Finance of the City Council with Federal and other funds or departments reported both jointly and separately, where required for the following years, at fees not to exceed the following respectively:

<i>For the Year Ending</i>	<i>Audit Fee</i>	<i>Manager</i>	\$110
June 30, 1996	\$169,000	Senior	\$ 80
June 30, 1997	\$179,000	Staff	\$ 60
June 30, 1998	\$189,000		

Whereas, That estimated billable hours, years and fees not to exceed the following, respectively:

<i>For the Year Ending</i>	<i>All Inclusive Audit Hours</i>
June 30, 1996	4,000
June 30, 1997	4,000
June 30, 1998	4,000

Whereas, KPMG Peat Marwick, anticipated that there will be approximately 300 hours in start-up time that the City will not be billed for under the contract, and

Whereas, That the increase in hours reflects the expected time to complete the Audit in 1996 and 1997 with the rates and fees not to exceed the following respectively:

<i>Staffing Level</i>	<i>Rates Per Hour</i>
Partner	\$180

Now, therefore, be it Resolved, That the City Council does hereby select KPMG Peat Marwick, Certified Public Accountants to perform Auditing Services for the City of Providence, pursuant to the circulated specifications for bidders which is incorporated by reference into our agreement.

Read and Passed, the Second Time, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Fargnoli, Councilman DeLuca, Councilwoman DiRuzzo, Councilmen Igliazzi, Jackson, Lombardi, Councilwomen Nolan and Williams—8.

Noes: None.

Absent: Council President Petrosinelli, Councilmen Allen, Clarkin, Glavin, Mancini, Rollins and Councilwoman Young—7.

The motion for Passage is Sustained.

PERSONAL EXPRESSION

COUNCILMAN IGLIOZZI requests the privilege of the floor to speak on a point of Personal Expression and states:

"In response the School Committee's request, I don't know if everybody has that, it should be in your manila envelope. I am going to direct that

the clerk photocopy this and present this to every single Council person, but I want to make some brief comments about this and just so that people are aware of what happened at the Ethics Commission. As you may or may not be aware the School Board filed an advisory request that asked for an advisory opinion, the State of Rhode

Island regarding their ability to vote on school contracts with the teachers, because as a matter of practice they normally receive the same benefit package, i.e., Blue Cross, Retirement, etc., as the teachers. Their first meeting at the Ethics Commission, certain questions were raised, and I think Councilman Lombardi indicated to me that there were questions raised why the President of the City Council did not appear, and what the City Council's position was on that. I took it upon myself and contact the City Solicitor's office and ask him to take time out of his busy schedule, and I want to publicly thank Charles Mansolillo for doing so. It's certainly beyond the scope of his authority, or the scope of his duties, but he did so at my request. We appeared at the Ethics Commission, and the question at that time, I did testify before the Ethics Commission, they were very concerned because there are no minutes to suggest how we pass and approve the School Board budget separate and apart from the school contracts. I had indicated at that meeting that we in fact passed an Ordinance that changed the entire City employee's staff to City Blue, and even if the teacher's or the firemen, or the policemen were to change back to the original Blue Cross plan by way of arbitration and negotiation, that would not have any impact on any non union employee, or impact on any board member, any agency. Once you pass an Ordinance on an agency or board member, they are not in the union so obviously if we say everybody is going to be on City Blue and the school teachers get an arbitrator to say otherwise, not arbitrator, a court decision or a negotiator decision to say otherwise, that wouldn't affect the Board members. The reason why I raise that point is they went out of their way to indicate that they should be the separate analysis between approving school contracts by the council and approving School Board member's benefit packages. Even though we did so by Ordinance, it's going to be my request, at the City Solicitor's request, that we now indicate in that Ordinance that we designate and separate appointees, Board members, agency binding, I mean labor contracts. That we would not have a problem like we had here. The bottom line is the City Council didn't have the question,

the School separate analysis by the City Council. As a fact of the matter, we do give a separate analysis by passing that Ordinance, but as a practical matter, we don't make a distinction between employee, appointee or agency. I raise that so that everybody is aware of it. It was an interesting discussion. I don't know if the City Solicitor has anything to add, and I'm not so sure that I explained it that clearly, but I did want everybody to be aware that that issue came up at the Ethics Commission, and I think we should be very sensitive to those kinds of issues in the future. Again, it wasn't at our request, nor was the City Council called on the carpet or anything like that. It wasn't that at all. They wanted to know what the City Council's position was, and while I am not speaking for the City Council, I did present to them an approved Ordinance, passed by the majority of the City Council, in fact a unanimous City Council, changing City Blue for all employees. So I could not speak for the City Council regarding that Ordinance. We all spoke on that, whatever date it was July '94. July '95. I don't know if I raised more questions than I answered, but I wanted people to be aware of that meeting and the impact of this commission's decision. I will have this disseminated by the clerk to every Council member. I question why the School Board potentially in violation of the Ethics Code when they would be voting on a contract that is reducing the benefits, not increasing the benefits, and the response that I got from the lawyer for the Ethics Commission that the literal language in the Ethics Code says it doesn't matter whether it's a benefit or a detriment, if you vote on it you are in violation of it. Without getting into legal arguments there is some legal belief that that's an erroneous interpretation detriment. But here's why I was concerned about that. This City Council, who by Charter, can never vote to increase or change it's salary for the existing Council, we can only do it for the next Council, '98. Last year and '95 also voted to reduce our benefit package. I am not saying that's the case, and I don't think that would be the ruling, but I am telling you that that would be an absurd interpretation of that ruling. I don't think that's the case at all. I think the serious interpretation

is if you are benefiting yourself or you are doing something to the detriment of someone else by virtue of that. I raise that because we voted to reduce our own medical care package in July. And if you take it by literal definition, you can't vote or reduce your own. Forget about increase, you can't vote to reduce your own benefit package. I don't think that's the case, but I want to raise

it because in a round about way, the Ethics Commission was saying that that's a problem. Not for us, but for the School Board, and since we are bound by Charter, I wonder if that absurd result would ever come out. I don't know."

REPORTS FROM COMMITTEES

COUNCILMAN THOMAS M. GLAVIN, Chairman SPECIAL COMMITTEE ON STATE LEGISLATION

Transmits the following with recommendation the same be Approved:

Resolution that the City Council opposes passage by the General Assembly of House Bill 96-H 8400 relating to "An Act relating to the Narragansett Bay Commission of Rhode Island" in substantially the form attached.

Resolved, That the City Council opposes passage by the General Assembly of House Bill 96-H 8400 relating to "An Act relating to the

Narragansett Bay Commission of Rhode Island" in substantially the form attached.

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

The motion for Passage is Unanimously Sustained.

COUNCILMAN JOHN J. LOMBARDI, Chairman COMMITTEE ON CITY PROPERTY

Transmits the following with recommendation the same be Severally Approved:

Resolution Authorizing a certain portion of the Esek Hopkins Park parcel to be conveyed to American Silicon Products, Inc.

Whereas, American Silicon Products, Inc. located on Clarkson Street in the Charles Street

neighborhood of the City of Providence, wishes to expand its manufacturing operations thereby creating an additional 35 new employment positions; and

Whereas, Hopkins Park (which directly abuts

the property of American Silicon Products, Inc.) containing 7. Acres of land, was deeded by the Hopkins Family to the City of Providence in 1907; and

Whereas, In an effort to sufficiently expand its operation, American Silicon Products, Inc. has made an offer to acquire 36,000 square feet (.8 acres) of land adjacent to its existing facility (the Esek Hopkins parcel) and build a 10,000 square foot addition to its existing manufacturing building; and

Whereas, The City of Providence's Comprehensive Plan, among other objectives, promotes economic development in Providence through job creation and retention, and also promotes the preservation of historic resources and open spaces; and

Whereas, The Parks Department and Department of Planning and Development have been working with American Silicon Products, Inc., the Hopkins Homestead Restoration Committee, the Hopkins Family, and the Providence Preservation Society to devise a mutually appropriate plan which would allow American Silicon to expand its existing facility while preserving the integrity of the Esek Hopkins Park; and

Whereas, The Providence Redevelopment Agency has considerable experience in areas of redevelopment and construction and monitoring thereof.

Now, therefore, The Providence City Council hereby resolves:

1. The Honorable Vincent A. Cianci, Jr., Mayor of the City of Providence, is hereby authorized to convey that certain parcel of land as described in "Exhibit A", attached hereto and made a part hereof (the "subject property") to the Providence Redevelopment Agency in accordance with the Providence Home Rule Charter, Article IV, City Council Section 416 "acquisition and disposition of property" as amended, for the total sum of One-Dollar (\$1.00) for the specific purpose

of reconveying the subject property to American Silicon Products, Inc., in a manner not inconsistent with this Resolution.

2. The Providence Redevelopment Agency shall convey the subject property to American Silicon Products, Inc., for and in consideration of, among other things, the sum of \$83,000.

3. The subject property shall be used by American Silicon Products, Inc., exclusively for the specific purpose of expanding its manufacturing operation building a 10,000 square foot addition to its existing manufacturing facility.

4. The conveyance deed to American Silicon Products, Inc., shall include certain restrictions, standards and requirements as set forth by the Department of Planning and Development, as specified, but not limited to those restrictions set forth in Exhibit "B", attached hereto and made a part hereof, with regard to the construction of the addition on the subject property.

5. The Parks Department shall use an agreed upon percentage of the net proceeds from the sale of the subject property for the development of a restoration program for the Esek Hopkins House located at the Esek Hopkins Park.

6. The Department of Planning and Development will seek City Council approval for the allocation of community development block grant funding, to be allocated over the next three years an amount of \$50,000 per year to assist in the restoration of the Esek Hopkins House. The Parks Department and the Department of Planning and Development will oversee and monitor the restoration of the Esek Hopkins House.

This resolution shall be effective as of the date of approval.

Resolution Authorizing that parcel of property located at the corner of Douglas Avenue and

Chalkstone Avenue City of Providence, State of Rhode Island, known as the Armenian Heritage Park, be transferred to the Department of Public Parks.

Whereas, S. Sue Aramian and Martha Aramian are joint owners of property located at the corner of Douglas Avenue and Chalkstone Avenue in the City of Providence, State of Rhode Island, on the easterly portion of Lot 54 on Assessor's Plat 68 and described in the attached exhibit known as the Armenian Heritage Park; and

Whereas, Said park was built entirely with private monies through the efforts of Martha Aramian and her family in order to honor the families of Armenian decent who settled in Smith Hill; and

Whereas, They are desirous of transferring said property to the City of Providence in order that it may be enjoyed by the people of the City of Providence as the Armenian Heritage Park.

Now, therefore, be it Resolved, That His Honor,

the Mayor is hereby authorized to execute any and all documentation relative to the transfer of said parcel from the joint owners to the City of Providence for the sum of One (\$1.00) Dollar.

Read and Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Fagnoli, Councilman DeLuca, Councilwoman DiRuzzo, Councilmen Iglizzo, Jackson, Lombardi, Councilwomen Nolan and Williams—8.

Noes: None.

Absent: Council President Petrosinelli, Councilmen Allen, Clarkin, Glavin, Mancini, Rollins and Councilwoman Young—7.

The motion for Passage is Sustained.

COMMUNICATIONS AND REPORTS

FROM CHRISTINE ROUNDTREE, EXECUTIVE DIRECTOR OF THE PROVIDENCE HUMAN RELATIONS COMMISSION:

Communication from Christine Roundtree, Executive Director of the Providence Human Relations Commission dated May 1, 1996, Inform-

ing His Honor the Mayor of the election of Christopher Nocera to the Office of Chairperson, the re-election of Thomas A. Foley to the Office of Vice-Chairperson and the election of Lodie Lambright to the Office of Secretary.

Received.

FROM THE CLERK'S DESK

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

Glendora Nealy

Alice LaFlame

Judith House

Arianne Christine Caporiccio

Samuel Pezza

American International Recovery a/s/o
Anthony Judge

City of Cranston

Lawrence E. Wier

Patricia A. Conaty

Kibbe Brown

Patricia A. Flori

Earl T. Buteau

Howard Goldstein

Christiane M. Mauricio

Maria A. Oliveira

John R. Monse, Jr.

Louisa J. McNally

Ann P. Flynn

Albert Hughes

Amica Insurance Co. a/s/o David A. Nickerson

Gina Carbone

Liberty Insurance Co. a/s/o Harry F. Greene

Casco Indemnity Co. a/s/o Dorothy Gorman

Philips Leventhal

Ronald J. LePage

Janet L. Cayouette

Kathleen Serverian-Wilmeth

**COUNCIL PRESIDENT PRO TEMPORE
FARGNOLI Severally Refers the Petitions
to the Committee on Claims and Pending
Suits.**

**The motion to Refer is Unanimously
Sustained.**

PRESENTATION OF CITATIONS

"In Congratulations"

**COUNCIL PRESIDENT PETROSINELLI
and the MEMBERS of the CITY COUNCIL:**

Lindy and Etta D'Itri, in recognition of the
Celebration of their 40th Wedding Anniversary.

Citations Extending Congratulations.

**Severally Read and Collectively Passed,
on motion of COUNCILMAN IGLOZZI, sec-
onded by COUNCILMAN LOMBARDI.**

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

**The motion for Passage is Unanimously
Sustained.**

Mr. and Mrs. Julio Tancredi, in recognition of
the Celebration of their 50th Wedding
Anniversary.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

**COUNCIL PRESIDENT PETROSINELLI
and the MEMBERS of the CITY COUNCIL:**

Josephine Monaco

Resolutions Extending Sympathy.

Theresa G. Isabella

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

Ernest L. DiRocco, Sr.

Lucia Fiore

Gloria T. Zanni

Kathleen Curran

Oresto "Ernie" Lisa

Nathalie Ann Price

William Corrao

Beulah T. Culverwell

Stephanie "Stella" Stachowiak

Ronald E. Haxton

Ida M. Anargiro

Bella Corin

Peter Murphy

Domenic R. Conca

COUNCILMAN IGLIOZZI, seconded by
COUNCILMAN LOMBARDI.

John "Mickey" Kasmanian

The motion for Passage Unanimously is
Sustained.

Severally Read and Collectively Passed,
by a Unanimous Rising Vote, on motion of

ADJOURNMENT

There being no further business, on
motion of COUNCILMAN IGLIOZZI, sec-
onded by COUNCILMAN LOMBARDI, it is
voted to adjourn at 8:05 o'clock P.M. (E.D.T.)
to meet again on THURSDAY, JUNE 6, 1996
at 7:30 o'clock P.M. (E.D.T.).



First Deputy City Clerk