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DEPT. OF CITY CLERK
PROVIDENCE, R.I.



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 27 City Council Regular Meeting, Thursday, September 15, 2005, 7:30 o'clock P.M. (E.D.T.)

PRESIDING
COUNCIL PRESIDENT
JOHN J. LOMBARDI

ROLL CALL

Present: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN IGLIOZZI, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL and COUNCILWOMEN WILLIAMS- 9.

Absent: COUNCILMEN ALLEN, BUTLER, HASSETT, JACKSON, LUNA and COUNCILWOMAN YOUNG-6.

(SUBSEQUENTLY COUNCILMEN BUTLER, HASSETT, JACKSON and LUNA JOIN THE MEETING)

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

IN CITY COUNCIL
MAR 1 2007
APPROVED: Anna M. Stetson CLERK

INVOCATION

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

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

COUNCILMAN JOHN J. IGLIOZZI Leads
the Members of the City Council and the
Assemblage in the Pledge of Allegiance to
the Flag of the United States of America.

COUNCIL PRESIDENT LOMBARDI RELINQUISHES THE CHAIR

ACTING COUNCIL PRESIDENT DIRUZZO IN THE CHAIR

COUNCIL PRESIDENT LOMBARDI RETURNS TO THE CHAIR

ELECTION

Election of Two (2) Members of the
Retirement Board of the Employees'
Retirement System.

COUNCIL PRESIDENT LOMBARDI
Calls for Nominations for Two (2) Members

of the Retirement Board of the Employees'
Retirement System.

COUNCILMAN APONTE Moves to
open up the elections for the Two
(2) Vacancies on the Retirement Board
of the Employees' Retirement System.

JOB: 00341011

COUNCILWOMAN WILLIAMS Nominates CARLA DOWBEN and SUSAN LA PIDUS, and this nomination is seconded by COUNCILMAN DeLUCA.

COUNCIL PRESIDENT LOMBARDI Calls for further Nominations and there being none, on Motion of COUNCILWOMAN WILLIAMS, seconded by COUNCILMAN DeLUCA, it is voted that Nominations be closed and the Clerk is directed to cast One Ballot for CARLA DOWBEN and SUSAN LA PIDUS.

The Clerk casts One Ballot as directed.

COUNCIL PRESIDENT LOMBARDI Thereupon declares CARLA DOWBEN and SUSAN LA PIDUS, duly elected as members of the Retirement Board of the Employees Retirement System for the ensuing term of four years ending on the first Monday in October, 2009.

CONTINUED BUSINESS

The Following Resolution was in City Council September 1, 2005 and Laid on the Clerk's Desk until September 15, 2005.

Resolution Extending condolences and deepest sympathy to all those who have lost loved ones and send thoughts and prayers to all who are suffering without food, water or worldly possession as a result of Hurricane Katrina.

Whereas, The states of Alabama, Florida, Louisiana, and Mississippi have suffered devastating losses due to Hurricane Katrina; and

Whereas, Hundreds are confirmed to have died and thousands may also have perished as a result of Katrina; and

Whereas, Over an estimated one million people are without power; and

Whereas, Thousands of homes and businesses have been destroyed; and

Whereas, Entire areas including Mobile County, Alabama and Gulfport, Mississippi have been obliterated; and

Whereas, Up to 80 percent of the City of New Orleans is currently under water, 20 feet deep in some areas; and

Whereas, in the interest of the health, safety and public welfare of its residents, the City of New Orleans has ordered a complete

evacuation of the municipality, as a result of the lack of electricity, running water and sanitation; and

Whereas, It is estimated that thousands of New Orleans residents may still be stranded on rooftops or in their homes; and

Whereas, The City of New Orleans and the State of Louisiana, with the assistance of the National Guard and the Department of Homeland Security are evacuating more than 25,000 residents to Houston, Texas; and

Whereas, The Mayor of New Orleans is estimating fatalities to be in the thousands; and

Whereas, It may be months before New Orleans is again inhabitable.

Now, Therefore, Be It Resolved, That the City Council of the City of Providence does hereby extend its condolences and deepest sympathy to all those who have lost loved ones and send thoughts and prayers to all who are suffering without food, water or

worldly possession as a result of Hurricane Katrina; and

Be It Further Resolved, That the City Council does hereby

- 1) Urge the people of Providence to consider making donations of cash or supplies to relief organizations that will benefit those hardest hit in Alabama, Florida, Louisiana, and Mississippi; and
- 2) That a copy of this signed Resolution be sent to New Orleans Mayor Ray Nagin, Louisiana Governor Kathleen Blanco; Mississippi Governor Haley Barbour; Alabama Governor Bob Riley; and Florida Governor Jeb Bush.

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

The Motion for Passage is Sustained.

PRESENTATION OF ORDINANCES

COUNCILWOMAN DiRUZZO (By Request):

An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence Entitled: "The City of Providence

Zoning Ordinance", Approved June 27, 1994, As Amended. (Live Work)

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

PRESENTATION OF ORDINANCE

COUNCILWOMAN WILLIAMS (By Request):

An Ordinance in Amendment of Chapter 2002-24, Approved July 31, 2002, Entitled: "An Ordinance Amending certain sections of

Article X of Chapter 21 of the Code of Ordinances Entitled: "Property Tax Classification for the City."

PRESENTATION OF RESOLUTIONS

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

Resolution Extending Sincere Best Wishes for a Happy Birthday to Councilwoman Josephine DiRuzzo on September 12, 2005.

Resolved, That the Members of the Providence City Council hereby Extend Sincere Best Wishes for a Happy Birthday to Councilwoman Josephine DiRuzzo on September 12, 2005.

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

The Motion for Passage is Sustained.

COUNCILMAN APONTE and COUNCILMAN HASSETT (By Request):

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 53, Lot 715 (1040 Broad Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Twenty Two Thousand Two Hundred Forty Six Dollars and Eighty Six (\$22,246.86) Cents, along with any associated interest, penalties and intervening taxes and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 123, Lot 463 (473 Admiral Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Nine Thousand One Hundred Forty Four Dollars and Sixty Five (\$9,144.65) Cents, along with any associated interest, penalties and intervening taxes and that the property is declared exempt in

accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 123, Lot 486 (24 Addeo Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Four Thousand Four Hundred Forty Six Dollars and Thirty Seven (\$4,446.37) Cents, along with any associated interest, penalties and intervening taxes and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 123, Lot 487 (28 Addeo Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Three Thousand Three Hundred Forty Two Dollars and Fifty Nine (\$3,342.59) Cents, along with any associated interest, penalties and intervening taxes and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

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

COUNCIL PRESIDENT LOMBARDI Refers the Ordinance and Several Resolutions to the Committee on Finance.

COUNCILMAN BUTLER (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "Slow Children" Sign in front of 140 Modena Avenue.

Resolved, That the Traffic Engineer id requested to cause the installation of a "Slow Children" Sign in front of 140 Modena Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of "No Thru Traffic" Signs on both ends of Modena Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Thru Traffic" Signs on both ends of Modena Avenue.

COUNCILMAN HASSETT:

Resolution Requesting the Traffic Engineer to cause the replacement of the guardrail on Pekin Street at Chalkstone Avenue.

Resolved, That the Traffic Engineer is requested to cause the replacement of the guardrail on Pekin Street at Chalkstone Avenue.

COUNCILMAN MANCINI, COUNCIL-WOMEN ROMANO and DiRUZZO:

Resolution Extending Sincere Congratulations to Andrew J. Annaldo, Chairman of the Board of Licenses, on the celebration of his 50th Birthday on September 20, 2005.

Resolved, That the Members of the Providence City Council hereby Extend Sincere Congratulations to Andrew J. Annaldo, Chairman of the Board of Licenses, on the celebration of his 50th Birthday on September 20, 2005.

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

The Motion for Passage is Sustained.

COUNCILWOMAN YOUNG (By Request):

Resolution Requesting the Traffic Engineer to establish Mawney Street as a "One-Way" Street from Updike Street to Elmwood Avenue.

Resolution Requesting a "Right Turn Only" from Mawney Street onto Elmwood Avenue.

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

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

REPORTS FROM COMMITTEES

COMMITTEE ON PUBLIC WORKS

COUNCILMAN TERRENCE M. HASSETT, Chairman

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

Resolution Granting an easement on the sidewalk area of Washington Street at Westminster Street to Verizon Communications for the installation and maintenance of a ramp to provide handicapped access to the property at 234 Washington Street (Plat 20, Lot 1).

It Is Hereby Resolved, That His Honor, the Mayor, is authorized to grant an easement on the sidewalk area of Washington Street at Westminster Street in the City of Providence to Verizon Communications. Said easement shall be granted specifically upon the following provisions:

1. Said easement shall be utilized only for the installation and maintenance of a ramp to provide handicapped access to the property at 234 Washington Street (AP 20 Lot 1). Said easement shall not exceed the area of 76.26 square feet, plus or minus with dimensions of 19.6 feet by between 3.5 and 4.42 feet, and indicated as a shaded area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064777 dated September 7, 2005.

2. Said easement shall be deemed to run with the land and shall operate against any successors in title and the easement or a memorandum of same shall be recorded by Verizon Communications in the Office of Land Records for the City of Providence.

3. Said easement shall be subject to a right of reverter/right of reversion in the event that the situs of the easement is no longer utilized for the aforesated purposes.

4. Verizon Communications shall execute an indemnification and hold-harmless agreement with the City of Providence. Said agreement shall be approved by the Department of Law of the City of Providence.

5. Verizon Communications shall supply the City of Providence with an insurance policy naming said City of Providence, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00) which policy shall be Approved by the Department of Law of the City of Providence.

6. In the event that the City of Providence or its designee shall, for any public purpose, require the extinguishment of the easement granted herein, upon the ninety (90) days notice, Verizon Communications shall, at its own expense, and without claim against the City, its officers, servants or employees, for any damages whatsoever, remove said improvements to the easement area.

7. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as may be deemed appropriate by the Mayor or the Department of Law.

Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the Following Roll Call Vote:

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

NAYES: NONE.

ABSENT: COUNCILMAN ALLEN and COUNCILWOMAN YOUNG - 2.

The Motion for Passage is Sustained.

COMMITTEE ON URBAN REDEVELOPMENT

RENEWAL AND PLANNING

COUNCILWOMAN BALBINA A. YOUNG, Chairwoman

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

Resolution Requesting that Matthews Street be re-named to "Times Squared Way."

Whereas, Times², Incorporated, 50 Fillmore Street, Providence, Rhode Island, has successfully completed the purchase of Matthews Street, located in the Smith Hill Section of Providence, to accommodate a newly constructed 68,000 square foot school facility that houses the Times² Children's Academy, which consists of a gymnasium and locker rooms, cafeteria, library, elementary wing and administration offices; and

Whereas, The old Matthews Street will become the new main entrance for the entire Times² Academy, K-12 campus; and

Whereas, Times² has respectfully submitted a petition to the Honorable City Council for its approval to rename a portion of the old Matthews Street to "Times Squared Way".

Now, Therefore, Be It Resolved, That Matthews Street is hereby re-named to "Times Squared Way".

Resolution Authorizing the Department of Planning and Development to establish the "Neighborhood Storefront Loan Fund" for local neighborhood businesses in the Chalkstone Avenue, Douglas Avenue and Smith Street commercial centers.

Whereas, Local businesses in the Chalkstone Avenue, Douglas Avenue and Smith Street business centers that provide necessary neighborhood services are situated along important and central arteries; and

Whereas, These small businesses are an integral stakeholder in our residential communities that require assistance toward their independent efforts to renovate and generally improve their storefronts; and

Whereas, It has been determined that assisting in the development of improved storefronts in local neighborhood commercial districts enhances the value of residential life and promotes business growth; and that such improvements attract new businesses that create new employment; and

Whereas, It is a matter of sound public policy to prove the importance of existing

businesses as a catalyst for the growth of new businesses and the opportunities that are derived from them; and

Whereas, Financial assistance, in varying extents, is needed to aid business owners in improving their storefronts in important commercial centers.

Now, Therefore, Be It Resolved, That through the approval of this resolution, it is clearly understood that the Department of Planning and Development is authorized and is hereby requested to establish the

"Neighborhood Storefront Loan Fund" for the Chalkstone Avenue, Douglas Avenue and Smith Street business centers on or before, but no later than October 1, 2005.

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

The Motion for Passage is Sustained.

Transmits the Following with Recommendation the Same be Severally Approved:

Resolution Authorizing His Honor the Mayor to execute the Settlement Agreement between the City of Providence, the Providence Redevelopment Agency and Textron, Inc., and also execute the Environmental Land Use Restrictions, referenced in agreement.

Whereas, The City of Providence and the Providence Redevelopment Agency have been working to resolve environmental issues related to the Gorham Site; and

Whereas, Negotiations have continued with Textron to resolve their responsibility relative to said environmental issues; and

Whereas, A tentative agreement has been reached.

Now, Therefore, Be It Resolved, That the Mayor is hereby authorized to execute the Settlement Agreement between the City of

Providence, the Providence Redevelopment Agency and Textron, Inc., as presented.

Be It Further Resolved, That the Mayor is hereby authorized to execute the Environmental Land Use Restrictions, referenced in said agreement, and as presented.

Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the Following Roll Call Vote:

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

NAYES: NONE.

ABSENT: COUNCILMAN ALLEN and COUNCILWOMAN YOUNG-2.

The Motion for Passage is Sustained.

Resolution Requesting the Providence School Department to re-name Springfield Middle School to DelSesto High School and maintain the DelSesto Middle School.

Resolved, That the Providence School Department to re-name Springfield Middle School to DelSesto High School and maintain the DelSesto Middle School.

Resolution Requesting that Burgess Street be re-named to "Thomas P. Whitten Way."

Resolved, That Burgess Street be re-named to "Thomas P. Whitten Way."

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

The Motion for Passage is Sustained.

COMMUNICATION AND REPORT

Communication from Peter Marinucci, Deputy Director, Department of Emergency Management, dated August 29, 2005, informing Michael R. Clement, City Clerk that he will be attending the tax sale on September 9, 2005 and will not use City time for this purpose.

Report from Mayor David N. Cicilline, dated October 25, 2004, submitting the Consolidated Annual Planning and Evaluation Report.

COUNCIL PRESIDENT LOMBARDI Receives the Report and the Communication.

FROM THE CLERK'S DESK

Petition from Henry D'Agostino and Bonnie Lovell, 73 Luna Street, Providence, Rhode Island, requesting to abandon a portion of Parley Street.

COUNCIL PRESIDENT LOMBARDI Refers the Petition to the Committee on Public Works.

Petitions for Compensation for Injuries and Damages, viz:

Viola Gill

William Thomas
(Robert Testa, Esquire)

Kimmy Miller

The Genesis Center

Alexis Garcia
(Christopher E. Fay, Esquire)

Gian Benedetti
(James P. Howe, Esquire)

Mildred F. Damas
(Robert P. Audette, Esquire)

Michael G. Capone
(John J. Bevilacqua, Esquire)

Marjorie Salgado
p.p.a. Izaiah Salgado
(Christopher E. Fay, Esquire)

Marjorie Salgado
(Christopher E. Fay, Esquire)

Martin Garcia
(Christopher E. Fay, Esquire)

Emilia DaSilva

Quincy Mutual Insurance Company
a/s/o Kerri Lemoie
(Lynda L. Laing, Esquire)

David B. Hector
(V. Edward Formisano, Esquire)

Marilyn Santomaro
(Robert M. Ferrieri, Esquire)

Carmen Vargas
(Christopher E. Fay, Esquire)

Janet Simblist

Bruce Gincastro

Jessica Rosa
(Jimmy Burchfield, Jr., Esquire)

MetLife Auto & Home
a/s/o Linda Rebello

Adriane Julius

Ellen Hoy and Daniel James Hoy
(J. Scott Kilpatrick, Esquire)

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

PRESENTATION OF RESOLUTIONS

"In Congratulations"

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

Resolution Extending Congratulations.

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

Lic. Marino Collante Gomez, in recognition of honoring us with his visit to the Sister City of Providence.

Mr. and Mrs. Aaron Milne, in recognition of the celebration of the happy occasion of their marriage on Monday, September 4, 2005.

Daniel Vanasse, Manager, in recognition of the Councilman Iglizzo Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Jose Dechamps, Coach, in recognition of the Councilman Iglizzo Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Ramo Hernandez, Coach, in recognition of the Councilman Iglizzo Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Miguel Cabrera, Coach, in recognition of the Councilman Iglizzo Little League Team

winning the League and Playoff Championships two years in a row. We are all very proud of them.

Michael Cabrera, in recognition of the Councilman Iglizzo Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Ruben Navarro, in recognition of the Councilman Iglizzo Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Michael Pineiro, in recognition of the Councilman Iglizzo Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Louis Gonzalez, in recognition of the Councilman Iglizzo Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Angel Gonzalez, in recognition of the Councilman Iglizzo Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Christian Perez, in recognition of the Councilman Iglizzo Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Aneury Pichardo, in recognition of the Councilman Igliazzi Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Jacob Duran, in recognition of the Councilman Igliazzi Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Angel Hernandez, in recognition of the Councilman Igliazzi Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Zachary Deschamps, in recognition of the Councilman Igliazzi Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Angelisha Pineiro, in recognition of the Councilman Igliazzi Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

John Carlos Utate, in recognition of the Councilman Igliazzi Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Juan Carlos Ramos, in recognition of the Councilman Igliazzi Little League Team winning the League and Playoff Championships two years in a row. We are all very proud of them.

Jouandi Perez, #1, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

Andrew Placido, #2, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

Wilber Delgado, #5, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

Joshua Bergeron, #11, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

John Goncalves, #12, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

Cesar Cruz, #13, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

Jonathan Jimenez, #15, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

Cesar Mejia, #17, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

John Salcedo, #19, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

David Taylor, #23, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

Joel Fernandez, #24, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

Anthony Rodriguez, #34, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

Arquimedes Vargas, #45, in recognition of the Elmwood Little League eleven year old

All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

Daniel Velazquez, #51, in recognition of the Elmwood Little League eleven year old All Stars winning the 2005 Rhode Island District 1 Championship, after forty-seven years.

Andrew J. Annaldo, in recognition of the celebration of his fiftieth birthday, born September 20, 1955.

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

The Motion for Passage is Sustained.

PERSONAL EXPRESSION

COUNCILMAN BUTLER Requests the privilege of the floor to speak on a Point of Personal Expression and states:

For the last couple of weeks after coming home from work, getting our children ready for dinner and putting them to bed you find yourself glued to the TV as to what's going on down in New Orleans and Mississippi what the people of the country are doing to help Americans, not refugees, just Americans

needing help. I don't know what it is but you feel bad for everybody. I believe it was last Wednesday I saw that the Governor or the President, somebody opened up the military housing that is in Middletown for 500 Americans to come in and live there temporarily. I just want to say, I know it's not our place but it bothers me that we leave these council meetings and we're going to get out of here at 8:15 and sometimes during the winter if you drive up and down Westminster Street we have people who are living there in

Providence every single day that have no place to live. I can remember last winter going to work at 8:00 in the morning driving on Route 10 to 95 in a little place underneath the highway they were removing a body of someone who slept there and died at night. I really think that we need to do something. If there are 500 residents, 500 beds that have been left empty for who knows how long that when this crisis down south is fixed hopefully we're going to hear the President at 9:00 talk about his long term goals but if a military base is closing there is plenty of housing available for the less fortunate people of this country. Not just here in Rhode Island but throughout the country and being the father of four and seeing these young children just displaced it really bothers me and then on the other hand to see what my children do. They do collections and things like that for the people that are here in Providence. You know you do a collection then their forgotten about but I mean, I really think that we need to do something. It effects Providence, it effects the whole country, it effects the whole state. Like I said it's something that's really been bothering me and I know when this crisis is over hopefully we'll still be here. I don't know if it's the President, I don't know if it's our State Senators our Representatives but we have to do something to get the people who need the housing, housing. People who need a place to sleep at night. It will make a better community, it will make a better state, it will make a better country. Thank you.

COUNCILMAN APONTE Requests the privilege of the floor to speak on a Point of Personal Expression and states:

I want to take a moment to thank some hard working City employees. This past

Saturday I had the opportunity, the privilege to attend a cookout for a Mississippi family that had lost all their worldly possessions. They found themselves here through the efforts of one of their relatives that resided here in the southeastern New England area. Several City employees including a couple of folks from the Clerk's Office heard of their plight and quickly sprang into action. They really epitomized what this City is about, what Providence is truly about and within a matter of twenty-four hours they organized an effort that was very much like a family reunion. Seventeen members of a family that had lost all their worldly possessions found themselves miles from home staying in a strange hotel. At the time the policy was by FEMA and other agencies that if one was self evacuated one could not access the services and programs for those that had been evacuated with no voluntary needs. At the time the folks were staying in a hotel, miles from anything that they new, anyone that they new and it really touched my heart and touched the heart of my community that these folks opened up their home and within twenty-four hours to put together a very successful, not only a fundraiser because it seems impersonal when you raise dollars and turn those dollars over but really opened their homes, their hearts and their families to these folks who had been so devastated by the events that proceeded Hurricane Katrina. So it's not just offering them some financial assistance but really opening them up to their extended family here in Providence and I really wanted to take a moment to acknowledge that because having spent a little bit of time there it really did feel like a family reunion. I don't think that would happen in too many other places and as often as maligned the City employees are we need to take every opportunity to highlight and showcase the important deeds that are done

above and beyond their duties as City employees and I thought that this was an appropriate time given the comments of my colleague that it's important that we recognize those things when someone talks the way that they usually talk about City employees and maligned them in the way that they do this is a concrete example that shows that this City has a heart, that this City cares and that it is the individuals within City government that make the City

function and work everyday and they bring caring and compassion not only to their work but to their fellow man. So I just wanted to acknowledge that and thank them publicly for it and thank everyone who was involved in that effort because it was truly very special and I was honored and privileged to have been part of it.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

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

Resolution Extending Sympathy.

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

Nicholas John D'Aguanno

Edward R. Breggia

Linda A. Razza

Danyelle L. Mangum

Anna May Sullivan

Martin T. Byrne

Paul Cardi

Elizabeth "Elisa" Boffi

David J. Eunis

Philip F. Del Signore

Mary Manocchio

John C. Murphy

Francis J. Burke, M.D.

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

The Motion for Passage is Sustained.

ADJOURNMENT

There be no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:15 o'clock P.M. (E.D.T.), to meet again on THURSDAY, OCTOBER 6, 2005 at 7:30 o'clock P.M. (E.D.T)

Claire E. Bestwick

CLAIRE E. BESTWICK
ACTING CITY CLERK



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**CITY OF PROVIDENCE
RHODE ISLAND**



FILED
2007 FEB 21 A 10:53
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

**CITY COUNCIL
JOURNAL OF PROCEEDINGS**

No. 28 City Council Regular Meeting, Thursday, October 6, 2005, 7:30 o'clock P.M. (E.D.T.)

**PRESIDING
COUNCIL PRESIDENT
JOHN J. LOMBARDI**

ROLL CALL

**Present: ACTING COUNCIL PRESIDENT
YOUNG, COUNCILMEN APONTE,
BUTLER, DeLUCA, COUNCILWOMAN
DiRUZZO, COUNCILMEN HASSETT,
IGLIOZZI, JACKSON, MANCINI and
COUNCILWOMEN ROMANO- 10.**

**Absent: COUNCIL PRESIDENT
LOMBARDI, COUNCILMEN ALLEN,
LUNA, SEGAL and COUNCILWOMAN
WILLIAMS-5.**

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

... IN CITY COUNCIL
MAR 1 2007
APPROVED:
 CLERK

INVOCATION

The Invocation is given by ACTING
COUNCIL PRESIDENT BALBINA A.
YOUNG.

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

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

APPROVAL OF RECORD

Journal of Proceedings No. 27 of the
Regular Meeting of the City Council held
November 6, 2003 and Posted on
September 28, 2005 on that Bulletin
Board located on the Ground Level of
City Hall, is hereby approved, as printed,
on Motion of COUNCILMAN APONTE,
seconded by COUNCILMAN DeLUCA.

2005 OCT 6

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PRESENTATION OF ORDINANCES

COUNCILMAN APONTE (By Request):

An Ordinance in accordance with Chapter 21, Section 19 of the Code of Ordinance of the City of Providence Entitled: "Capital Equipment Budget, As Amended.

An Ordinance making an Appropriation of Two Hundred Eighty Eight Million Two Hundred Twenty Five Thousand Nine Hundred Eighty Eight Dollars (\$288,225,988) for the support of the Providence School Department for the fiscal year ending June 30, 2005, and repealing Ordinance Chapter 2004-179, Approved May 17, 2004.

An Ordinance Establishing a Compensation Plan for the Providence School Department and repealing Ordinance Chapter 2004-180, Approved May 17, 2004.

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Employees in certain classes in the Providence School Department and repealing Ordinance Chapter 2004-181, Approved May 17, 2004.

An Ordinance making an Appropriation of Three Hundred Million Two Hundred Eighty Five Thousand Six Hundred Ninety Seven Dollars (\$300,285,697) for the support of the Providence School Department for the

fiscal year ending June 30, 2006, and repealing Ordinance Chapter 2004-179, Approved May 17, 2004.

An Ordinance Establishing a Compensation plan for the Providence School Department and Repealing Ordinance Chapter 2004-180, Approved May 17, 2004.

An Ordinance Establishing the Classes of Positions, the Maximum Number Employees and the Employees in certain classes in the Providence School and Repealing Ordinance Chapter 2004-181, Approved May 17, 2004.

An Ordinance in Amendment of Ordinance No. 85, Chapter 1997-18, Entitled: An Ordinance to adopt the ProvPort, Inc. Tax Exemption Agreement, As Amended.

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

ACTING COUNCIL PRESIDENT YOUNG Refers the Several Ordinances to the Committee on Finance.

An Ordinance in Amendment of Ordinance No. 614, Chapter 2002-39, Entitled: "An Ordinance Entitled Providence External Review Authority (PERA).

COUNCILMAN HASSETT and COUNCILMAN APONTE:

An Ordinance in Amendment of Ordinance No. 820, Chapter 2003-79, Entitled: An Ordinance Authorizing the Creation of a Class "N" Retail Liquor License.

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

ACTING COUNCIL PRESIDENT YOUNG Refers the Several Ordinances to the Committee on Ordinances.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI (By Request):

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 36, Lot 125 (79 Chapin Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Two Thousand Two Hundred Eighty Three Dollars and Sixty Four (\$2,283.64) Cents, or any taxes accrued, including 2002, 2003, 2004 & 2005 taxes, plus any interest accrued, for Federal Hill community gardens, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 for as long as it continues to be used as a community garden.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 36, Lot 294 (124 Sycamore Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount Three Thousand Three Hundred Thirty (\$3,330.00) Dollars, or any taxes accrued,

including 2002, 2003, 2004 & 2005 taxes, plus any interest accrued, for Federal Hill community gardens, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 for as long as it continues to be used as a community garden.

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

ACTING COUNCIL PRESIDENT YOUNG Refers the Several Resolutions to the Committee on Finance.

Resolution Requesting the Traffic Engineer to cause Eddy Street to be a "One-Way Street" from Weybosset Street to Washington Street and to cause the installation of "One-Way" Signs on Eddy Street and also at Fulton Street and Eddy Street.

**ACTING COUNCIL PRESIDENT
YOUNG Refers the Resolution to the
Committee on Public Works.**

Resolution Requesting the City of Providence be exempt from fuel tax placed upon the taxpayers of our city.

**ACTING COUNCIL PRESIDENT
YOUNG Refers the Resolution to the
Committee on Finance.**

Resolution Requesting that the Rhode Island Congressional Delegation and the President of the United States demand hearings in the Senate and the House of Representatives of the Congress of the United States regarding the source of the record gas price increase over the last six months, whether any of the multi-national oil companies are guilty of price-gouging the American public and if a criminal investigation is warranted.

Resolved, that the Rhode Island Congressional Delegation and the President of the United States demand hearings in the Senate and the House of Representatives of the Congress of the United States regarding the source of the record gas price increase over the last six months, whether any of the multi-national oil companies are guilty of price-gouging the American public and if a criminal investigation is warranted.

**Read and Passed, on Motion of
COUNCILMAN APONTE, seconded by
COUNCILMAN DeLUCA.**

The Motion for Passage is Sustained.

**COUNCILMAN APONTE and COUNCIL-
MAN HASSETT (By Request):**

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 48, Lot 647 (492 Prairie Avenue), in the amount of Two Thousand Five Hundred Eighty One Dollars and Thirty Nine (\$2,581.39) Cents along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership and also to execute a deed and transfer to the Providence Redevelopment Agency.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 47, Lot 749 (17 Searle Street), in the amount of One Hundred Twenty Seven Dollars and Fifty (\$127.50) Cents along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 48, Lot 607 (37 Harriet Street), in the amount of Seventy Six Dollars and Fifty (\$76.50) Cents along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 48, Lot 924 (366 Public Street), in the amount of Three Thousand Eight Hundred Thirty Two Dollars and Sixty Four (\$3,832.64) Cents along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 48, Lot 685 (28 Croyland Road), in the amount of Nine Hundred Sixty Four Dollars and Twelve (\$964.12) Cents along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 31, Lot 206 (41 Diamond Street), in the amount of Three Thousand One Hundred Thirty One Dollars and Forty One (\$3,131.41) Cents along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 31, Lot 207 (45 Diamond Street), in

the amount of Two Thousand Nine Hundred Sixty Dollars and Thirty Two (\$2,960.32) Cents along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 107, Lot 350 (88 Eastwood Avenue), in the amount of Four Thousand Three Hundred Ninety One Dollars and Seventy Four (\$4,391.74) Cents along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership and also to execute a deed and transfer to the Providence Redevelopment Agency.

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

ACTING COUNCIL PRESIDENT YOUNG Refers the Several Resolutions to the Committee on Finance.

COUNCILMAN BUTLER (By Request):

Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting on River Avenue from Smith Street to Chalkstone Avenue.

Resolved, That the Chief Electrical Inspector is requested to cause the upgrade of

street lighting on River Avenue from Smith Street to Chalkstone Avenue.

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

The Motion for Passage is Sustained.

COUNCILMAN HASSETT (By Request):

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 79 (189 Douglas Avenue), and Lots 90, 97, 98, 102, 106, 107, 108, 114, 799 and 812 (7, 8, 9, 11, 12, 14, 16, 17, 21, and 36 Matthew Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Twenty Seven Thousand Eight Hundred Sixty Six Dollars and Twenty Six (\$27,866.26) Cents, or any taxes accrued, including 1999, 2000, 2003, 2004 & 2005 taxes, plus any interest accrued, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 as requested by Times², Inc.

ACTING COUNCIL PRESIDENT YOUNG Refers the Resolution to the Committee on Finance.

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

Resolution Requesting the General Assembly to convene in Special Session wherein it may take appropriate action to override the Veto of the Governor and establish the minimum wage for the State of Rhode Island at the rate of Seven Dollars and Ten (\$7.10) Cents per hour, effective January 1, 2006 and at the rate of Seven Dollars and Forty (\$7.40) Cents per hour, effective January 1, 2007.

Resolved, That the Providence City Council hereby requests the General Assembly to convene in Special Session wherein it may take appropriate action to override the Veto of the Governor and establish the minimum wage for the State of Rhode Island at the rate of Seven Dollars and Ten (\$7.10) Cents per hour, effective January 1, 2006 and at the rate of Seven Dollars and Forty (\$7.40) Cents per hour, effective January 1, 2007.

COUNCILMAN IGLIOZZI (By Request):

Resolution Requesting Narragansett Electric Company to cause the installation of a light on pole No. 9 on Eliza Street.

Resolved, That the Members of the Providence City Council hereby requests Narragansett Electric Company to cause the installation of a light on pole No. 9 on Eliza Street.

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

The Motion for Passage is Sustained.

COUNCILMAN MANCINI (By Request):

Resolution Requesting the Traffic Engineer to cause Trent Street, from Hereford Street to Loveday Street, to be established as a "One-Way" Street.

COUNCILWOMAN ROMANO (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "One-Way - Do Not Enter Between the Hours of 8:30 a.m. to 9:30 a.m. and 2:30 p.m. to 3:30 p.m. on School Days Only" Signs on Paul Street, in a westerly direction from Windmill Street to Charles Street.

COUNCILMAN SEGAL:

Resolution Requesting the Traffic Engineer to expedite the installation of temporary signs on and around East Street and Wickenden Street, as appropriate, directing pedestrians seeking to use the now closed 195 pedestrian bridge towards other means of access to India Point Park.

Resolution Requesting the Traffic Engineer to cause the institution of an "all-red" period at the traffic light at the intersection of Brook Street and Wickenden Street.

Resolution Requesting the Traffic Engineer to expedite the installation of a "Four-Way Stop" Sign at the intersection of Wayland Avenue and Pitman Street, as traffic flow will increase significantly with the opening

of a new residential complex there in October.

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

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

Resolution Congratulating employees of the Providence Public Library on their successful effort to form a union.

Resolved, That the Members of the Providence City Council hereby Congratulate employees of the Providence Public Library on their successful effort to form a union.

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

The Motion for Passage is Sustained.

COUNCILWOMAN YOUNG (By Request):

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 45, Lots 732, 735, 736, and 737 (15, 19, 21 and 23 St. James Street), in accordance with Rhode Island General Law 44-7-23, in the amount Two Thousand Twenty Eight Dollars and Eighty (\$2,028.80) Cents, or any taxes accrued, including 2003 taxes, plus any interest accrued, for Peoples Redevelopment Corporation.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 45, Lot 322 (54 Wesleyan Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of One Thousand Ninety Eight Dollars and Sixty Eight (\$1,098.68) Cents, or any taxes accrued, including 2003 & 2004 taxes, plus any interest accrued, as requested by Oasis International Incorporated.

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

ACTING COUNCIL PRESIDENT YOUNG Refers the Several Resolutions to the Committee on Finance.

COUNCILWOMAN YOUNG and COUNCIL PRESIDENT LOMBARDI:

Resolution Requesting the Director of Public Works to cause the potholes in front of the John Hope Settlement House at 7 Burgess Street to be repaired, immediately, as it is a public safety issue.

Resolved, that the Director of Public Works is requested to cause the potholes in front of the John Hope Settlement House at 7 Burgess Street to be repaired, immediately, as it is a public safety issue.

REPORTS FROM COMMITTEES

COMMITTEE ON PUBLIC WORKS

COUNCILMAN TERRENCE M. HASSETT, Chairman

Transmits the Following with Recommendation the Same be Severally Approved, As Amended:

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign on Wardlaw Avenue at Stonelaw Avenue.

Sign on Wardlaw Avenue at Stonelaw Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of a "Stop"

Resolution Requesting the Traffic Engineer to cause the installation of "Wrong Way" Signs facing east at the intersection of Ives Street and Trenton Street, as many vehicles exit 195, drive the wrong way on Trenton, and pose an added hazard by failing to stop or yield at said intersection.

Resolved, that the Traffic Engineer is requested to cause the installation of "Wrong Way" Signs facing east at the intersection of Ives Street and Trenton Street, as many vehicles exit 195, drive the wrong way on Trenton, and pose an added hazard by failing to stop or yield at said intersection.

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

Resolution Granting various easements to Narragansett Electric Company for the E-183 Transmission Line Relocation Project.

It Is Hereby Resolved, That His Honor, the Mayor, is authorized to grant easements, as delineated on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064782 dated September 30, 2005" on, over, under, through, across and upon land owned by the City of Providence ("Grantor") to the Narragansett Electric Company ("Grantee"). Said easements shall be granted specifically upon the following provisions:

1. Said easements shall be utilized only for the installation and maintenance of high and low voltage transmission and distribution lines and for the transmission of intelligence by any means, now existing or hereafter devised, lines or towers or poles or both or any combination of the same with wires and cables strung upon and from the same (any of which may be erected and/or constructed at the same or different times), together with all guy wires, foundations, anchors, antennae, braces, fittings, buried ground wires and any other equipment or appurtenances

reasonably required (collectively hereinafter referred to as the "Facilities"), including without limitation such temporary footbridges, causeways, and ways of access, if any, as may be necessary for the convenient construction, reconstruction, installation, repair, replacement, maintenance, operation, use, inspection and patrolling of the Facilities over, under, through, across, and upon land owned by Grantor located in Providence, Providence County, Rhode Island (hereinafter the "Easement Area"). The Easement Area constitutes 387,665 square feet, more or less, as shown on the plan which is attached hereto and incorporated herein by reference and more fully described in Exhibit A hereto;

Also, the perpetual right and easement from time to time, without further payment therefor, to (i) clear and keep cleared by physical, chemical, or other means the Easement Area of trees, underbrush, buildings, structures, and obstructions both above and below grade (the first clearing may be for less than the full width and may be widened from time to time to the full width); (ii) renew, repair, replace, add to, and otherwise change the Facilities and each and every part thereof and all appurtenances

thereto and the locations thereof within the Easement Area; (iii) pass and repass with vehicles and equipment along the Easement Area; and (iv) pass and repass with vehicles and equipment along the Grantor's Land and adjoining lands to and from the Easement Area to the extent necessary, as determined by Grantee in its sole discretion, for Grantee's exercise of the rights herein granted and conveyed. Grantor and Grantee acknowledge that Grantee's rights under this Grant of Easement are subject to (i) the relocation of I-195 as planned by the Rhode Island Department of Transportation ("RIDOT") and (ii) the continuing operation of the relocated I-195. The locations of Grantee's transmission towers on the Easement Area shall be as shown on the plan which is attached hereto.

2. It is intended by the parties that the rights and easements granted and conveyed herein constitute commercial easements in gross for the benefit of Grantee, its successors and assigns, and the parties agree that these provisions shall run with the Grantor's Land and shall inure to the benefit of and bind the heirs, legal representatives, successors, and assigns of the respective parties. The easement or a memorandum of same shall be recorded by Grantee in the Office of Land Records for the City of Providence. It is the intention of the parties that the rights and easements granted and conveyed to Grantee, its successors and assigns, shall be assignable in whole or in part and that they shall be divisible among two or more owners, as to any rights created, granted, and conveyed hereunder, so that each assignee or owner shall have the full rights and privileges herein created, granted, and conveyed, to be owned and enjoyed by either in common or severally.

3. Grantor, for itself and its heirs, successors, and assigns, hereby covenants and agrees with Grantee, its successors and assigns, that (i) no acts will be permitted by Grantor within the Easement Area which are inconsistent with the rights granted herein; (ii) no permanent or temporary buildings, structures, or obstructions other than those planned as part of the relocation of I-195 will be erected or constructed above or below grade within the Easement Area other than Grantee's Facilities without first obtaining in each instance Grantee's prior written approval, which approval will not be unreasonably withheld, conditioned, or delayed; and (iii) the Grantor shall not excavate or fill or otherwise change or alter the present grade or ground level of the Easement Area other than as planned as part of the relocation of I-195 without obtaining in each instance Grantee's prior written approval, which approval will not be unreasonably withheld, conditioned, or delayed.

4. Said easements shall be subject to a right of reverter/right of reversion in the event that the situs of the easement is no longer utilized for the aforestated purposes.

5. Grantee shall execute an indemnification and hold-harmless agreement with the City of Providence. Said agreement shall be approved by the Department of Law of the City of Providence.

6. Grantee shall supply the City of Providence with an insurance policy naming said City of Providence, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00) which policy shall be approved by the Department of Law of the City of Providence.

7. It is the intention of the Grantor to grant to the Grantee, its successors and assigns, all the rights and easements aforesaid and any and all additional and/or incidental rights needed to construct, reconstruct, repair, renew, replace, add to, maintain, operate, patrol, use, inspect and otherwise change, for the transmission and distribution of high and low voltage electric energy and the transmission of intelligence, the Facilities in, on, over, under, across, upon, and through the Easement Area, and the Grantor hereby agrees to execute, acknowledge, and deliver to the Grantee, its successors and assigns, such further deeds and instruments as may be necessary to secure to them the rights and easements intended to be granted and conveyed herein to Grantee, its successors and assigns.

8. It is agreed that the Facilities shall remain the property of Grantee, its successors and assigns, and that Grantee, its successors and assigns, shall pay all taxes assessed thereon.

9. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Works and/or as may be deemed appropriate by the Mayor or the Department of Law.

Resolution Requesting the Traffic Engineer to cause the installation of "Two-Hour Parking" Signs on 49 Seekonk Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "Two-Hour Parking" Signs on 49 Seekonk Street.

Resolution Requesting the Traffic Engineer to cause the installation of "Four-Way Stop"

Signs at the intersection of Academy Avenue and Salter Street.

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

Resolution Requesting the Traffic Engineer to cause the installation of "Goulding Street" Signs on Transit Street and Wickenden Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "Goulding Street" Signs on Transit Street and Wickenden Street.

Resolution requesting the Traffic Engineer to cause the installation of "Elderly Crossing" Signs at 140 Pitman Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "Elderly Crossing" Signs at 140 Pitman Street.

Resolution requesting the Traffic Engineer to cause the installation of a caution light at 140 Pitman Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a caution light at 140 Pitman Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign on

Courtland Street at the intersection of Courtland Street and Gesler Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a "Stop" Sign on Courtland Street at the intersection of Courtland Street and Gesler Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "No Parking" Sign in front of 146 Peace Street.

Resolved, that the Traffic Engineer is requested to cause the installation of a "No Parking" Sign in front of 146 Peace Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "Handicap Parking" Sign in front of 28 Thayer Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a "Handicap Parking" Sign in front of 28 Thayer Street.

Resolution Requesting the Traffic Engineer to cause the installation of appropriate signage at the intersection of Wickenden Street and Goulding Street, so as to keep

the entrance to Goulding Street clear of parked cars.

Resolved, That the Traffic Engineer is requested to cause the installation of appropriate signage at the intersection of Wickenden Street and Goulding Street, so as to keep the entrance to Goulding Street clear of parked cars.

Resolution Requesting the Traffic Engineer to cause the installation of "Wrong Way" Signs in the middle of the block of Trenton Street that runs from Gano Street to Ives Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "Wrong Way" Signs in the middle of the block of Trenton Street that runs from Gano Street to Ives Street.

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

The Motion for Passage is Sustained.

COMMITTEE ON FINANCE

COUNCILMAN KEVIN JACKSON, Chairman

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

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 361 (20 Hyat Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 361 (20 Hyat Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 548 (57 Aleppo Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolved, that the taxes assessed upon Assessor's Plat 63, Lot 548 (57 Aleppo Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILMAN DeLUCA, by the Following Roll Call Vote:

AYES: ACTING COUNCIL PRESIDENT YOUNG, COUNCILMEN APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, MANCINI and COUNCILWOMAN ROMANO -10.

NAYES: NONE.

ABSENT: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN, LUNA, SEGAL and COUNCILWOMAN WILLIAMS - 5.

The Motion for Passage of the Several Resolutions is Sustained.

Resolution Relative to the ProvPort Financing.

COUNCILMAN APONTE Moves to Refer the Resolution Back to the Committee on Finance, seconded by COUNCILMAN DeLUCA.

Resolution Amending Resolution No. 59, Approved February 28, 2005, relative to the abatement of taxes upon Assessor's Plat 25, Lot 446 (87 Empire Street), in the amount of Thirty Six Thousand Five Hundred Dollars and Twenty Five (\$36,500.25) Cents plus any interest accrued for Trinity Repertory Company.

Resolved, That Resolution No. 59, Approved February 28, 2005, relative to the abatement of taxes upon Assessor's Plat 25, Lot 446 (87 Empire Street), in the amount of Thirty Six Thousand Five Hundred Dollars and Twenty Five (\$36,500.25) Cents plus any interest accrued for Trinity Repertory Company be abated.

Resolution in Amendment of Resolution No. 58, Approved February 28, 2005, relative to the abatement of taxes upon Assessor's Plat 25, Lot 320 (32 Aborn Street), in the amount of Three Thousand Four Hundred Thirty One Dollars and Thirty Two (\$3,431.32) Cents plus any interest accrued for Trinity Repertory Company.

Resolved, That Resolution No. 58, Approved February 28, 2005, relative to the abatement of taxes upon Assessor's Plat 25, Lot 320 (32 Aborn Street), in the amount of Three Thousand Four Hundred Thirty One Dollars and Thirty Two (\$3,431.32) Cents plus any interest accrued for Trinity Repertory Company be abated.

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

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 342 (218-220 Manton Avenue), in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 342 (218-220 Manton Avenue), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 450 (22-24 Hillard Street), in accordance with Rhode Island General Law

Section 44-7-23, including 2005 and the first half of 2006.

Resolved, that the taxes assessed upon Assessor's Plat 63, Lot 450 (22-24 Hillard Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 344 (69 Aleppo Street), in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 344 (69 Aleppo

Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 435 (47 Aleppo Street), in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 435 (47 Aleppo Street), as hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 549 (63 Aleppo Street), in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 549 (63 Aleppo Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 550 (65 Aleppo Street), in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 550 (65 Aleppo Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 553 (14 Pelham Street), in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 553 (14 Pelham Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 418 (11 Curtis Street), in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 418 (11 Curtis Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 560 (2 Curtis Street), in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 560 (2 Curtis Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, including 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 552 (23-25 Hillard Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law 44-7-23, including prior year 2005 and the first half of 2006.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 448 (14-16 Hillard Street), in accordance with Rhode Island General Law 44-7-23, including prior year 2005 and the first half of 2006.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 35, Lot 52 (1577 Westminster Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of Four Thousand Eight Hundred Twenty Seven Dollars and Seventy Six (\$4,827.76) Cents, or any taxes accrued, including 2004 taxes, plus any interest accrued, as requested by West Broadway Neighborhood Association.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 448 (14-16 Hillard Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law 44-7-23, including prior year 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 35, Lot 52 (1577 Westminster Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, in the amount of Four Thousand Eight Hundred Twenty Seven Dollars and Seventy Six (\$4,827.76) Cents, or any taxes accrued, including 2004 taxes, plus any interest accrued, as requested by West Broadway Neighborhood Association.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 449 (18-20 Hillard Street), in accordance with Rhode Island General Law 44-7-23, including prior year 2005 and the first half of 2006.

Resolved, That the taxes assessed upon Assessor's Plat 63, Lot 449 (18-20 Hillard Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law 44-7-23, including prior year 2005 and the first half of 2006.

Resolution Amending Resolution No. 318, Approved May 2, 2003, to cancel or abate, in whole the taxes assessed upon Assessor Plat 63, Lot 293 (13 Steere Street), in accordance with Rhode Island General Law 44-7-23, in the amount of One Thousand Two Hundred Fourteen Dollars and Sixty Eight (\$1,214.68) Cents, for the years 2003 & 2004, or any taxes accrued plus any interest accrued, as requested by Habitat for Humanity of Rhode Island.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 552 (23-25 Hillard Street), in accordance with Rhode Island General Law 44-7-23, including prior year 2005 and the first half of 2006.

Resolved, That Resolution Amending Resolution No. 318, Approved May 2, 2003, to cancel or abate, in whole the taxes assessed upon Assessor Plat 63, Lot 293 (13 Steere Street), in accordance with Rhode Island General Law 44-7-23, in the amount of One Thousand Two Hundred Fourteen Dollars and Sixty Eight (\$1,214.68) Cents, for the years 2003 & 2004, or any taxes accrued plus any interest accrued, as requested by Habitat for Humanity of Rhode Island.

COUNCILMAN APONTE Moves to Amend the resolution by deleting "Street" and adding "Avenue", seconded by COUNCILMAN DeLUCA.

Resolution Requesting to cancel or abate in whole the taxes assessed upon Assessor's Plat 34, Lot 158 (689 Manton Avenue), along with any associated interest, penalties and intervening taxes, are hereby abated in whole, in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40, in the amount of Seven Thousand Two Hundred Ninety Two Dollars and Seventy Six (\$7,292.76) Cents.

Whereas, in an effort to convert vacant lots into productive reuse, the Providence Redevelopment Agency is working with a neighborhood Community Development Corporation to develop affordable housing opportunities.

Now therefore, be it resolved that the taxes, in the amount of Seven Thousand Two Hundred and Ninety-Two Dollars and Seventy-Six Cents (\$7,292.76), Assessed upon Assessor's Plat 34, Lot 158 (689 Manton Avenue), along with any associated interest,

penalties and intervening taxes are hereby abated in whole in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 23, Lots 58 & 59 (27 Linden Street), along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership, in the amount of Four Thousand Eight Hundred Sixty Dollars and Sixty (\$4,860.60) Cents.

Resolved, That the taxes assessed upon Assessor's Plat 23, Lots 58 & 59 (27 Linden Street), are hereby cancelled or abated, in whole, along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership, in the amount of Four Thousand Eight Hundred Sixty Dollars and Sixty (\$4,860.60) Cents.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 48, Lot 547 (29 Miner Street), along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership, in

the amount of Two Thousand Fifty Four Dollars and Seventy Six (\$2,054.76) Cents.

Resolved, That the taxes assessed upon Assessor's Plat 48, Lot 547 (29 Miner Street), are hereby cancelled or abated, in whole, along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership, in the amount of Two Thousand Fifty Four Dollars and Seventy Six (\$2,054.76) Cents.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 110 Lot 161 (692 Plainfield Street), along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolved, That the taxes assessed upon Assessor's Plat 110 Lot 161 (692 Plainfield Street), are hereby cancelled or abated, in whole, along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 107, Lot 238 (6 Queen Street), along with any associated interest, penalties and intervening taxes, in accordance with

Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolved, That the taxes assessed upon Assessor's Plat 107, Lot 238 (6 Queen Street), are hereby cancelled or abated, in whole, along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Authorizing the Providence Redevelopment Agency to cause the transfer of Assessor's Plat 5, Lot 459 (90 Cypress Street), Assessor's Plat 5, Lot 460 (86 Cypress Street), Assessor's Plat 5, Lot 461 (82 Cypress Street), Assessor's Plat 8, Lot 10 (34 Pleasant Street), Assessor's Plat 23, Lot 137 (53 Myrtle Street), Assessor's Plat 23, Lot 143 (466 Friendship Street), Assessor's Plat 23, Lot 144 (45 Myrtle Street), Assessor's Plat 23, Lot 204 (55 Myrtle Street), Assessor's Plat 48, Lot 780 (61 Baxter Street) and Assessor's Plat 48, Lot 781 (57 Baxter Street), to the City of Providence, as said lots have been transformed into parks.

Whereas, The Providence Redevelopment Agency is the owner of the below listed lots and said lots have been transformed into parks, and rightful ownership should belong to the City of Providence;

Whereas, the Providence Redevelopment Agency is seeking authorization to transfer said lots listed below to the City of Providence.

AP 5 Lot 459 (90 Cypress Street)
 AP 5 Lot 460 (86 Cypress Street)
 AP 5 Lot 461 (82 Cypress Street)
 AP 8 Lot 10 (34 Pleasant Street)
 AP 23 Lot 137 (53 Myrtle Street)
 AP 23 Lot 143 (466 Friendship Street)
 AP 23 Lot 144 (45 Myrtle Street)
 AP 23 Lot 204 (55 Myrtle Street)
 AP 48 Lot 780 (61 Baxter Street)
 AP 48 Lot 781 (57 Baxter Street)

Now therefore be it resolved, that the City Council authorized the acceptance of the referenced lots by the City of Providence.

Resolution Authorizing the Providence Redevelopment Agency to cause the transfer of Assessor's Plat 5, lot 114 (22 Western Street), Assessor's Plat 5, Lot 116 (41 Padelford Street) and Assessor's Plat 20, Lot 368 (85 Dyer Street) to the City of Providence, as said lots have been transformed into streets.

Whereas, the following lots, belonging to the Providence Redevelopment Agency have been transformed into streets, rightful ownership should belong to the City of Providence. The Providence Redevelopment Agency is seeking authorization of the transfer of said lots to the City of Providence.

AP 5 Lot 114 (22 Western Street)
 AP 5 Lot 116 (41 Padelford Street)
 AP 20 Lot 368 (85 Dyer Street)

Now therefore be it resolved, that the City Council authorizes the acceptance of the referenced lots by the City of Providence.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 85 (217 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Whereas, in an effort to convert vacant lots into productive reuse, the Providence Redevelopment Agency is working with a community development corporation to develop affordable housing opportunities.

Now therefore, be it resolved that the taxes, in the amount of Two thousand six hundred dollars and ninety six cents (\$2600.96), assessed upon Assessor's Plat 68, Lot 85 (217 Douglas Avenue), along with any associated interest, penalties and intervening taxes are hereby abated in whole in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 87 (223 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Whereas, in an effort to convert vacant lots into productive reuse, the Providence Redevelopment Agency is working with a community development corporation to develop affordable housing opportunities.

Now therefore, be it resolved that the taxes, in the amount of Two thousand six hundred dollars and ninety six cents (\$2,600.96), assessed upon Assessor's Plat 68, Lot 87 (223 Douglas Avenue), along with any associated interest, penalties and intervening taxes are hereby abated in whole in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 86 (219 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Whereas, in an effort to convert vacant lots into productive reuse, the Providence Redevelopment Agency is working with a community development corporation to develop affordable housing opportunities.

Now therefore, be it resolved that the taxes, in the amount of Two thousand six hundred dollars and ninety six cents (\$2600.96), assessed upon Assessor's Plat 68, Lot 86 (219 Douglas Avenue), along with any associated interest, penalties and intervening taxes are hereby abated in whole in accordance with

Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 68, Lot 84 (211 Douglas Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Two Thousand Six Hundred Dollars and Ninety-Six Cents (\$2,600.96), along with any associated interest, penalties and intervening taxes, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Whereas, in an effort to convert vacant lots into productive reuse, the Providence Redevelopment Agency is working with a community development corporation to develop affordable housing opportunities.

Now therefore, be it resolved that the taxes, in the amount of Two thousand six hundred dollars and ninety six cents (\$2600.96), assessed upon Assessor's Plat 68, Lot 84 (211 Douglas Avenue), along with any associated interest, penalties and intervening taxes are hereby abated in whole in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 48, Lot 744 (151 Potters Avenue), in accordance with Rhode Island General Law 44-7-23, in the amount of Four Hundred Fifty Nine Dollars and Sixty (\$459.60) Cents, or any taxes accrued plus any

interest, as requested by Southside Community Land Trust.

Resolved, That the taxes assessed upon Assessor's Plat 48, Lot 744 (151 Potters Avenue), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law 44-7-23, in the amount of Four Hundred Fifty Nine Dollars and Sixty (\$459.60) Cents, or any taxes accrued plus any interest, as requested by Southside Community Land Trust.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 63, Lot 249 (61 Joslin Street), in the amount of Two Thousand Seven Hundred Ninety Dollars and Twenty Six (\$2,790.26) Cents along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership and also to execute a deed and transfer to the Providence Redevelopment Agency.

Whereas, in an effort to convert vacant lots into productive reuse, the Providence Redevelopment Agency is working with an adjacent property owner to develop a side yard and parking.

Now therefore, be it resolved that the taxes, in the amount of Two Thousand Seven Hundred Ninety Dollars and Twenty Six Cents (\$2790.26), assessed upon Assessor's Plat 63, Lot 249 (61 Joslin Street), along with any associated interest, penalties and intervening taxes are hereby abated in whole in accordance with Rhode Island General Law 44-7-23 and that the property is declared

exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

And Furthermore, be it resolved that the Mayor of the City of Providence is hereby authorized to execute a deed and transfer the lot known as Assessor's Plat 63, Lot 249 (61 Joslin Street) to the Providence Redevelopment Agency.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 47, Lot 751 (133 Oxford Street), in the amount of Two Thousand Eight Hundred Forty Nine Dollars and Sixteen (\$2,849.16) Cents along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law 44-7-23, and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership and also to execute a deed and transfer to the Providence Redevelopment Agency.

Whereas, in an effort to convert vacant lots into productive reuse, the Providence Redevelopment Agency is working with a neighborhood homeowner to develop a side yard and parking.

Now therefore, be it resolved that the taxes, in the amount of Two Thousand Eight Hundred Forty Nine Dollars and Seventeen Cents (\$2849.16), assessed upon Assessor's Plat 47, Lot 751 (133 Oxford Street), along with any associated interest, penalties and intervening taxes are hereby abated in whole in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island

General Law 45-32-40 while under PRA ownership.

And Furthermore, be it resolved that the Mayor of the City of Providence is hereby authorized to execute a deed and transfer the lot known as Assessor's Plat 47, Lot 751 (133 Oxford Street) to the Providence Redevelopment Agency.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 53, Lot 715 (1040 Broad Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Twenty Two Thousand Two Hundred Forty Six Dollars and Eighty Six (\$22,246.86) Cents, along with any associated interest, penalties and intervening taxes and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Whereas, in an effort to convert vacant lots into productive reuse, the Providence Redevelopment Agency is working with a neighborhood developer to develop a mixed use residential and commercial project.

Now therefore, be it resolved that the taxes, in the amount of Twenty Two Thousand Two Hundred Forty Six Dollars and Eighty Six Cents (\$22,246.86), assessed upon Assessor's Plat 53, Lot 715 (1040 Broad Street), along with any associated interest, penalties and intervening taxes are hereby abated in whole in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 123, Lot 463 (473 Admiral Street), in accordance with Rhode Island General Law 44-2-23, in the amount of Nine Thousand One Hundred Forty Four Dollars and Sixty Five (\$9,144.65) Cents, along with any associated interest, penalties and intervening taxes and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Whereas, in an effort to convert vacant lots into productive reuse, the Providence Redevelopment Agency is working with a resident to develop homeownership opportunities.

Now therefore, be it resolved that the taxes, in the amount of Nine Thousand One Hundred Forty Four Dollars and Sixty Five Cents (\$9144.65), assessed upon Assessor's Plat 123, Lot 463 (473 Admiral Street), along with any associated interest, penalties and intervening taxes are hereby abated in whole in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 123, Lot 486 (24 Addeo Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Four Thousand Four Hundred Forty Six Dollars and Thirty Seven (\$4,446.37) Cents, along with any associated interest, penalties and intervening taxes and that the property is declared exempt in accordance with Rhode

Island General Law 45-32-40 while under PRA ownership.

Whereas, in an effort to convert vacant lots into productive reuse, the Providence Redevelopment Agency is working with a resident to develop homeownership opportunities.

Now therefore, be it resolved that the taxes, in the amount of Four Thousand Four Hundred Forty Six Dollars and Thirty Seven Cents (\$4,446.37), assessed upon Assessor's Plat 123, Lot 486 (24 Addeo Street), along with any associated interest, penalties and intervening taxes are hereby abated in whole in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Resolution Requesting to cancel or abate, in whole the taxes assessed upon Assessor's Plat 123, Lot 487 (28 Addeo Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Three Thousand Three Hundred Forty Two Dollars and Fifty Nine (\$3,342.59) Cents, along with any associated interest, penalties and intervening taxes and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

Whereas, in an effort to convert vacant lots into productive reuse, the Providence Redevelopment Agency is working with a resident to develop homeownership opportunities.

Now therefore, be it resolved that the taxes, in the amount of Three Thousand Three Hundred Forty Two Dollars and Fifty Nine

Cents (\$3342.59), assessed upon Assessor's Plat 123, Lot 487 (28 Addeo Street), along with any associated interest, penalties and intervening taxes are hereby abated in whole in accordance with Rhode Island General Law 44-7-23 and that the property is declared exempt in accordance with Rhode Island General Law 45-32-40 while under PRA ownership.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, As Amended, seconded by COUNCILMAN DeLUCA, by the Following Roll Call Vote:

AYES: ACTING COUNCIL PRESIDENT YOUNG, COUNCILMEN APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, MANCINI and COUNCILWOMAN ROMANO -10.

NAYES: COUNCILMAN DeLUCA request to be recorded as voting "NO" on "Resolution Amending Resolution No. 59, Approved February 28, 2005, relative to the abatement of taxes upon Assessor's Plat 25, Lot 446 (87 Empire Street), in the amount of Thirty Six Thousand Five Hundred Dollars and Twenty Five (\$36,500.25) Cents plus any interest accrued for Trinity Repertory Company" and "Resolution in Amendment of Resolution No. 58, Approved February 28, 2005, relative to the abatement of taxes upon Assessor's Plat 25, Lot 320 (32 Aborn Street), in the amount of Three Thousand Four

Hundred Thirty One Dollars and Thirty Two (\$3,431.32) Cents plus any interest accrued for Trinity Repertory Company".

ABSENT: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN ALLEN,

LUNA, SEGAL and COUNCILWOMAN WILLIAMS - 5.

The Motion for Passage of the Several Resolutions, As Amended, is Sustained.

COMMUNICATIONS

Communication from Laurence K. Flynn, Executive Secretary, Board of Canvassers, informing Michael R. Clement, City Clerk of the election results of the Employees' Retirement System election held on September 21, 2005.

ACTING COUNCIL PRESIDENT YOUNG Receives the foregoing Communication.

Communication from Robert Rocchio, P.E., Acting Managing Engineer, Traffic Design, Rhode Island Department of Transportation, Engineering Division, Two Capitol Hill, Providence, RI 02903-1124, dated September 9, 2005, submitting the High Hazard Ramps Interstate C-2 Construction & Maintenance Agreement I-

195, Exit 2, Point Street Traffic Signal Improvements to Exit 2, South Main Street Ramps.

ACTING COUNCIL PRESIDENT YOUNG Refers the Communication to the Committee on Public Works.

Communication from Joseph M. Henderson and Thomas P. Weidman, dated July 12, 2005, requesting to purchase a piece of property located on a part of Assessor's Plat 98, Lot 233.

ACTING COUNCIL PRESIDENT YOUNG Refers the Communication to the Committee on City Property.

FROM THE CLERK'S DESK

Petition from Richard P. Leone, Sr. President, Nick's Auto Body, Inc., 44 Bradford Street, Providence, Rhode Island 02903, requesting reconsideration of Resolution No. 163, effective April 17, 2005 which approved the abandonment of Enterprise Row, running from Atwells Avenue to the northern boundary of Lot 214, on the basis of failure of personal notification to the abutting land owners.

Petition from John J. Bolton, Esquire, Hinckley, Allen & Snyder LLP, 1500 Fleet Center, Providence, RI 02903, requesting to abandon a portion of Lyman Street and Stewart Street.

Petition from Ethan Colaiace, Development Director, Paragon Mills, LLC, c/o SBER, Inc., 166 Valley Street, Building 6M, Suite 103, Providence, RI 02909, requesting to abandon Esther Street.

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

ACTING COUNCIL PRESIDENT YOUNG Refers the Several Petitions to the Committee on Public Works.

PERSONAL EXPRESSION

COUNCILMAN BUTLER Request the privilege of the floor to speak on a Point of Personal Expression and states:

Very quickly. I would just like to congratulate one of my colleagues tonight and also at the same time the last couple of weeks I've been sick so I haven't been around and through the grapevine through, the Clerk's Office I was informed of something that I thought was just absolutely amazing.

Again, I would like to congratulate one of my colleagues. Unfortunately, the media is not here this evening but what else is new. Councilman Hassett, I believe at one of his committee meetings swearing in witnesses that come and appear before his committee. It was just something that I found was absolutely amazing and I thought it was a great idea. We have hundreds and hundreds of people that appear before us. Lawyers, constituents, taxpayers and department directors. Never has

someone been sworn in before whatever committee it is. So there are things as a Council we can do if we find out later on that someone is lying to us. We can take steps and I would just like to congratulate Councilman Hassett for doing that. I thought it was a wonderful idea and now maybe we can do this not only in that committee but also all other committees of the City Council where we can actually hold department

directors accountable for what they tell us. So if they come back before us in six months and something changes, were you telling us the truth or you were lying to us, did you not see this? At least we have a clearer picture as to what's going on so I would like to congratulate Councilman Hassett on it. Thank you.

Petitions for Compensation for Injuries and Damages, viz:

Dawn Nardolillo
(Robert J. Levine, Esquire)

Jill S. Votta

Robert L. Pine

Antoinette Poisson

Christopher Kerwick

Martha Van Zuidem

Gregory Feole
(Robert P. Audette, Esquire)

Mary L. Daley

Jessica Andrade
(Mark T. Reynolds, Esquire)

Neville Barry

MetLife Insurance Company

Thomas Biagetti
(Mark B. Morse, Esquire)

Patricia DiMuccio
(Mark B. Morse, Esquire)

Scott Koziol
(Robert M. Ferrieri, Esquire)

Melissa Perry
p.p.a. Damaine Perry
(Clare T. Jabour, Esquire)

Alberta Wright
(Christopher E. Fay, Esquire)

Linda Omisore
(Christopher E. Fay, Esquire)

Kenneth A. Nulman

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

PRESENTATION OF RESOLUTIONS

"In Congratulations"

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

Resolution Extending Congratulations.

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

Katie Noonan, in recognition of her adoption by her new father, Robert Noonan, and her official entrance into the Noonan clan on Thursday, September 15, 2005.

The Honorable Charles J. Fogarty, in recognition of the celebration of the happy occasion of his fiftieth birthday, born September 15, 1955.

Audrey B. Carnevale, in recognition of twenty-eight years of dedicated service to the children and families of Rhode Island.

Mr. and Mrs. Donald Solomon, in recognition of the celebration of the happy

occasion of their fortieth wedding anniversary, married September 25, 1965.

Rino and Lidia, in recognition of the opening of L'Antica Trattoria at St. Bart's. Wishing you continued success for many years to come.

Pastor Vincenzo Rosato, in recognition of his many accomplishments and good work as Pastor of Holy Ghost Church and the church community.

Reverend Brian J. Shanley, O.P. Ph.D, in recognition of the celebration of his inauguration as the twelfth President of Providence College on Friday, September 30, 2005.

**Severally Read and Collectively
Passed, on Motion of COUNCILMAN
APONTE, seconded by COUNCILMAN
BUTLER.**

The Motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

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

Thomas A. Andreozzi

James V. Pono

Resolution Extending Sympathy.

Harold J. Harris

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

Evelyn J. Floody

Filomena Gianfrancesco

Ronald E. Balkun

William A. Henry

Anna Ranucci

Victoria E. Bennett

George R. Bagian

Catherine A. Madeira

Serafina "Sally" Bruni

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

Mariam "Mary" Markarian

Alfred "Freddy" Benedetti, III

The Motion for Passage is Sustained.

Edward T. Muldoon

MATTERS NOT APPEARING ON THE PRINTED DOCKET

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

PRESENTATION OF ORDINANCE

COUNCILMAN SEGAL and COUNCILWOMAN WILLIAMS (By Request):

An Ordinance Relating to Landlord Responsibility.

COUNCILMAN APONTE Moves to Expunge the foregoing Ordinance, seconded by COUNCILMAN BUTLER.

COMMUNICATIONS

Communication from Mark V. Dunham, Chief Financial Officer, Providence School Department submitting the agreement between the Providence School Board and Rhode Island Laborers' District Council on behalf of Local Union 1033 Affiliate of the Laborers' International Union of North America, AFL-CIO, effective June 30, 2005 to June 30, 2007 (Teacher Assistants)

Communication from Mark V. Dunham, Chief Financial Officer, Providence School Department submitting the agreement between the Providence School Board and Rhode Island Laborers' District Council on behalf of Local Union 1033 Affiliate of the Laborers' International Union of North America, AFL-CIO, effective June 30, 2005 to June 30, 2007 (Business, Education, Specialists, Technical Staff (B.E.S.T.))

Communication from Mark V. Dunham, Chief Financial Officer, Providence School Department submitting the agreement between the Providence School Board and Rhode Island Laborers' District Council on behalf of Local Union 1033 Affiliate of the Laborers' International Union of North America, AFL-CIO, effective June 30, 2005 to June 30, 2007 (Bus Monitors)

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

ACTING COUNCIL PRESIDENT YOUNG Refers the Several Communications to the Committee on Finance.

ADJOURNMENT

There be no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILMAN BUTLER, it is voted to adjourn at 8:00 o'clock P.M. (E.D.T.), to meet again on THURSDAY, OCTOBER 20, 2005 at 7:30 o'clock P.M. (E.D.T)

Claire E. Bestwick

CLAIRE E. BESTWICK
ACTING CITY CLERK



-173-

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL
JOURNAL OF PROCEEDINGS

No. 29 City Council Regular Meeting, Thursday, October 20, 2005, 7:30 o'clock P.M. (E.D.T.)

PRESIDING
COUNCIL PRESIDENT
JOHN J. LOMBARDI

ROLL CALL

Present: COUNCIL PRESIDENT
LOMBARDI, COUNCILMEN APONTE,
DeLUCA, HASSETT, LUNA, MANCINI,
COUNCILWOMAN ROMANO and
COUNCILWOMAN WILLIAMS- 8.

Absent: COUNCILMEN ALLEN,
BUTLER, COUNCILWOMAN DiRUZZO,
COUNCILMEN IGLIOZZI, JACKSON,
SEGAL and COUNCILWOMAN YOUNG-7.

(SUBSEQUENTLY COUNCILMAN SEGAL
JOINS THE MEETING)

Also Present: Adrienne G. Southgate,
Deputy City Solicitor, Claire E. Bestwick,
Acting City Clerk, Anna M. Stetson,
Second Deputy City Clerk, Lori L. Hagen,
Assistant Clerk and Vincent J.
Berarducci, City Sergeant.

FILED
2007 FEB 21 A 10:53
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

IN CITY COUNCIL
MAR 1 2007
APPROVED: *Anna M. Stetson* CLERK

INVOCATION

The Invocation is given by Deputy City
Solicitor Adrienne G. Southgate.

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

PRESIDENT JOHN J. LOMBARDI
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 RECORD

Journal of Proceedings No. 28 of the
Regular Meeting of the City Council
held November 20, 2003 and Posted on
October 14, 2005 on that Bulletin Board
located on the Ground Level of City
Hall, is hereby approved, as printed, on

Motion of COUNCILMAN APONTE,
Seconded by COUNCILMAN HASSETT.

COUNCIL PRESIDENT LOMBARDI
and COUNCILWOMAN WILLIAMS wish
to be recorded as not voting.

PRESENTATION OF RESOLUTIONS

PRESIDENT LOMBARDI (By Request):

Requesting the Acting Director of Public Property to resolve forthwith the multiple health and safety concerns at the Public Safety Complex.

Whereas, Numerous health and safety concerns have been reported by employees at the Public Safety Complex; and

Whereas, The concerns include a malfunctioning plumbing system, which caused members of the BCI unit to evacuate their office several weeks ago, as well as water leakage under doors on the ground floor and in various locations of the building; and

Whereas, Problems existed last summer with the building's air conditioning system, causing discomfort and diminishing the health and well-being of employees and members of the public visiting the Public Safety Complex; and

Whereas, The problems are of great concern to the Providence Fraternal Order of Police and its membership; and

Whereas, The union has requested representation in meetings to address the malfunctions between the City and the Construction Manager of the Public Safety Complex, but has been denied.

Now, Therefore, Be It Resolved, That the City Council of the City of Providence does hereby request that the Acting Director of Public Property work in cooperation with the

Providence Fraternal Order of Police to resolve forthwith the multiple health and safety concerns at the Public Safety Complex and allow union representation at meetings which discuss solutions to the health and safety threats to their members; and

Be It Further Resolved, That the City take all appropriate action in cooperation with the Providence Fraternal Order of Police to resolve the matter immediately if the Department of Public Property is unable to do so; and

Be It Further Resolved, That a copy of this resolution upon approval shall be delivered to the Acting Director of Public Property, Alan Sepe, and another copy shall be delivered to the Director of Administration, John Simmons.

Resolution Requesting the Acting Director of Public Property to resolve the forthwith health and safety concerns at the Public Safety Parking Garage.

Resolved, That the Acting Director of Public Property is hereby requested to resolve forthwith the multiple health and safety concerns at the Public Safety Parking Garage

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

The Motion for Passage is Sustained.

**COUNCIL PRESIDENT LOMBARDI
RELINQUISHES THE CHAIR**

**ACTING COUNCIL PRESIDENT
WILLIAMS IN THE CHAIR**

**COUNCIL PRESIDENT LOMBARDI
RETURNS TO THE CHAIR**

**COUNCILMAN BUTLER and COUNCIL-
MAN MANCINI (By Request):**

Resolution Reporting Receipt of Certain Gifts of Moneys by the Board of Park Commissioners for the preservation and care of specified burial lots in North Burial Ground.

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

COUNCILMAN BUTLER:

Resolution Extending Sincere Best Wishes to Jessica Morris for a complete and speedy recovery.

Resolved, That the Members of the Providence City Council hereby Extend Sincere Best Wishes to Jessica Morris for a complete and speedy recovery.

COUNCILMAN HASSETT (By Request):

Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting along River Avenue from Valley Street to Chalkstone Avenue from 27,500 to 50,000 lumen.

Resolved, That the Chief Electrical Inspector is hereby requested to cause the upgrade of street lighting along River Avenue from Valley Street to Chalkstone Avenue from 27,500 to 50,000 lumen.

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

The Motion for Passage is Sustained.

COUNCILMAN IGLIOZZI (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "Handicap" Sign in front of 715 Union Avenue.

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Public Works.

COUNCILWOMAN ROMANO (By Request):

Resolution requesting the Tax Assessor to apply the Homestead Exemption to the property at 68 Mowry Street, Apartment 1 for the 2005 tax roll.

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

COUNCILMAN SEGAL (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of "Slow" Signs at the intersection of Williams Street and East Street.

COUNCILWOMAN WILLIAMS (By Request):

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

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

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

COUNCILWOMAN WILLIAMS:

Resolution In Support of the "Religious Freedom Peace Tax Fund Act," to affirm the rights of taxpayers who are conscientiously opposed to participation in war by providing that the income, estate or gift tax payments of such taxpayers be used for nonmilitary purposes.

Whereas, Freedom of conscience is at the very core of the founding of our nation; and legislation originally passed in 1940 protects the rights of those who cannot in conscience bear arms by establishing alternative service for drafted conscientious objectors; and

Whereas, Increasingly, the ability of our government to wage war relies less on

conscripted soldiers and more on "drafted dollars" to pay for advanced technology; and

Whereas, These advanced weapons perpetrate violence not only by means of their incredible destructive powers, but also through the devastation they cause in our communities by draining essential financial resources needed to address basic human needs; and

Whereas, According to the Friends Committee on National Legislation and the War Resisters League, analysis of the *Budget of the United States Government, Fiscal Year 2004* shows that in the current fiscal year, 41.9% through 47% of the total budgeted Federal funds outlay will be spent on current and past military expenses (the range depends on the proportion of the Federal debt deemed military in origin); and, according to the Center for Defense Information, the annual military budget of the United States is greater than the combined budgets of the next twenty largest military budgets in the world; and

Whereas, With almost half of every tax dollar directed to past and present war making and weapons procurement, those taxpayers who have deep ethical, moral and/or religious objections to participation in war see themselves as being "drafted" into military service through their tax dollars, finding that the coerced support of military violence through taxation violates their conscience by compelling them to become collaborators in the development and proliferation of weapons and practices designed to cause death and destruction; and

Whereas, It is nearly impossible to avoid paying the coercive military tax (short of living below the taxable income level) without risking fines and imprisonment; and

Whereas, The Religious Freedom Peace Tax Fund Act, which was originally introduced in 1972, and was reintroduced in 2003, would address these widespread concerns about funding military violence while also affirming the conscientious objector's freedom of religion and conscience, by amending the Internal Revenue Code to create a separate tax fund (the "Religious Freedom Peace Tax Fund") earmarked for nonmilitary spending only; under the Act, this separate fund would be allocated annually to any appropriation not for current military purposes; and

Whereas, Conscientious objection to participation in military service based on religious, moral and ethical beliefs is recognized under Federal law, with provisions made for alternative service; and

Whereas, This is a right derived from the First Amendment to the United States Constitution, in which the framers, recognizing free exercise of religion as an inalienable right, secured its protection from government interference, protection which Congress reaffirmed in the Religious Freedom Restoration Act of 1993; and

Whereas, The right to freedom of conscience is secured in Article 18 of the United Nations Charter of Human Rights, and the application of Article 18 to conscientious objection to participation in war is affirmed by the United Nations Human Rights Committee in its General Comment 22 and by the UN Commission on Human Rights in its resolution 1998/77; and

Whereas, Under the Religious Freedom Peace Tax Fund Act, a "designated conscientious objector" is a taxpayer who is opposed to participation in war in any form based upon the taxpayer's deeply held moral,

ethical or religious beliefs or training, and who has certified these beliefs in writing to the Secretary of the Treasury; and

Whereas, Taxpayers who are conscientious objectors recognize and affirm their civic and legal responsibilities to pay their full share of Federal taxes, and seek to do so without violation of their fundamental moral, ethical or religious beliefs; and

Whereas, While the Religious Freedom Peace Tax Fund Act would not directly affect spending priorities, the level of participation in the Peace Tax Fund would be published in the Congressional Record annually, providing a visible barometer for judging the nation's conscience in regard to participation in war; and

Whereas, Respecting the religious freedom of conscientious objectors will strengthen the tax system and will preserve the diversity of convictions that protect our democracy; and

Whereas, The Religious Freedom Peace Tax Fund Act recognizes and affirms the right of American taxpayers to pay 100% of their taxes without violating their deeply held convictions of conscience against participation in war; and

Whereas, The National Campaign for a Peace Tax Fund reports a significant increase in support for the concept of a Peace Tax Fund in recent years, with over 75 diverse national and regional organizations formally endorsing the legislation, including historic peace churches such as the Mennonites and Quakers; mainline Protestant denominations, such as the Presbyterian Church (US) and Evangelicals for Social Action; other religious groups such as the General Assembly, Orthodox Catholic Church (Romano-

Byzantine Synod); Jewish Peace Fellowship; Buddhist Peace Fellowship; Christian Legal Society; and a number of other Catholic, Jewish and Unitarian organizations; Veterans for Peace; the National Green party; the American Arab Anti-Discrimination Committee; and many other civil rights and civil liberties organizations.

Now, Therefore, Be It Resolved, That the Council of the City of Providence calls upon the Congress and the President of the United States to enact into law the "Religious Freedom Peace Tax Fund Act," to affirm the religious freedom of taxpayers who are conscientiously opposed to participation in war and to provide that the income, estate or gift tax payments of such taxpayers be used for nonmilitary purposes; and

Be It Further Resolved, That the Council of the City of Providence calls upon our United States Representatives and Senators to monitor and report on military

expenditures funded by the taxes of residents of the City of Providence; and

Be It Further Resolved, That the Council of the City of Providence calls upon our United States Representatives and Senators to take a lead in Congressional action to issue an accurate yearly report of Federal tax dollars used for military spending, for instance, by publishing a non-unified budget as was the practice until the late 1960's (this would exclude Trust Funds such as the Social Security Trust Fund, the revenues for which are raised through taxes other than income, estate or gift taxes).

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

The Motion for Passage is Sustained.

REPORTS FROM COMMITTEE

COMMITTEE ON CLAIMS AND PENDING SUITS

COUNCILMAN PETER S. MANCINI, Chairman

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

Certificates from the City Assessor (No. 9J), recommending the same be Severally cancelled pursuant to the provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

Certificates from the City Assessor (No. 10F), recommending the same be Severally cancelled pursuant to the provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passages of the Several Certificates, seconded by COUNCILWOMAN WILLIAMS, by the Following Roll Call Vote:

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, DeLUCA, HASSETT, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCIL-

MAN SEGAL and COUNCILWOMAN WILLIAMS - 9.

NAYES: NONE.

ABSENT: COUNCILMEN ALLEN, BUTLER, COUNCILWOMAN DiRUZZO, COUNCILMEN IGLIOZZI, JACKSON and COUNCILWOMAN YOUNG - 6.

The Motion for Passage is Sustained.

Report from Claire E. Bestwick, Acting City Clerk, dated October 12, 2005, reporting all monies received, transmitted to and credited by the City Collector for fiscal quarter of July 1, 2005 to and including September 30, 2005.

COUNCIL PRESIDENT LOMBARDI Receives the Report.

FROM THE CLERK'S DESK

Petition from Stephen R. Lewinstein, President, Thayer Street Improvement Collaborative requesting the creation of a Thayer Street Management District Authority.

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

Petition from 760 Eddy Land, L.P. requesting to abandon a portion of Helen Street.

COUNCIL PRESIDENT LOMBARDI Refers the Petition to the Committee on Public Works.

Petition from Angell Way, LLC, and the Rhode Island Philharmonic Orchestra, as owner of that property located at 61-77 South Angell Street/178 Butler Avenue, (Assessor's Plat 15, Lot 305) to amend the City of Providence Zoning Ordinance Chapter 1994-24 No. 365, approved June 27, 1994, as amended, by changing the zoning designation of the above referenced property from R-3 to R-M, with conditions.

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

Certificates from the City Collector, No. 57, recommending the Cancellation of the taxes for

the years 1993-2003, (Excise Tax-Bankruptcy) pursuant to Section 44-7-14 of the General Laws of Rhode Island, 1956, As Amended, as the same are determined to be uncollectable in the amount of Twenty Five Thousand Four Hundred Two Dollars and Six (\$25,402.06) Cents.

Certificates from the City Collector, No. 58, recommending the Cancellation of taxes for the years 1995-2003 (Tangible Tax-Bankruptcy), pursuant to Section 44-7-14 of the General Laws of Rhode Island, 1956, As Amended, as the same are determined to be uncollectable, in the amount of Two Hundred Thirty Two Thousand, Twenty Three Dollars and Ten (\$232,023.10) Cents.

Certificates from the City Assessor (Nos. 1K and 2K) recommending the same be severally cancelled pursuant to the provisions of Sections 14 and 15 of title 44, Chapter 7 of the General Laws of Rhode Island, As Amended.

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

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

PRESENTATION OF RESOLUTIONS

"In Congratulations"

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

Resolution Extending Congratulations.

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

Wendy Hawkins, in recognition of her energy independence efforts for Ocean State Clean Cities.

Jim Malloy, in recognition of his energy independence efforts for Ocean State Clean Cities.

Bob Cerio, in recognition of his energy independence efforts for Ocean State Clean Cities.

David LaPlante, in recognition of his energy independence efforts for Ocean State Clean Cities.

Bill Ferguson, in recognition of his energy independence efforts for Ocean State Clean Cities.

Barbara Phayre, in recognition of her energy independence efforts for Ocean State Clean Cities.

Chris Nedici, in recognition of his energy independence efforts for Ocean State Clean Cities.

Brian and Susan Feeney, in recognition of the celebration of the happy occasion of their twenty-fifth wedding anniversary.

Captain Stephen J. Deninno, in recognition of the celebration of his retirement from the Providence Fire Department after twenty-six years of dedicated service April 16, 1979 through March 24, 2005.

Firefighter Ralph W. Hindle, in recognition of the celebration of his retirement from the Providence Fire Department after twenty-four years of dedicated service May 8, 1981 through July 1, 2005.

Ernest J. Robert, in recognition of his retirement on August 25, 2005 after twenty years of dedicated service to the Providence Fire Department. Congratulations.

Brook Street Fire Station, in recognition of the whole station and crew of Engine Company #9, Ladder #8 in appreciation of their hard work during the severe October rainstorms.

Robert J. Kilduff, Chief Engineer and General Manager, in recognition of his retirement after more than twenty-three years of dedicated service to the citizens of the city and the Providence Water Supply Board.

**Severally Read and Collectively
Passed, on Motion of COUNCILMAN
APONTE, seconded by COUNCIL-
WOMAN WILLIAMS**

The motion for Passage is Sustained.

**COUNCIL PRESIDENT LOMBARDI
RELINQUISHES THE CHAIR**

**ACTING COUNCIL PRESIDENT
WILLIAMS IN THE CHAIR**

PERSONAL EXPRESSION

**COUNCIL PRESIDENT LOMBARDI
Requests the privilege of the floor to
speak on a Point of Personal Expression
and states:**

A couple of things you just need to be mindful of in the community. I'm currently having some sidewalks done in my neighborhood. And I've been put in a very awkward position where I was basically put into competition with my colleagues, and I refuse to do that. But just - just keep an eye on your sidewalks. Keep an eye on what's going on in your ward because there may be instances of sidewalks that you have not approved are being done and/or sidewalks that have been approved, that in fact have marks on them are not being done, and - and the contractors are like across the street or next door, so please be mindful of that. I'll tell you what's most disturbing, I'll tell you what's most disturbing, the process by which sidewalks are done. We know that there are monies in the budget to do sidewalks. Well, apparently the executive branch of government is telling people that - and make it clear that I'm saying this; Lombardi's saying it - that the only people that control the sidewalks are the Council members. So, we control which one gets done, when they get done, how they get done, and so on and so forth. I - again, I think a memo needs to go down to the executive branch of government

on how this thing works. We've - some of us have done this several times but there's also a provision that allows the City, when they feel like, meaning the executive branch of government, to go in and do sidewalks on an emergency basis. And guess what, we do not control that. That's an executive function. So, let's be clear about that. So, if- if things are not happening in your ward, I can assure you - I can assure you that the fingers are being pointed at you guys, at you ladies and gentlemen I should say. And I - take that - I take that very seriously over an email that I received talking about someone's potential candidacy against one of our colleagues. And - and this was stated in the - in a formal presentation. And it said that - that this person that's running, or announced for running for office, worked in the Cicilline administration in the back office up until 2004, and during his time at City Hall he said he encountered several members of the Cicilline administration who were dissatisfied with the Council in general, and in particular with this one - with the Councilperson. So, there are documents out there about the - whatever's going on, this silent war that's going on. There really isn't a silent war because I think this Council has been very, very, very supportive of this administration. You know what, when it's good they'll take the credit. When it's bad, the finger's being pointed at you. And please be mindful of that

because I know how hard each and every one of you work. I know that. And don't ever stop saying that. So, there are documents out there. There are letters out there. There are emails out there of people in this administration taking shots at us. With regard to the sidewalk earlier, there was someone who was on my bond list for maybe four years, and the advice from one of the ranking members in the administration told the guy how upset and enraged he was that Councilman Lombardi had no idea what he was talking about because he in fact is the one who controls it. Well, we know we don't control that. It's on a schedule. The weather's a factor. I just lost ten days of sidewalks because of the rain so that wouldn't conflict with one of my colleagues. You know what, I'm never going to allow that to happen. But, if again, I think we've had this discussion once before. It's very simple. Read the

Charter. Read the Ordinances. And it's very simple. The answer's there. Now, if someone needs a quick lesson on how to do that, I'm always available. It's very simple. It's very straightforward. But as we get closer to next year, it's my favorite time of year. I call it the silly season. Well, apparently it started earlier. And we have documents to show that. So, from time to time, as I become privy to all this and become aware, I promise you that I will make them available to you. But just keep your - keep an eye on your local newspapers, local emails, local letters because there's some unflattering things being said about you. Thank you very much.

**COUNCIL PRESIDENT LOMBARDI
RETURNS TO THE CHAIR**

PRESENTATION OF RESOLUTIONS

"In Memoriam"

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

Resolution Extending Sympathy.

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

Anna V. Hart

Silverio Stimma

Valentino Cairo

Frank Neri

Chandra L. Jackson

John "Jack" A. White III

Sarah Barcion

Robert D. Foley, Jr.

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

The Motion for Passage is Sustained.

MATTERS NOT APPEARING ON THE PRINTED DOCKET

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

PRESENTATION OF ORDINANCES

COUNCILMAN SEGAL (By Request):

An Ordinance in Amendment of Chapter 13 of the Code of Ordinances Entitled "Housing". (Landlord's liability for nuisance)

An Ordinance in Amendment of Chapter 16 of the Code of Ordinances Entitled "Offenses and Miscellaneous Provisions." (Definition of a nuisance)

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

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

ADJOURNMENT

There being no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 7:51 o'clock P.M. (E.D.T.), to meet again on THURSDAY, NOVEMBER 3, 2005 at 7:30 o'clock P.M. (E.S.T.).

Claire E. Bestwick

CLAIRE E. BESTWICK
ACTING CITY CLERK



