

**CITY OF PROVIDENCE
RHODE ISLAND**



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 82 City Council Regular Meeting, Thursday, February 18, 1982 8:00 P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

ROBERT F. LYNCH

IN CITY COUNCIL
MAR 4 1982

APPROVED:

Rose M. Meneloune CLERK

ROLL CALL

Present: Council President Lynch and Councilmen Almagno, Boyle, Councilwoman Brassil, Councilmen Brennan, Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore, Snowden, Stravato and Xavier-25.

INVOCATION

The invocation is given by the VERY REVEREND WILLIAM L. PATTEN, O.P., PASTOR OF SAINT PIUS CHURCH.

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

COUNCILMAN THOMAS W. PEARLMAN leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

SEEL 2

APPROVAL OF RECORD

The Journal of Proceedings No. 81 of the Regular Meeting of the City Council held February 4, 1982 and Posted February 16, 1982 on that Bulletin Board located on the Ground Floor Level of City Hall, is Approved as Printed, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN GLAVIN.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated February 4, 1982 informing the Honorable City Council that in accordance with Article VII, Section 5.53 of the Providence City Charter, of His Appointment of Dan A. Triangolo, 387 Charles Street to the Water Supply Board to fill a vacancy caused by the death of Mr. Alfred T. Ciccone, until such time as a successor in such office shall have been appointed and shall have qualified.

February 4, 1982

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

Dear Honorable Members:

In accordance with Article VII, Section 5:53 of the Providence City Charter, I am this day appointing Mr. Dan A. Triangolo, of 387 Charles Street to the Water Supply Board to fill a vacancy caused by the death of Mr. Alfred T. Ciccone, until such time as a successor in such office shall have been appointed and shall have qualified.

Respectfully,

VINCENT A. CIANCI, JR.
Mayor of Providence

Laid on the Clerk's Desk pending clarification of the Official Residence of the appointee, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN MOISE.

The motion to Lay on the Clerk's Desk is Sustained.

Communication dated February 4, 1982 informing the Honorable City Council that in accordance with Article VII, Section 5.53 of the Providence City Charter, of His Appointment of Dan A. Triangolo, 387 Charles Street to the Water Supply Board for a term to expire on the First Monday in January, 1984 to replace Mr. Alfred T. Ciccone.

February 4, 1982

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

Dear Honorable Members:

In accordance with Article VII, Section 5:53 of the Providence City Charter, I am this day appointing Mr. Dan A. Triangolo, 387 Charles Street to the Water Supply Board for a term to expire on the first Monday in January, 1984 to replace Mr. Alfred T. Ciccone who is deceased.

Respectfully,

VINCENT A. CIANCI, JR.
Mayor of Providence

Laid on the Clerk's Desk pending clarification of the Official Residence of the appointee, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN MOISE.

The motion to Lay on the Clerk's Desk is Sustained.

Communication dated February 12, 1982, informing the Honorable City Council that in accordance with Chapter 255 of the Public Laws of Rhode Island, 1972, of His Appointment of Joseph Emma, Jr., 39 Brightwood Avenue, Providence, to the Board of Park Commissioners for a term to expire on May 1, 1984, to replace Carole S. Dutcher whose term of office has expired.

February 12 1982

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

Dear Honorable Members:

In accordance with Chapter 225 of the Public Laws of Rhode Island, 1972, I am this day appointing Joseph Emma, Jr. of 39 Brightwood Avenue, Providence, to the Board of Park Commissioners for a term to expire on May 1, 1984, to replace Carole S. Dutcher whose term of office has expired.

Respectfully,

VINCENT A. CIANCI, JR.
Mayor of Providence

COUNCILMAN JOHNSON moves that the Communication be Received and the Appointment be Disapproved.

This motion being seconded by COUNCILMAN MOISE is Put to Vote and Not Passed by the following Roll Call Vote:

Ayes: Councilman Boyle, Councilwoman Brassil, Councilmen Dillon, Easton, Johnson, Moise, O'Connor, Paolino, Petrosinelli and Salvatore—10.

Noes: Councilmen Almagno, Cirelli, Cola, Farmer, Flynn, Glavin, Griffin, Mansolillo, Pearlman, Pennine, Snowden and Stravato—12.

Not Voting: Council President Lynch, Councilmen Brennan and Xavier—3.

The motion for Disapproval is Not Sustained.

PRESENTATION OF ORDINANCES

COUNCIL PRESIDENT PRO TEMPORE STRAVATO (By Request):

An Ordinance in Amendment of Article II, Sections 15-18 (b) 15-22 (a) and 15-23 (a) of the

Code of Ordinances of the City of Providence, entitled: "Impoundment of Vehicles".

Referred to Committee on Finance, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN GLAVIN.

The motion to Refer is Sustained.

COUNCILMAN MANSOLILLO (By Request):

An Ordinance Amending the Appropriation Ordinance, Chapter 1981-39 Effective July 20, 1981, by Transferring the Sum of Two Thousand Five Hundred Dollars (\$2,500.) from Contingencies Item 199 to Archives and History Item 199.

Referred to Committee on Finance, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN GLAVIN.

COUNCILMAN MOISE desires to be recorded as voting "No".

The motion to Refer is Sustained.

COUNCIL PRESIDENT LYNCH, and COUNCILMAN ALMAGNO, COUNCILMAN BOYLE, COUNCILWOMAN BRASSIL, COUNCILMAN BRENNAN, COUNCILMAN CIRELLI, COUNCILMAN DILLON, COUNCILMAN EASTON, COUNCILMAN FLYNN, COUNCILMAN GLAVIN, COUNCILMAN GRIFFIN, COUNCILMAN MANSOLILLO, COUNCILMAN MOISE, COUNCILMAN O'CONNOR, COUNCILMAN PAOLINO, COUNCILMAN PETROSINELLI, COUNCILMAN SALVATORE, COUNCIL PRESIDENT PRO TEMPORE STRAVATO and COUNCILMAN XAVIER.

Resolution Urging and Supporting Councilman Harry A. Johnson to seek the Office of United States Congress.

Whereas, Councilman Harry A. Johnson has expressed an interest in running for Congress from the Second Congressional District, and

Whereas, A life-long resident of the South Providence and Washington Park neighborhoods, he knows first-hand of the problems of the poor and the working class, and

Whereas, As the owner of a small business, he has had to deal directly with the effects of high interest, inflation, unemployment and the present economic recession, and

Whereas, In twelve years, he has conducted the people's business faithfully and well, and gaining the respect of constituents and colleagues alike, and

Whereas, The actions of Congress over the next two years will have a profound effect on the future of Providence and its citizens, and

Whereas, The City of Providence would do well to have a voice of its own in Congress,

Now, Therefore, Be It Resolved, That the Members of the City Council Urge and Support Councilman Harry A. Johnson to Seek the Office of the United States Congress.

Read and Passed, on motion of COUNCILMAN EASTON, seconded by COUNCILMAN DILLON.

The motion for Passage is Sustained.

COUNCIL PRESIDENT PRO TEMPORE STRAVATO and the MEMBERS OF THE CITY COUNCIL:

Resolution Extending the Congratulations of the Members of the City Council to Robert F. Lynch, Upon Being Elected President of the City Council.

Whereas, Robert F. Lynch has been a Member of the Providence City Council since 1964, and served on numerous Committees, Boards and Commissions,

Whereas, Undoubtedly impressed by his sound judgment, keen wit and effervescent personality, his colleagues have elected him Chairman of the Committee on Finance, Majority Leader, and Chairman of the Providence Civic Center Authority,

Whereas, His ability to articulate his position on the most sensitive and emotional issues in a rational and unequivocal manner without offending those whose views might differ has earned him the respect of people of all political persuasions,

Whereas, On February 4, 1982 he was unanimously elected President of the City Council,

Now, Therefore, Be It Resolved, That the Members of the City Council express confidence that Robert F. Lynch will faithfully uphold and preserve the traditions and prerogatives of this honorable body,

Be It Further Resolved, That the City Clerk shall cause a duly engrossed copy of this Resolution to be transmitted to Council President and Mrs. Robert F. Lynch, as our expression of sincerest congratulations and best wishes, and

Be It Further Resolved, That the well stated opinions of the Council President notwithstanding, no language contained herein shall be construed as indicating unanimous support for the Providence College Friars, nor shall this Resolution be considered an exclusive endorsement of Budweiser Beer.

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

The motion for Passage is Sustained.

COUNCIL PRSIDENT PRO TEMPORE STRAVATO and COUNCILMAN ALMAGNO (By Request):

Resolution Requesting the Traffic Engineer to cause Crosswalks to be Painted in front of 529 Plainfield Street, along the Silver Lake Annex Center.

Resolved, That the Traffic Engineer is requested to cause crosswalks to be painted in front of 529 Plainfield Street, along the Silver Lake Annex Center.

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

The motion for Passage is Sustained.

COUNCILWOMAN BRASSIL and COUNCILMAN MANSOLILLO (By Request):

Resolution Authorizing the Acting City Solicitor to appear before the 1982 Session of the General Assembly and Urge Passage of an Act Authorizing the City of Providence to Exempt Off-Street Parking Structures from Taxation.

Referred to Committee on Finance, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN GLAVIN.

The motion to Refer is Sustained.

COUNCILMAN BRENNAN, COUNCILMAN BOYLE and COUNCILMAN MOISE:

Resolution Extending Best Wishes to Patrick J. Toomey, Employee of the Narragansett Electric Company for a Complete and Speedy Recovery from Injuries Received in the Explosion which Occurred along Smith Street.

Resolved, That the Members of the City Council hereby extend their best wishes to Patrick J. Toomey, employee of the Narragansett Electric Company, for a complete and speedy recovery from injuries received in the explosion which occurred along Smith Street.

COUNCILMAN BRENNAN:

Resolution Extending Best Wishes to Donald Wood, Employee of the Narragansett Electric Company for a Complete and Speedy Recovery from Injuries Received in the Explosion which Occurred along Smith Street.

Resolved, That the Members of the City Council hereby extend their best wishes to Donald Wood, employee of the Narragansett Electric Company, for a complete and speedy recovery from injuries received in the explosion which occurred along Smith Street.

Resolution Extending Best Wishes to Carl Lavin, Employee of the Narragansett Electric Company for a Complete and Speedy Recovery from Injuries Received in the Explosion which Occurred along Smith Street.

Resolved, That the Members of the City Council hereby extend their best wishes to Carl Lavin, employee of the Narragansett Electric

Company, for a complete and speedy recovery from injuries received in the explosion which occurred along Smith Street.

COUNCILMAN BRENNAN and COUNCILMAN SNOWDEN (By Request):

Resolution Requesting the Acting Public Service Engineer to order the installation of a Street Light on Pole No. 10, located along Doyle Avenue.

Resolved, That the Acting Public Service Engineer is requested to order the installation of a Street Light on Pole No. 10, located along Doyle Avenue.

Resolution Requesting the Traffic Engineer to Replace the "No Parking" Signs along Bayard Street, between Lancaster Street and Fourth Street, the same having been damaged by vandalism.

Resolved, That the Traffic Engineer is requested to replace the "No Parking" Signs along Bayard Street, between Lancaster Street and Fourth Street, the same having been damaged by vandalism.

Resolution Requesting the Director of Public Works to sand all Roadways following snow and ice storms.

Resolved, That the Director of Public Works is requested to sand all roadways following snow and ice storms.

Resolution Requesting the Director of Public Works to cause that Pothole along the northeasterly intersection of Peach Avenue and Abbott Street to be Repaired.

Resolved, That the Director of Public Works is requested to cause that Pothole along the northeasterly intersection of Peach Avenue and Abbott Street to be Repaired.

COUNCILMAN DILLON, COUNCILMAN FLYNN, COUNCILMAN EASTON and COUNCILMAN JOHNSON:

Resolution Requesting the Traffic Engineer to Cause the Installation of "Stop" Signs along Roger Williams Avenue, at its Intersection with Alexander Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "Stop" Signs along Roger Williams Avenue, at its intersection with Alexander Street.

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

The motion for Passage is Sustained.

COUNCILMAN JOHNSON:

Resolution Requesting the Committee on City Property to Investigate the Lease and Sub-lease at 1 Reservoir Avenue.

Whereas, The City of Providence is presently leasing property at 1 Reservoir Avenue for the rental price of Eleven Thousand One Hundred Ninety-Three Dollars and Forty Cents (\$11,-

193.40) per month, for 27,000 square feet at \$4.97 per square foot, and

Whereas, Said Property is occupied by various divisions of City Departments, and

Whereas, Mobile Street Service is subleasing 10,000 square feet of office space on the street level for \$500.00 per month,

Now, Therefore, Be it Resolved, That the Committee on City Property is hereby requested to investigate the lease and sub-lease of property at 1 Reservoir Avenue.

Read and Passed, on motion of COUNCILMAN FLYNN, seconded by COUNCIL PRESIDENT PRO TEMPORE STRAVATO.

The motion for Passage is Sustained.

Resolution Creating a Special Committee of the City Council, consisting of Five Members, to be appointed by the President, thereof to Study the Rezoning of the City of Providence.

Referred to Committee on Ordinances, on motion of COUNCILMAN FLYNN, seconded by COUNCILMAN O'CONNOR COUNCILWOMAN BRASSIL, COUNCILMEN FLYNN and CIRELLI.

The motion to Refer is Sustained.

COUNCILMAN MANSOLILLO (By Request):

Resolution Authorizing the Office of Economic Development on behalf of the City of Provi-

dence to prepare and Submit an Application for an Urban Development Action Grant.

Referred to Committee on Urban Re-development, Renewal and Planning, on motion of COUNCILMAN FLYNN, seconded by COUNCILMAN GLAVIN.

COUNCILMAN FARMER desires to be recorded as "Not Voting".

The motion to Refer is Sustained.

Resolution Requesting the City Solicitor to appear before the 1982 Session of the General Assembly to Urge Passage of an Act Amending Sec. 44-7-11 of the General Laws of Rhode Island, 1956, entitled "Collectors to Furnish Statement of Liens".

Referred to Committee on Finance, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

COUNCILMAN PEARLMAN and COUNCILMAN FARMER:

Resolution Opposing Gerrymandering of House and Senate.

Referred to Committee on Public Welfare, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

COUNCILMAN PEARLMAN and COUNCILMAN FARMER (By Request):

Resolutions Reporting Receipt of Certain Gifts of Monies by the Board of Park Commissioners for the Preservation and Care of Specified Burial Lots in North Burial Ground.

Severally Referred to Committee on Finance, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

COUNCILMAN PENNINE, COUNCILMAN PAOLINO, COUNCILMAN SNOWDEN, COUNCIL PRESIDENT PRO TEMPORE STRAVATO, COUNCILMAN EASTON and COUNCILMAN GRIFFIN:

Resolution Extending the Best Wishes of the City Council to Luigi Viti for a Complete and Speedy Recovery from his recent illness.

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

COUNCILMAN PENNINE (By Request):

Resolution Requesting the Acting Public Service Engineer to cause the lighting on Pole No. 32, located at the Intersection of Vinton Street and Broadway, to be Upgraded.

Resolved, That the Acting Public Service Engineer is requested to cause the lighting on

Pole No. 32, located at the intersection of Vinton Street and Broadway, to be upgraded.

COUNCILMAN XAVIER (By Request):

Resolution Requesting the Chief Electrical Inspector and the Narragansett Electric Company to cause the Installation of an 8,000 Lumen Mercury Vapor Light on Pole No. 14, located along East George Street.

Whereas, The Chief Electrical Inspector of the Department of Building Inspection, in response to a request for a street light on East George Street has recommended the installation of an 8,000 Lumen Mercury Vapor Light,

Now, Therefore, Be It Resolved, That the Chief Electrical Inspector and Narragansett Electric Company are hereby requested to cause the installation of an 8,000 Lumen Mercury Vapor Light on Pole No. 14, located along East George Street.

Severally Read and Collectively Passed, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN FLYNN.

COUNCILMAN BRENNAN desires to be recorded as "Not Voting".

The motion for Passage is Sustained.

REPORTS FROM COMMITTEES

COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

The Following Ordinances were in City Council February 4, 1982, Read and Passed the First Time and Referred to the Committee on Finance and are Transmitted Back to the City Council with Recommendation of Passage the Second Time:

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Seventy Thousand Dollars (\$70,000.00) from Public Works Street Cleaning Item "0" to Public Works Waste Collection and Processing Item "189", as Amended.

Be It Ordained By The City Of Providence:

Section 1. Chapter 1981-39, of the Ordinances of the City of Providence, effective July 20, 1981, entitled: "An Ordinance Making an Appropriation of One Hundred Forty-Nine Million, Eight Hundred Sixty-Two Thousand, One Hundred

Twenty-Two Dollars and Nine Cents (\$149,862,122.09) as amended, is hereby further amended by transferring the Sum of Seventy Thousand Dollars (\$70,000.00) from Public Works Street Cleaning Item "0" to Public Works Waste Collection and Processing Item "189".

Sec. 2. This Ordinance shall take effect upon its Passage.

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Twelve Thousand Dollars (\$12,000.00) within the Public Works Waste Collection Processing Account from 1-05-07 Item "2" to 1-05-07 Item "189".

Be It Ordained By The City Of Providence:

Section 1. Chapter 1981-39, of the Ordinances of the City of Providence, effective July 20, 1981, entitled: "An Ordinance Making an Appropriation of One Hundred Forty-Nine Million, Eight Hundred Sixty-Two Thousand, One Hundred Twenty-Two Dollars and Nine Cents (\$149,862,122.09) as amended, is hereby further amended by transferring the Sum of Twelve Thousand Dollars (\$12,000.00) within the Public Works Waste Collection Processing Account from 1-05-07 Item "2" to 1-05-07 Item "189".

Sec. 2. This Ordinance shall take effect upon its Passage.

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of One Hundred Forty-Three Thousand Dollars (\$143,000.00) Within the Public Works Waste Collection and

Processing Account from 05-07 Item "5" to 05-07 Item "189".

Be It Ordained By The City Of Providence:

Section 1. Chapter 1981-39, of the Ordinances of the City of Providence, effective July 20, 1981, entitled: "An Ordinance Making an Appropriation of One Hundred Forty-Nine Million, Eight Hundred Sixty-Two Thousand, One Hundred Twenty-Two Dollars and Nine Cents (\$149,862,122.09) as amended, is hereby further amended by transferring the Sum of One Hundred Forty-Three Thousand Dollars (\$143,000.00) within the Public Works Waste Collection and Processing Account from 05-07 Item "5" to 05-07 Item "189".

Sec. 2. This Ordinance shall take effect upon its Passage.

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Six Hundred Thirty Thousand Dollars (\$630,000.00) Within the Public Works Waste Collection Account from 05-07 Item "0" to 05-07 Item "189".

Be It Ordained By The City Of Providence:

Section 1. Chapter 1981-39, of the Ordinances of the City of Providence, effective July 20, 1981, entitled: "An Ordinance Making an Appropriation of One Hundred Forty-Nine Million, Eight Hundred Sixty-Two Thousand, One Hundred Twenty-Two Dollars and Nine Cents (\$149,862,122.09) as amended, is hereby further amended by transferring the Sum of Six Hundred Thirty Thousand Dollars (\$630,000.00) within the Public Works Waste Collection Account from 05-07 Item "0" to 05-07 Item "189".

Sec. 2. This Ordinance shall take effect upon its Passage.

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Sixty-Two Thousand Dollars (\$62,000.00) from Public Works—Engineering Department, Item 0 to Public Works Sewage Disposal and Pumping, Item 0, as Amended.

Be It Ordained By The City Of Providence:

Section 1. Chapter 1981-39, of the Ordinances of the City of Providence, effective July 20, 1981, entitled: "An Ordinance Making an Appropriation of One Hundred Forty-Nine Million, Eight Hundred Sixty-Two Thousand, One Hundred Twenty-Two Dollars and Nine Cents (\$149,862,122.09) for the Fiscal Year Ending June 30, 1982", Effective July 20, 1981, as amended, is hereby amended by transferring the Sum of Sixty-Two Thousand Dollars (\$62,000.00) from Public Works—Engineering Department, Item 0 to Public Works—Sewage Disposal and Pumping, Item 0.

Sec. 2. This Ordinance shall take effect upon its Passage.

An Ordinance in Amendment of Section 30 of Chapter 1981-40 Effective July 20, 1981 entitled: "An Ordinance Establishing the Classes of Positions the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments", relative to the Department of Public Works—Engineering Office.

Be It Ordained By The City Of Providence:

Section 1. Section 30 of Chapter 1981-40 of the Ordinances of the City of Providence, entitled: "An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes

in the City Departments," as amended, is hereby further amended, as follows:

Add: 1 Mechanical Engineer

That section shall hereafter read:

The Number of Employees in the Department of Public Works—Engineering Office shall not exceed twenty-five (25). There shall be no more than:

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

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

Ayes: Council President Lynch, Councilmen Almagno, Boyle, Councilwoman Bras-sil, Councilmen Brennan, Cirelli, Cola, Dillon, Farmer, Glavin, Griffin, Johnson, Mansolillo, O'Connor, Paolino, Pearlman, Pennine, Snowden, Stravato and Xavier—20.

Noes: Councilmen Easton, Flynn, Moise, Petrosinelli and Salvatore—5.

COUNCILMEN BRENNAN and XAVIER desire to be recorded as voting "No" relative to the following:

"An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Seventy Thousand Dollars (\$70,000.00) from Public Works Street Cleaning Item "0" to Public Works Waste Collection and Processing Item "189", as Amended."

"An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Twelve Thousand Dollars (\$12,000.00)

within the Public Works Waste Collection and Processing Account from 1-05-07 Item "2" to 1-05-07 Item "189".

"An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of One Hundred Forty-Three Thousand Dollars (\$143,000.00) within the Public Works Waste Collection and Processing Account from 05-07 Item "5" to 05-07 Item "189"."

"An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Six Hundred Thirty Thousand Dollars (\$630,000.00) within the Public Works Waste Collection Account from 05-07 Item "0" to Item 05-07 "189"."

Recapitulation of Vote:

The Following are Transmitted with Recommendation the Same be Severally Adopted:

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Twenty-Five Thousand Dollars (\$25,000.00) from Unemployment Account to the City Council for the Committee on Ward Boundaries.

Read and Passed, the First Time, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN O'CONNOR, by the following Roll Call Vote:

Ayes: Council President Lynch, Councilman Boyle, Councilwoman Brassil, Councilmen Brennan, Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore, Snowden and Stravato—21.

Ayes: 18.
Noes: 7.

COUNCILMEN BRENNAN and PAOLINO desire to be recorded as voting "No" relative to "An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Sixty-Two Thousand Dollars (\$62,000.00) from Public Works—Engineering Department, Item 0 to Public Works Sewage Disposal and Pumping, Item 0 as Amended."

Recapitulation of Vote:

Ayes: 18.
Noes: 7.

The motion for Passage the Second Time is Sustained.

Noes: Councilmen Mansolillo, Moise and Xavier—3.

Not Voting: Councilman Almagno—1.

The motion for Passage the First Time is Sustained.

Resolution Endorsing House Bill 81-H 5830 Substitute "A", Relating to the Providence Municipal Courts.

Whereas, There is presently pending before the House Committee on Corporations, an Act to provide that the Municipal Court in the City of

Providence be given the discretion to order the suspension of a driver's license and/or registration for periods of up to six months, for those persons failing to respond to ten or more parking violations within a forty-eight month period, and

Whereas, If a person should fail to respond to a moving violation, he is then issued a show-cause citation which is also heard before the Municipal Court, if he fails to respond to the citation, then the mandatory provisions of suspension reattach and the Judge is then permitted in his discretion to suspend or not,

Now, Therefore, Be It Resolved, That the Members of the Providence City Council hereby

endorse House Bill 81-H 5830, Substitute "A", relating to the Providence Municipal Courts.

Read and Passed, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN DILLON.

COUNCILMEN FLYNN, GLAVIN and MOISE desire to be recorded as voting "No".

The motion for Passage is Sustained.

COUNCILMAN VINCENT J. CIRELLI, Chairman COMMITTEE ON ORDINANCES

Transmits the Following with Recommendation the Same be Adopted:

An Ordinance Amending Chapter 544 of 1951 by changing from an R-1 One Family Zone to an R-2 Two Family Zone, Lot 243, as set out and delineated on City Assessor's Plat 86, said lot being located along Cole Avenue.

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

Ayes: Council President Lynch, Councilman Boyle, Councilwoman Brassil, Council-

men Brennan, Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Moise, O'Connor, Paolino, Pearlman, Penine, Salvatore, Snowden and Xavier—21.

Absent: Councilmen Almagno, Mansolillo, Petrosinelli and Stravato—4.

The motion for Passage the First Time is Sustained.

**COUNCILMAN LAURENCE K. FLYNN, Chairman
COMMITTEE ON PUBLIC WORKS**

Transmits the Following with Recommendation the Same be Severally Adopted:

Resolution that Clifford Street, in a Westerly Direction from Dorrance Street to Richmond Street, be Established as a One-Way Street.

Resolved, That Clifford Street, in a westerly direction from Dorrance Street to Richmond Street, be established as a One-Way Street.

Explore the Possibility of Securing Easements over Certain Property along Evergreen Street for the Installation of Additional Street Lighting.

Resolved, That the Acting City Solicitor and the Narragansett Electric Company are requested to explore the possibility of securing easements over certain property along Evergreen Street for the installation of additional street lighting.

Resolution, Accompanied by Petition, Requesting the Traffic Engineer to Allow Angle Parking along Empire Street.

Resolved, That the Traffic Engineer is requested to allow Angle Parking along Empire Street. (Petition attached).

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

COUNCILMAN MOISE desires to be recorded as voting "No" relative to "Resolution that Clifford Street, in a Westerly Direction from Dorrance Street to Richmond Street, be Established as a One-Way Street".

Resolution Requesting the Traffic Engineer to Permit Parking along One Side of Stewart Street, between Broad Street and Pine Street.

Resolved, That the Traffic Engineer is requested to permit parking along one side of Stewart Street between Broad Street and Pine Street.

COUNCILMAN BRENNAN desires to be recorded as "Not Voting" relative to "Resolution Requesting the Acting City Solicitor and the Narragansett Electric Company to Explore the Possibility of Securing Easements over certain property along Evergreen Street for the Installation of Additional Street Lighting".

The motion for Passage is Sustained.

Resolution Requesting the Acting City Solicitor and the Narragansett Electric Company to

**The Following is Transmitted with
Recommendation the Same be Adopted, as
Amended:**

Resolution Ordering that Sunrise Drive, from Isabella Avenue to its Termination, be Received as a Public Highway.

Resolved, Decreed And Ordered, That Sunrise Drive, from Isabella Avenue to its termination be Received as a Public Highway.

Read and Passed, as amended, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN GLAVIN.

The motion for Passage is Sustained.

**COUNCILMAN HARRY A. JOHNSON, Chairman
COMMITTEE ON CITY PROPERTY**

On motion of COUNCILMAN MANSO-LILLO, seconded by COUNCILMAN O'CONNOR, it is Voted to take from the Clerk's Desk the following matter which was in City Council February 4, 1982 and Laid on the Clerk's Desk.

COUNCILMAN MOISE desires to be recorded as voting "No".

Resolution Authorizing His Honor the Mayor to Execute a Deed of Conveyance to John J. Orr and Son, Inc., of that Certain Lot or Parcel of Land Comprising an Area approximately 49,716.67 Square Feet of Land, more or less, on Lot 281, City Assessor's Plat 56.

Resolved, That His Honor the Mayor is hereby authorized to execute a Deed of Conveyance to John J. Orr & Son, Inc., Municipal Pier, Providence, Rhode Island, of that certain lot or parcel of land comprising an area of approximately 49,716.67 square feet of land, more or less, on Lot 281, as set forth and delineated on City Assessor's Plat 56.

In exchange for the execution of said Deed of Conveyance and in reliance thereon by the City of Providence, it is hereby provided that said conveyance is to be made subject to the following conditions: that all expenses incurred in the construction of any new facility for the use of John J. Orr & Son, Inc. or its successors shall be borne by John J. Orr & Son, Inc. or its successors; that all expenses incurred by John J. Orr & Son, Inc. or its successors in relocating from its existing maintenance facility to said new facility shall be borne by John J. Orr & Son, Inc. or its successors; that all improvements constructed or erected by John J. Orr & Son, Inc. on those parcels of land designated as Lots 264 and 311 on City Assessor's Plat 56 shall be left intact by the said John J. Orr & Son, Inc. or its successors upon vacating said premises and said improvements shall revert to and become the property of the City of Providence.

It is further provided that the following clauses be made part of said Deed of Conveyance:

It is hereby agreed, understood and stipulated

by and between the parties that if ever John J. Orr & Son, Inc. or its successors offer the said premises hereby conveyed, or any improvements constructed thereon, for sale, then the City of Providence shall have the first right to purchase said premises or improvements, at fair market value. In order that the City of Providence may effectively exercise said right, John J. Orr & Son, Inc. or its successors shall, prior to offering said premises or improvements for sale, notify the City of Providence of its intention to offer the premises or improvements for sale. Notice is to be sent by certified mail, return receipt requested, addressed to the Mayor of the City of Providence. If said premises or improvements are sold by John J. Orr & Son, Inc. or its successors to any party other than the City of Providence, without having first complied with the above notice requirements, then said sale shall be void and of no legal effect.

In the event that the City of Providence does exercise its right to purchase but that the parties cannot agree as to fair market value, it shall be fixed and determined by a majority of three (3) disinterested persons — one chosen by the Mayor for the time being of the City of Providence, the other by John J. Orr & Son, Inc. or its successors, and the third by the two (2) so chosen; the decision of said majority is to be final and binding upon the parties hereto, and the cost of said arbitration to be borne equally by the parties.

**The Following is Transmitted with
Recommendation the Same be Adopted:**

Resolution Amending Resolution No. 311, approved May 23, 1978 by granting an extension to Netop Associates, for a reasonable period of time, within which to complete construction on the remaining parcels within the Netop Drive Project, the right of re-entry is hereby terminated as to all parcels which have been built and conveyed to third parties, and the right of re-entry covering future sales be

In case the two (2) arbitrators chosen by the respective parties cannot agree upon a third person, then such third person to be appointed by the Presiding Justice of the Superior Court for the Counties of Providence and Bristol, upon petition filed by either party.

Said conveyance is to be further made under such terms and conditions as may be provided for by His Honor the Mayor and the City Solicitor.

Read and Passed on motion of COUNCILMAN JOHNSON, seconded by COUNCILMEN O'CONNOR, MANSOLILLO and ALMAGNO, by the following Roll Call Vote:

Ayes: Council President Lynch, Councilman Almagno, Boyle, Councilwoman Bras-sil, Councilmen Brennan, Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Griffin, Johnson, Mansolillo, O'Connor, Pearlman, Pennine, Salvatore, Snowden, Stravato and Xavier—21.

Noes: Councilmen Glavin and Moise—2.

Not Voting: Councilmen Paolino and Petrosinelli—2.

The motion for Passage is Sustained.

terminated upon conveyance to third party purchasers.

Whereas, The City of Providence, by deed in Book 1212, at Page 926, conveyed real property in the City of Providence to Alfred Calcagni & Son, Inc., a Rhode Island corporation, subject to City Council Resolution No. 311, and in accordance

with a Sales Agreement dated October 12, 1978, and

Whereas, Alfred Calcagni & Son, Inc., subsequently conveyed the property to Netop Associates, a Rhode Island general partnership, and

Whereas, Under the terms of the Sales Agreement, certain construction was to be completed within various time frames, and

Whereas, Due to economic conditions, it has been impossible for Netop Associates to complete all work, and

Whereas, The real estate involved has become unsuitable and has ceased to be used for municipal or other public purposes prior to said conveyance, and

Whereas, The City Council Committee on City Property, after careful study and consideration of this matter has recommended the following:

1. The right of re-entry be and is hereby terminated as to all parcels of real estate within the subject parcel which have been built on and conveyed to third-parties.

2. The right of re-entry covering future sales be terminated upon the conveyance or conveyances to third party purchasers of a parcel

of land, the construction of a residence upon which has been completed.

3. That the developer, Netop Associates, be granted an extension for a reasonable period of time within which to complete construction on the remaining parcels within the project and to submit to the Committee on City Property, within three weeks herefrom, a time table for future development to be approved by said Committee on City Property.

Now, Therefore, Be It Resolved, That Resolution No. 311, approved May 23, 1978, is hereby amended in accordance with the foregoing.

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

Ayes: Council President Lynch, Councilman Boyle, Councilwoman Brassil, Councilmen Brennan, Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore, Snowden and Stravato—23.

Absent: Councilmen Almagno and Xavier—2.

The motion for Passage is Sustained.

**COUNCILMAN THOMAS F. O'CONNOR, JR., Chairman
COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND
PLANNING**

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

An Ordinance in Amendment of and in Addition to Chapter 1419 of the Ordinances of the City of Providence, Approved August 11, 1961, and entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Central-Classical Project No. R.I. R-2" for the Revision of Parcel Controls in the R-4 Multiple Residence Zone.

Read and Passed, the First Time, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN O'CONNOR, by the following Roll Call Vote:

Ayes: Council President Lynch, Councilmen Almagno, Boyle, Councilwoman Bras-sil, Councilmen Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Mansolillo, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore and Stravato—21.

Not Voting: Councilman Moise—1.

Absent: Councilmen Brennan, Snowden and Xavier—3.

The motion for Passage the First Time is Sustained.

Resolution that Service Road, from Buffalo Court to Waldo Street be designated as Salvati Way, providing that the portion in front of 291-293 Waldo Street to its termination be established as part of Salvati Way.

Resolved, That Service Road, from Buffalo Court to Waldo Street be designated as Salvati Way providing that the portion of Waldo Street from in front of 291-293 Waldo Street to its termination, be established as a part of Salvati Way.

Read and Passed, on motion of COUNCILMAN FLYNN, seconded by COUNCILMAN O'CONNOR.

The motion for Passage is Sustained.

The Following is Transmitted with Recommendation, the Same be Adopted, as Amended:

Resolution Approving and Authorizing Submission of Financial Settlement Application and Execution of Closeout Agreement for Project No. R.I. R-27 (Lockwood Street Renewal Project).

Whereas, The Providence Redevelopment Agency (herein called "LPA"), with the concurrence of the City of Providence, has undertaken a certain urban renewal project with financial assistance from the Department of

Housing and Urban Development (herein called "HUD"), which urban renewal project, (herein referred to as "project") is identified as R. I. R-27 and;

Whereas, The LPA has entered into a Loan and Grant Contract for the purpose of undertaking said projects and the City of Providence entered into a Cooperation Agreement with the LPA for making available financial assistance for projects and;

Whereas, Section 112 of the Housing and Urban Development Act of 1974 (PL 93-383), established a process for the financial settlement of urban renewal projects and the use of surplus grant in accordance with regulations promulgated at 24 CFR 570.800 and;

Whereas, The LPA has substantially completed all of the required program activities and the LPA desires to use the surplus grant funds in other Urban Renewal activities within the City of Providence and in accordance with Housing and Urban Development Regulations;

Whereas, Only the local public agency is authorized to draw down and disburse any surplus funds.

Now, Therefore, Be It Resolved By (the locality's local governing body) and the City of Providence as follows;

1. That the City of Providence hereby authorizes and approves the following action by the LPA which will result in the early financial settlement of the aforementioned urban renewal project:

a). Prepare and submit to HUD for review and comment a preliminary request for financial settlement in accordance with 24 CFR 570.804 (a).

b). Upon approval of the preliminary request the LPA shall submit with the concurrence of the locality's governing body a final Application for Financial Settlement and Release of Surplus Funds. The Application will include all of the information and documentation required by 24 CFR 570.804 (b).

c). The Urban Renewal activities set forth in Paragraph 4 above be limited to the Lockwood Street Project No. R. I. R-27 as presently bounded, or as expanded by future City Council action.

2. That the Mayor is hereby authorized and directed to execute the Closeout Agreement on behalf of the City of Providence as part of the aforementioned final Application.

3. That this resolution will take effect immediately.

Read and Passed, as Amended, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN O'CONNOR, by the following Roll Call Vote:

Ayes: Council President Lynch, Councilmen Almagno, Boyle, Councilwoman Bras-sil, Councilmen Brennan, Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Johnson, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore, Snowden and Stravato—24.

Absent: Councilmen Xavier—1.

The motion for Passage as Amended, is Sustained.

**COUNCILMAN THOMAS F. O'CONNOR, JR., Chairman
COMMITTEE ON WARD BOUNDARIES**

Transmits the following with Recommendation, the Same be Adopted:

An Ordinance Reapportioning the Fifteen Wards in the City of Providence.

COUNCILMEN BRENNAN and MANSO-LILLO.

Received and Referred to the City Council, Committee as of the Whole, for a Public Hearing to be held Thursday, February 25, 1982, at 8:00 o'clock P.M., on motion of COUNCILMAN JOHNSON, seconded by

The motion to Receive and Refer is Sustained.

COMMUNICATIONS AND REPORTS

FROM WILLEY J. ARCHER, CHIEF ENGINEER OF THE WATER SUPPLY BOARD:

Communication dated February 1, 1982, informing the City Council that at the Organizational Meeting of the Water Supply Board the following elections took place on January 29, 1982:

Richard A. Carroll, Chairman
Robert F. Howard, Vice-Chairman
James A. Lombardi, Secretary.

Received.

FROM THE PROVIDENCE REDEVELOPMENT AGENCY:

Report dated February 8, 1982, Informing the Honorable City Council of Its Proposed Sale of Real Property within the East Side Renewal Project R.I. R-4, viz:

The Agency proposes the Sale of Parcel 11B-3 consisting of 7,689± sq. ft., as delineated on the attached map, to Johannes K. Jespersen and Josephine H. Jespersen of 20 Benefit Street, Providence, RI. The disposition price for Parcel 11B-3 is \$4,600.00. The parcel will be used as a residential fringe parcel according to plans approved by the Agency.

Referred to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN O'CONNOR.

The motion to Refer is Sustained.

FROM THE PROVIDENCE REVIEW COMMISSION:

First Semi-Annual Report.

Received.

FROM THE CITY CONTROLLER:

Monthly Statement of Capital, General and School Funds for the Six Months Ended December 31, 1981.

Received.

FROM THE BUREAU OF LICENSES:

Report for the Fourth Quarter Ended December 31, 1981.

Received.

FROM THE PORT DIRECTOR:

Monthly Report for December, 1981.

Received.

PETITION

COUNCILMAN DILLON and COUNCILMAN FLYNN (By Request);

Petition of Robert Corsi to abandon Atwood Street, between 22 Sterling Avenue and Adjacent Playground.

Referred to Committee on Public Works, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN O'CONNOR.

The motion to Refer is Sustained.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Robert H. Aharonian

Mary Dyer Bogan

Charles-Orms Associates

Katherine M. Cullinan

Terrence J. Cummings

Margaret T. Enright

Gary Laroche

Richard C. McMahon

Nationwide Mutual Insurance Co., as sub. of
Gloria Snell

Bethany C. Ogden

Anna Persichino

Paul M. Petit

State Farm Insurance Companies as sub. of
Stanley Peipert

Marie F. Walsh

Alan J. Williams

**Severally Referred to Committee on
Claims and Pending Suits, on motion of
COUNCILMAN JOHNSON, seconded by
COUNCILMAN O'CONNOR.**

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

"In Congratulations"

**COUNCIL PRESIDENT LYNCH and the
MEMBERS OF THE CITY COUNCIL:**

Resolutions Extending Congratulations to the
following:

Noble A. Lincoln Clark, Upon being named
President of the Prince Hall Masons of
Constantine Temple No. 14.

Noble Raymond Smith, Upon being named

Vice-President of the Prince Hall Masons of
Constantine Temple No. 14.

Noble Lavertt Babbs, Upon being named
Secretary of the Prince Hall Masons of
Constantine Temple No. 14.

Noble William White, Upon being named
Treasurer of the Prince Hall Masons of
Constantine Temple No. 14.

Reverend Peter Paul Polo, Upon the Celebration of his Thirty-Ninth Birthday.

the proud grandparents of Sean Russell Boyle on January 29, 1982.

Vincent T. Sciotti, Upon the Celebration of Sixty-Third Birthday on February 9, 1982 and extending him many future years of Health and Prosperity.

Mr. and Mrs. Edward Reilly, Upon becoming the proud grandparents of Sean Russell Boyle on January 29, 1982.

Salvatore Vingi, Upon the Celebration of his Fifty-Sixth Birthday and extending him many future years of Health and Prosperity.

Senator William Zuccarelli, Upon the Celebration of his Sixty-Eighth Birthday on February 15, 1982.

Alice Keswani, Upon becoming a United States Citizen on January 21, 1982.

Severally Read and Collectively Passed, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN O'CONNOR.

Mr. and Mrs. Russell J. Boyle, Upon becoming

The motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT LYNCH and the MEMBERS OF THE CITY COUNCIL:

Marion W. Mollicone

Resolutons Extending the Sympathy of the Members of the City Council to the Families of the Following Decedents:

Joseph A. Morin

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

Kenneth A. Mara

Fritz R. Lancellotti

Joseph H. Kolodney

Sosio Petrucci

Theresa V. Callei

Anthony Iannotti

Margaret M. Carr

Domenico Melone

Norman Bromson

Gustave Jacobson

Mary L. DiNunzio

Nellie DiGrado

Raymond Palombo

Gabriele Macari

Lillian M. Buzzerio

Catherine M. Cooney

Angelo Porreca

Joseph B. Mollicone

Louis J. A. Malo

Jean F. Arnett

Jay W. Fitzgerald

Henry F. Simonetti

Thomas M. Iozzi

Edward J. O'Neill

Roderick G. Singleton

Severally Read and Collectively Passed, by a Unanimous Rising Vote, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMEN O'CONNOR and DILLON.

The motion for Passage is Sustained.

On motion of COUNCILMAN JOHNSON, seconded by COUNCILMEN O'CONNOR and DILLON, it is voted to Suspend Rule 2 of the Rules of the City Council in order to Allow the City Council to Meet on a Day Other than Provided in Said Rule 2.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN MANSOLILLO, the City Council adjourns at 10:30 o'clock P.M. (E.S.T.) to meet again on THURSDAY, FEBRUARY 25, 1982 Upon the Rise of the Public Hearing of the Committee on Ward Boundaries.

Rose M. Mandonea

City Clerk

February 18]

1856

[1982



