

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 15 City Council Regular Meeting, July 1, 1999, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

JOHN J. LOMBARDI

ROLL CALL

Present: Council President Lombardi,
Councilmen Allen, Aponte, Butler, Clarkin,
DeLuca, Councilwoman DiRuzzo, Council-
men Hassett, Igliazzi, Jackson, Mancini,
Councilwomen Nolan, Romano, Williams
and Young—15.

Absent: None.

JUL 1 1999
IN CITY COUNCIL
AUG 5 1999

333

APPROVED:

John J. Lombardi

INVOCATION

The Invocation is given by Reverend Raymond B. Bastia, Pastor, Saint Ann's Church, Providence.

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

COUNCILWOMAN CAROL A. ROMANO leads the members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF RECORDS

The Journal of Proceedings No. 11 of the Regular Meeting of the City Council held May 6, 1999, and Posted June 22, 1999 on that Bulletin Board located on the Ground Floor Level of City Hall, and the Journal of Proceedings, No. 12 of the Regular Meeting held May 20, 1999 and Posted June 29, 1999 on that Bulletin Board located on the Ground Floor Level of City Hall, are approved as printed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

COUNCILMAN ALLEN moves to amend Journal Number 11 of the Meeting of May 6, 1999 and replace "Councilwoman Patricia K. Nolan, Chairwoman Committee on Finance" with "COUNCILWOMAN RITA M. WILLIAMS, Chairwoman Committee on Ordinances", seconded by COUNCILWOMAN WILLIAMS.

The motion to amend is Sustained.

COUNILMAN ALLEN moves to Approve Journal 11, as amended, seconded by COUNCILWOMAN WILLIAMS.

The motion for Approval, as amended, is Sustained.

VETO BY HIS HONOR THE MAYOR

Communication dated June 10, 1999, Informing the Honorable Members of the City Council of his Disapproval and Veto, pursuant to Sections 302 (f) and 412 of the Providence Home Rule Charter, he hereby disapproves and

vetoed the Legislative Order, so-called "An Order of the City Council of the City of Providence.

Not Received.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated June 21, 1999, Informing the Honorable Members of the City Council that pursuant to Section 302 of the Providence Home Rule Charter of 1980, he is this day appointing Mr. Boyce Spinelli to serve as the Acting Director of Administration of the City of Providence.

Received.

Communication dated June 21, 1999, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 813(a) of the Providence Home Rule Charter of 1980, he is this day appointing Mr. Alex Prignano to serve as the Acting Finance Director of the City of Providence.

Received.

ORDINANCES SECOND READING

The following Ordinances were in City Council June 17, 1999, Read and Passed the First Time and are severally returned for Passage the Second Time, as amended:

An Ordinance in amendment of Chapter 1988-2, Article III, Noise Control, Section 16-92, entitled "An Ordinance relating to noise regulations", as amended.

Be it ordained by the City of Providence:

Section 1. Chapter 1988-2 Article III Sections 16-92, 16-93 and 16-97 are amended to read as follows:

"Section 16-92. *Definitions.* Unless the context clearly indicates otherwise, the words and phrases used in the article shall have the following meanings:

(a) *Sound Levels (Noise Level) in Decibels:* Is the level measured on the A-Weighted scale as defined in the American National Standard S-4-1071.

(b) *Ambient Noise:* Is the all-encompassing noise associated with a given environment, being a composite of sounds from many sources, near and far. For the purpose of this article, ambient noise level is the average over five (5) minutes excluding random intermittent noises and the alleged offensive noise at the location and time of day which a comparison with an alleged offensive noise is to be made.

Averaging may be done by instrumental analysis in accordance with American National Standard S.13-1971, or may be done manually as follows:

(1) Observe a sound level meter for five (5) seconds and record the best estimate of central tendency of the indicator needle, and the highest and lowest indications.

(2) Repeat the observations as many times as necessary to provide that observations be made at the beginning and at the end of the five (5) minute average period and that there shall be at least as many additional observations as there are decibels between the lowest low indication and the highest high indication.

(3) Calculate the arithmetical average of the observed central tendency indications.

(m) Unnecessary, Excessive, or Offensive Noise shall mean any sound or noise conflicting with the criteria, standards, or levels set forth in this Ordinance for permissible noises. In the absence of specific maximum noise levels, a noise level which exceeds the ambient noise level by 5 dBA or more when measured at the nearest property line or, in the case of multiple-family residential buildings, when measured anywhere in one dwelling unit with respect to a noise emanating from another dwelling unit or from common space in the same building, or a noise audible to a person of reasonably sensitive hearing at a distance of 200 feet from its source, shall be deemed a prima facie violation of this Ordinance.

Section 3. *Radios, Television Sets, and Similar Devices.* It shall be unlawful for any

person within any residential zone of the city to use or operate any radio receiving set, musical instrument, phonograph, television set, or other machine device for the producing or reproducing sound in such a manner as to disturb the peace, quiet and comfort of neighborhood residents or of any reasonable person of normal sensitivity present in the area. The operation of any such set, instrument, phonograph, machine or device so as to exceed 50 dBA between the hours of eight (8) o'clock P.M. and seven (7) o'clock A.M. or so as to exceed 55 dBA between the hours of seven (7) o'clock A.M. and eight (8) o'clock P.M. measured at the property line of the building, structure or vehicle in which it is located or at any hour when the same is audible to a person of reasonably sensitive hearing at a distance of 200 feet from its source shall be prima facie evidence of a violation of this section.

Section 7. Machinery, Equipment, Fans, and Air Conditioning. It shall be unlawful for any person to operate any machinery, equipment, pump, fan and air conditioning apparatus, or similar mechanical device in any residential neighborhood so as to exceed 50 dBA between the hours of 8:00 P.M. and 7:00 A.M. or so as to exceed 55 dBA between the hours of 7:00 A.M. and 8:00 P.M. or at any hour when the same is audible to a person of reasonably sensitive hearing at a distance of 200 feet from its source."

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

Read and Passed the Second Time, as amended, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Nays: None.

Absent: None.

The motion for Passage the Second Time, as amended, is Sustained.

An Ordinance pertaining to the registration of persons working as doorkeepers, bouncers, so-called, and crowd controllers, as amended.

Be it ordained by the City of Providence:

Section 1. Section 14 of the Code of Ordinances entitled "Licenses" is hereby amended by adding the following sections.

Section 2. It shall be unlawful for any person to work as a bouncer, so-called, doorkeeper or crowd controller in any retail establishment licensed to sell alcoholic beverages in the City of Providence without first registering with the Commissioner of Public Safety.

Section 3. The Board of Licenses and the Commissioner of Public Safety are empowered to implement this section and shall, without limiting that general authority:

(1) Process all registrations under this section.

(2) Promulgate such rules and regulations as may be necessary to carry out the provisions of this section.

Section 4. The fee for registration issued hereunder shall be \$25.00 payable to the city of Providence.

Section 5. Every registrant shall be provided a suitable identification badge with the applicant's name and photograph thereon. It shall be worn on the outside of his/her outside garment at all times while he/she is engaged in the work of a doorkeeper, bouncer, etc.

Section 6. It shall be unlawful for any retail establishment licenses by the Bureau of Licenses of the city of Providence to hire or to employ or to permit any person to work at such licensed establishment as a bouncer, doorkeeper or crowd controller unless such person is registered with the Commissioner of Public Safety.

Section 7. The Bureau of Licenses shall hear evidence of any allegations of a violation of this section by the license holder.

Section 8. This ordinance shall take effect upon its passage.

Read and Passed the Second Time, as amended, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Nays: None.

Absent: None.

The motion for Passage the Second Time, as amended, is Sustained.

PRESENTATION OF ORDINANCES

COUNCILMAN APONTE, COUNCILWOMAN ROMANO and COUNCILWOMAN YOUNG:

An Ordinance in amendment and in addition to Chapter 1994-24, numbered 365, amended May 26, 1995, relative to adult entertainment licenses.

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

The motion to Refer is Sustained.

COUNCILMAN ALLEN and COUNCILMAN DeLUCA:

An Ordinance relating to the revocation of pension for City employees.

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

The motion to Refer is Sustained.

COUNCILWOMAN WILLIAMS, COUNCIL PRESIDENT LOMBARDI, COUNCIL PRESIDENT PRO TEMPORE YOUNG,

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI (By Request):

Resolution Authorizing the approval of certain expenditures of funds from the Neighborhood Improvement Program.

COUNCIL PRESIDENT LOMBARDI Jointly Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning and the Committee on Finance.

The motion to Refer is Sustained.

restricts traffic going in the north westerly direction.

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

The motion to Refer is Sustained.

Resolution Requesting His Honor the Mayor to execute an easement agreement between the City of Providence by and through the Water Supply Board and the Providence Gas Company for the relocation of an existing Water Supply Board easement.

Resolution Requesting the Traffic Engineer to cause Ringold Street a one-way street which

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on City Property.

The motion to Refer is Sustained.

Resolution Requesting that all Departments must do constructed analysis of their activities throughout the fiscal year, as requested by KPMG, LLP.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Union Street from Washington Street to Fountain Street on Friday, midnight, August 20, 1999 and ending on Saturday, August 21, 1999 at 2:00 o'clock A.M. to accommodate a Fundraising Block Party to help benefit the Providence Journal Summertime Fund.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Union Street from Washington Street to Fountain Street on Friday, midnight, August 20, 1999 and ending on Saturday, August 21, 1999 at 2:00 o'clock A.M. to accommodate a Fundraising Block Party to help benefit the Providence Journal Summertime Fund.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Sustained.

Resolution Requesting the School Department to monitor and report the activities of the School's Federal funds on a timely basis, as requested by KPMG LLP.

Resolution Requesting the City Departments to eliminate year end deficits, as requested by KPMG, LLP.

Resolution Requesting the City of Providence develop a plan to inventory and review the status of all critical business immediately to insure they will be Year 2000 compliant, as requested by KPMG LLP.

Resolution Requesting that the "non-City Hall" entities are requested to improve their operations to the City Council, as requested by KPMG LLP.

Resolution recommending the City to develop and implement a system for reviewing any transaction the City enters into for potential related party and conflict of interest issues, as requested by KPMG LLP.

Resolution Requesting the City Collector to reconcile the tax receivable detail to the

General Ledger on a timely basis, as requested by KPMG LLP.

Resolution Requesting that cash accounts maintained by individual schools within the City without the knowledge of the School Department or City Finance Department should be closed immediately, as requested by KPMG LLP.

Resolution Requesting the Water Supply Board to implement and upgrade systems immediately so that Customer II Billing System be integrated with the new General Ledger System, as requested by KPMG LLP.

Resolution Requesting the Water Supply Board be accountable and the Finance Committee implement sound fiscal management practices that will allow the accounting records of the Water Supply Board be closed in a timely fashion on a monthly basis, as requested by KPMG LLP.

Resolution Requesting the Water Supply Board perform periodic reconciliation of the accounts receivable allowances, as requested by KPMG LLP.

Resolution Requesting the Water Supply Board Board in its connection with the issuance of revenue bonds, issued by the Clean Water Finance Agency, to record activity in this account on the general ledger and that account reconciliations between the general ledger and the bank records be performed on a timely basis, as requested by KPMG LLP.

Resolution Requesting the Water Supply Board to perform monthly reconciliations and analyses of the activity of the Rhode Island Water Resources Board, as requested by KPMG LLP.

Resolution Requesting the Water Supply Board to reconcile cost of construction in progress, as requested by KPMG LLP.

Resolution Requesting that the City perform actuarial calculation of its health care insurance liabilities, as requested by KPMG LLP.

Resolution Requesting the Water Supply Board adopt a formal investment policy which explicitly states which securities the Water Supply Board can invest in and present a set of instructions as to how to carry out all investment decisions, as requested by KPMG LLP.

Resolution Requesting the Water Supply Board direct its wholesale customers to remand future payments to one of its lock box locations, as requested by KPMG LLP.

Resolution Requesting the Water Supply Board perform a review of the current overhead rates, direct labor and indirect labor, to determine the propriety of the rate being charged to contracts, as requested by KPMG LLP.

Resolution Requesting the Water Supply Board to address its staffing needs of the Management Information Systems Department, as requested by KPMG LLP.

Resolution Requesting the Water Supply Board and City Hall to eliminate duplicate ledgers, as requested by KPMG LLP.

Resolution Requesting the Providence Civic Center Accounts Payable have all invoices available for inspection, as requested by KPMG LLP.

Resolution Requesting the Providence Civic Center to document all payroll transactions, as requested by KPMG LLP.

COUNCIL PRESIDENT LOMBARDI Severally Refers the Resolutions to the Committee on Finance.

The motion to Refer is Sustained.

COUNCILMAN ALLEN and COUNCILMAN APONTE (By Request):

Resolution Authorizing the transfer of Assessor's Plat 44, Lot 412 (70 Peace Street) to the Providence Redevelopment Agency in the amount of One Dollar (\$1.00), and also to abate all outstandings taxes in the amount of one hundred sixteen thousand three hundred seven dollars and seventy six cents (\$116,307.76).

Resolution Requesting the City of Providence which owns the Fogarty Building located at 121-133 Fountain Street, Assessor's Plat 25, Lots 442 and 444, remain tax exempt while in the ownership of the Providence Redevelopment Agency.

Resolution Authorizing the transfer of Assessor's Plat 29, Lot 505 (93 Cranston Street) to the Providence Redevelopment Agency for one dollar (\$1.00), and also to abate all outstanding taxes in the amount of one thousand sixty six hundred two hundred seventy eight dollars and forty five cents (\$166,278.45).

COUNCIL PRESIDENT LOMBARDI Severally Refers the Resolutions to the Committee on Finance.

The motion to Refer is Sustained.

Resolution Authorizing the abatement of taxes, in whole, on Assessor's Plat 49, Lot 387 (330 Bucklin Street) in the amount of five thousand four hundred five dollars and twenty three cents (\$5,405.23).

COUNCILMAN ALLEN requests that he be recused from this matter.

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

The motion to Refer is Sustained.

COUNCILMAN BUTLER:

Resolution Requesting that the Parks Department install "No Dogs Allowed — Police Take Notice" signs along various areas.

Resolved, That the Parks Department is requested to install "No Dogs Allowed — Police Take Notice" signs along the following areas:

Pleasant Valley Parkway from Academy Avenue to Rosebank Avenue.

Mount Pleasant Stadium and Mount Pleasant Little League Field.

Fagnoli Park.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Sustained.

COUNCILWOMAN DiRUZZO (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Putnam Street from Atwells Avenue to Amherst Street on Saturday, September 18, 1999 between the hours of 11:00 o'clock a.m. to 8:00 o'clock p.m. to accommodate a Mexican Festival.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Putnam Street from Atwells Avenue to Amherst Street on Saturday, September 18, 1999 between the hours of 11:00 o'clock a.m. to 8:00 o'clock p.m. to accommodate a Mexican Festival.

COUNCILMAN IGLIOZZI:

Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting along Ethan and Sophia Streets to 27,500 lumens.

Resolved, That the Chief Electrical Inspector is requested to cause the upgrade of street lighting along Ethan and Sophia Streets to 27,500 lumens.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "four-way stop" signs along Hilarity and Barbara Streets.

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

The motion to Refer is Sustained.

COUNCILMAN JACKSON, COUNCIL PRESIDENT LOMBARDI, COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILWOMAN ROMANO, COUNCILWOMAN WILLIAMS and COUNCILWOMAN YOUNG:

Resolution Requesting Narragansett Electric to remove all double poles that exist within the City of Providence.

Resolved, That Narragansett Electric is requested to remove all double poles that exist within the City of Providence.

Resolution Requesting the Parks Department to prepare Billy Taylor Park (corner of Cypress and Camp Streets) for the Summer Programs.

Resolved, That the Parks Department is requested to prepare Billy Taylor Park (corner of Cypress and Camp Streets) for the Summer Programs to include:

- Cleaning of whole park;
- Cutting of grass;
- Adding extra barrels;
- Checking of lighting;
- Replacing of nets.

COUNCILMAN MANCINI and COUNCILMAN BUTLER (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Isabella Avenue from Enfield Avenue to Clove Street on Sunday, August 22, 1999 between the hours of 11:00 o'clock a.m. to 11:00 o'clock p.m. to accommodate the "Annual Isabella Avenue Block Party".

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Isabella Avenue from Enfield Avenue to Clove Street on Sunday, August 22, 1999 between the hours of 11:00 o'clock a.m. to 11:00 o'clock p.m. to accommodate the "Annual Isabella Avenue Block Party".

COUNCILWOMAN NOLAN (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Gallatin Street from Elmwood Avenue to Melrose Street, also Kipling Street and Ruskin Street at Gallatin Street, on Saturday, August 7, 1999 between the hours of 10:00 o'clock a.m. to 12:00 o'clock midnight to accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Gallatin Street from Elmwood Avenue to Melrose Street, also Kipling Street and Ruskin Street at Gallatin Street, on Saturday, August 7, 1999 between the hours of 10:00 o'clock a.m. to 12:00 o'clock midnight to accommodate a Neighborhood Block Party.

Severally Read and Collectively Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Sustained.

COUNCILWOMAN NOLAN:

Resolution Rescinding Resolution Number 277, approved May 14, 1999, requesting the City Collector to abate taxes on 261 Lenox Avenue, Plat 52, Lot 314, in the total amount of thirty one thousand eight hundred ten dollars and seventy six cents (\$31,810.76) for the years 1991 through 1997, as requested by the Elmwood Foundation.

Be it Resolved, That Resolution Number 277, approved May 14, 1999, requesting the City Collector to abate taxes on 261 Lenox Avenue,

Plat 52, Lot 314, in the total amount of thirty one thousand eight hundred ten dollars and seventy six cents (\$31,810.76), for the years of

1991	\$3,041.59
1992	\$3,745.59
1993	\$3,745.59
1994	\$3,745.59
1995	\$3,645.59
1996	\$6,245.23
1997	\$7,441.58

as requested by the Elmwood Foundation, be rescinded;

Be it further Resolved, That due to an error in the year 1997 taxes, as set forth in Resolution Number 277, in the amount of seven thousand four hundred forty one dollars and fifty eight cents (\$7,441.58), which should be in the amount of seven thousand seven hundred forty one dollars and fifty eight cents (\$7,741.58), the City Collector is requested to abate taxes on 261 Lenox Avenue, Plat 52, Lot 314, in the amount of thirty one thousand nine hundred ten dollars and seventy six cents (\$31,910.76) for the years of

1991	\$3,041.59
1992	\$3,745.59
1993	\$3,745.59
1994	\$3,745.59
1995	\$3,645.59

1996	\$6,245.23
1997	\$7,741.58

as requested by the Elmwood Foundation.

COUNCILMAN ALLEN moves passage of the Resolution, seconded by **COUNCILWOMAN WILLIAMS**.

COUNCILMAN ALLEN moves to amend the Resolution by changing the amount for the year 1997 from \$7,441.58 to \$7,741.58, and to rescind Resolution number 277, approved May 14, 1999, seconded by **COUNCILWOMAN WILLIAMS**.

The motion is put to vote and passed, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Nays: None.

Absent: None.

The motion to amend is Sustained.

Read and Passed, as amended, on motion of **COUNCILMAN ALLEN**, seconded by **COUNCILWOMAN WILLIAMS**.

The motion for Passage, as amended, is Sustained.

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Irving Avenue between Arlington Avenue and Taber Avenue on Sunday, July 4, 1999 between the hours of 3:00 o'clock p.m. to 8:00 o'clock p.m. to accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Irving Avenue between Arlington Avenue and Taber Avenue on Sunday, July 4, 1999 between the hours of 3:00 o'clock p.m. to 8:00 o'clock p.m. to accommodate a Neighborhood Block Party.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Woodbury Street between Cole Avenue and Fosdyke Street on Saturday, July 31, 1999, between the hours of 9:00 o'clock a.m. to 9:00 o'clock p.m. accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Woodbury Street between Cole Avenue and Fosdyke Street on Saturday, July 31, 1999, between the hours of 9:00 o'clock a.m. to 9:00 o'clock p.m. accommodate a Neighborhood Block Party.

COUNCILWOMAN WILLIAMS, COUNCIL PRESIDENT LOMBARDI, COUNCILMAN ALLEN, COUNCILMAN APONTE,

COUNCILMAN BUTLER, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILWOMAN ROMANO and COUNCILWOMAN YOUNG:

Resolution congratulating Sister Mary Reilly, Dorcas Place Director, upon a lifetime of lobbying for social justice, helping open a soup kitchen and leading literacy programs.

Whereas, Sister Mary Reilly is a Providence native who joined the Sisters of Mercy some 50 years ago, and

Whereas, Sister Mary Reilly was part of a group of religious order sisters from around the country who came together in the early 70's to network for social justice, and

Whereas, After eleven years of teaching Sister Mary Reilly spent six years in Honduras and became Principal of a little nondenominational elementary school and a teacher of triple grades, and

Whereas, After six years in Central America, Sister Mary came back and settled for a while at St. Michael's in Providence, and worked there for ten years, and

Whereas, While at Saint Michael's Sister Mary Reilly and Sister Deborah Thompson were co-founders of Dorcas Place, which was designed to reach out to teenage mothers some twenty years ago and has since expanded its outreach to include both men and women with learning disabilities, and

Whereas, Sister Mary Reilly continues to be a crusader for the poor of this City and State by staying invloved with people of all backgrounds. She is currently the Director of Dorcas Place, and is planning to step down, and

Whereas, Sister Mary Reilly will devote some time working with the United Nations and Mercy Sisters in New York while on sabbatical, and

Whereas, Sister Mary Reilly will still continue as an active role at McAuley House soup kitchen located on Niagra Street, feeding some several hundred people each week until her departure as director.

Now, therefore, be it Resolved, That the members of the Providence City Council do hereby congratulate Sister Mary Reilly, Dorcas Place Director, upon a lifetime of lobbying for social justice, helping open a soup kitchen and leading literacy programs.

COUNCILWOMAN YOUNG (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Peck Street between Pine and Weybosset Streets every Friday and Saturday from May 1, 1999 to October 1, 1999 to accommodate Cityside Café.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Peck Street between Pine and Weybosset Streets every Friday and Saturday from May 1, 1999 to October 1, 1999 to accommodate Cityside Café.

Severally Read and Collectively Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Sustained.

COUNCIL PRESIDENT LOMBARDI recognizes Senator Charles Walton in the Assemblage and directs the City Sergeant to escort the Senator to the Podium.

REPORTS FROM COMMITTEE

COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman COMMITTEE ON CITY PROPERTY

Transmits the following with recommendation the same be Severally Approved:

Resolution Requesting His Honor the Mayor to execute an easement agreement between the City of Providence by and through the Water Supply Board and Major Construction Associates, LLC, for one (1) perpetual easement.

Resolved, That His Honor the Mayor, is authorized to execute an easement agreement between the City of Providence by and through the Water Supply Board and Major Construction Associates, LLC, for the one (1) perpetual easement, totaling 2,500 square feet in area, located in the City of Cranston in an area known as Quail Ridge Estates (Assessor's Plat 26, Lot 5), for the amount of seven thousand

five hundred dollars (\$7,500.00) contingent upon indemnification of the Providence Water Supply Board and the City of Providence by Major Construction Associates, LLC and upon other such terms and conditions as have been imposed by the Water Supply Board, the City Council and His Honor, the Mayor.

Be it further Resolved, That granting of this easement is contingent upon the relinquishing of two (2) presently exiting perpetual easement across the same City Property, totaling 6,250 square feet in area, by Major Construction Associates, LLC, to the City of Providence by and through the Water Supply Board.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Nays: None.

Absent: None.

The motion for Passage is Sustained.

Resolution Requesting the transfer of Plat 48, Lot 55 (46 Ashmont Street) to the Providence Redevelopment Agency for the Special Vacant Lot Program.

Resolved, That the Providence City Council is requested to transfer of Plat 48, Lot 55 (46 Ashmont Street) to the Providence Redevelopment Agency for the Special Vacant Lot Program.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Nays: None.

Absent: None.

The motion for Passage is Sustained.

Resolution Requesting the Providence City Council to convey property located at 419 Prairie Avenue, Assessor's Plat 48, Lot 665, to the Providence Redevelopment Agency.

Whereas, On June 18, 1993, the Providence City Council, by and through Resolution 427, memorialized their intention to convey certain foreclosed properties from the City of Providence to the Providence Redevelopment Agency; and

Whereas, It is still the intention of the Providence City Council to convey property located at 419 Prairie Avenue on Assessor's Plat 48, Lot 665 to the Providence Redevelopment Agency in that it is no longer useful for municipal purposes and it has been found to be in the best interest of the City of Providence and its' respective neighborhoods;

Now, therefore, be it Resolved, That it remains and always was the intention of the City Council that deeds not be executed transferring said properties listed in Resolution 427, approved June 18, 1993, until a project or a property owner had been identified by the Providence Redevelopment Agency,

Be it further Resolved, That the Providence Redevelopment Agency shall see that said property is developed in accordance with the City's comprehensive Plan and Zoning Ordinance; and that all proceeds from the sale

of this property, minus any administrative, management, insurance or development costs shall be returned to the City of Providence.

And also, be it further Resolved, That a use has been identified for property located at 419 Prairie Avenue on Plat 48, Lot 665, and that His Honor, the Mayor is hereby authorized to

execute any and all documents, including the deed, relative to conveyance of said parcel.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Sustained.

PERSONAL EXPRESSION

COUNCILMAN CLARKIN requests the privilege of the floor to speak on a point of personal expression and states:

"In today's paper, there is an article that says "young increasingly homeless", the study says. Then they use a figure in here that says there are a million homeless children in this country. Understand that I truly believe that of there is one homeless kid, there is one too many. I just did a little math, and I figured if there is a million homeless people in this country, and there are 280 million people in our country, and if Rhode Island has a million, that would be about 3,500 in Rhode Island homeless children. And if you said that Providence takes the brunt of that, that would probably be around 3,000 kids. So if you use their million figure, that would be the whole of Central and the whole

of Classical that are homeless in Providence. This I do not buy. These figures sometimes are taken off the top of someone's head. Mitch Schneider was a gentleman that used to be in the anti-poverty in New York. I was involved in the anti-poverty programs in the late 60's and 70's, but Mitch Schneider used a figure of 9 million homeless people in this country, and all the newspapers picked that number up as if there was 9 million. The man just picked it off the top of his head, and I truly believe that they are taking this off the top of their heads. I truly believe that one child homeless is too many, but when they use a figure saying we have 3,000 homeless children in Providence, I think the figure is way off.

REPORT FROM COMMITTEE

COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman COMMITTEE ON CITY PROPERTY

Transmits the following with recommenda-
tion the same be Approved:

Resolution Requesting to sell two parcels of land located at 430 Friendship Street, Assessors Plat No. 23, Lot 153, and 69 Somerset Street, Assessors Plat No. 23, Lot 770, to the Providence Redevelopment Agency for one dollar (\$1.00) to be used to develop affordable housing.

Resolved, That the City of Providence has two parcels of land 430 Friendship Street, AP 23, Lot 153 and 69 Somerset Street, AP 23 Lot 770. The Providence Redevelopment Agency is requesting that the City Council authorize the Honorable Mayor Vincent A. Cianci, Jr. to sell these lots to the Providence Redevelopment Agency for one dollar (\$1.00). The Parcels will be used to develop affordable housing.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Nays: None.

Absent: None.

The motion for Passage is Sustained.

COMMUNICATIONS AND REPORTS

Communication from Majority Leader Ronald W. Allen to Councilman Kevin Jackson, Chairman, Committee on Finance, dated June 25, 1999, requesting to hold a meeting of the

Finance Committee regarding the revaluation process and requests that representatives of the Cole-Layer-Trumble Company appear before said committee to explain why they are unable

to complete the revaluation process for the City of Providence in a timely fashion.

Received.

Certificates from the City Assessor (19C through 22C inclusive) 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 the State of Rhode Island, 1956, as amended.

COUNCIL PRESIDENT LOMBARDI Severally Refers the Certificates to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Sustained.

Communication from Mark A. Dingley, Vice President/General Counsel, Cookson America, Inc., dated June 15, 1999, requesting to petition the City Council to change the address of "One Weybosset Hill" to "One Cookson Place".

COUNCIL PRESIDENT LOMBARDI Refers the Communication to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Sustained.

PERSONAL EXPRESSION

COUNCILMAN IGLIOZZI requests the privilege of the floor to speak on a point of personal expression and states:

"I have a concern that I wanted to bring forward to the City Council this evening. I read an article the other day, and during some of the Finance Committee meetings, they were discussing ways to cut the budget, how to balance the budget and all those difficult issues that are ahead of us in the upcoming weeks. One of the headlines proposals brought great concern to me. The headline says "The Auditor

proposes adjourning the Housing Court". The problem I have with that is a few reasons. The first thing is that the purpose of the Housing Court isn't to be a revenue generating arm of city government. The Housing Court has an interesting history because back in the 80's, the legislature, through a referendum on the ballot, the people of Providence and the State Legislature, passed a state law that specifically allowed the City of Providence to create its own Housing Court, as well as North Providence, and handle those issues within our own Housing Court and not have District Court do

it. Being of course of the volume of the overburdeness of the Housing Court problems in Providence. The next step was the state statute said the City of Providence then passes their own ordinances, and that is what we did, we passed our own city ordinances. That Section 8-12. I want to recite the purpose of the article. I think it is very important that we all understand what a Housing Court is all about. It says: "Section 8-12, Purpose of the Article. Article II-Housing Court. The Article shall be liberally construed to end that all the people be housed in dwellings that are safe, sanitary and fit for the human habitation, and that levels of residential environmental quality, be achieved and maintained, as well as protect and promote the health, safety and general welfare of the people of the City of Providence". It doesn't say in here to generate revenue for the tax base, because that is not what the court is about. What's next? Do we abolish the Supreme Court because it doesn't give us enough state taxes. That is not what the judicial system is about. It is about dispensing justice and bringing housing code violators before this forum. So I stand because I am urging in the future deliberations before this Honorable Body, and the Finance Committee, that this particular proposition, if you may, does not hold too much credence. It would set us back. In fact, the only people who would be celebrating the abolition of the Housing Court are going to all those wonderful absentee landlords that live in Boston and not in our jurisdiction, that we always have a tough time finding. Let me say this, I do concur with the fact that the Housing Court does need some reform. We do need some revamping. That is a separate issue that we can deal with as we look to the ordinance that created it. That has nothing to do with the finance of the city in the sense that it provides too much good, and also gives us a tool to fight those boarded up houses, or simply a tenant

that is a registered voter in our neighborhood, where the landlord is not keeping that house in a habitable condition. I urge the Finance Committee to reevaluate this proposal and seriously consider the fact that the abolition of this Housing Court, or any court in city government, takes power away from us, takes power away from the people, and it takes power away from our community to make it a better place. Thank You."

COUNCILWOMAN DiRUZZO requests the privilege of the floor to speak on a point of personal expression and states:

"I would like to echo many of the comments that my colleague just talked about with regard to the Housing Court. I would hope that in our budget deliberations that one of the things that we cut would certainly not be to cut funding appropriation to the Housing Court. To those members of this Honorable Body who have served on this council for a number of years, including the president and myself, it took us many years to get to this point. To the point we would have a court that we could bring the code enforcement and housing problems to. I would hope that we wouldn't just erase it because of budget restraints. You do not measure the success of a court based on the revenue which it takes in. You measure it on the condition of the housing stock, once you take that action to the Housing Court. We were frustrated and in dire need of a — in which to take our problems to. I, for one, will tell you that with the area that I represent, if we didn't have the court to give us some remedies, some relief, that is our Housing Court, I certainly wouldn't want to take it to District Court again. District Court is overburdened now. They have the

traffic court they are going to have to compete with. I don't think they would want housing problems from the City of Providence to deal with. would say that once we get to this issue in the budget deliberations, that I am going to urge this Honorable Body not to touch the appropriation for the Housing Court. I would be a big mistake and a sad day for the city."

COUNCILWOMAN NOLAN requests the privilege of the floor to speak on point of personal expression and states:

"I have mixed feelings about this. As you know, I frequently attend Housing Court. In particular because I have right now 11 houses

with 44 or more units in the Housing Court right now. One house has been in court for about 3 1/2 years, the others for about one year. It happens also to be a dispute between the owners of the property. A very famous family. I don't mind mentioning them. Bogosian and Woolhoosian They are having this little battle with each other, but meanwhile 11 houses are in court and going nowhere. If the threat of the Internal Auditor moves them to action, I am in favor of it, but I am also in favor . . . I have seen the Housing Court work in some very positive ways, and I believe one of the complications that we have here is the part about the ownership of the properties and the attorneys. I think if we could do away with the attorneys who go to the Housing Court, I think things would move along a lot more quickly."

COMMUNICATIONS AND REPORTS

Communication dated June 23, 1999 from the Department of Recreation, Director Raymond L. Brown, requesting the Honorable Members of the City Council to name the complex on 11 West Drive, "Recreation Way" instead of renaming the entire street.

COUNCIL PRESIDENT LOMBARDI Refers the Communication to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Sustained.

PERSONAL EXPRESSION

COUNCILWOMAN YOUNG requests the privilege of the floor to speak on a point of personal expression and states:

I wanted to honor Senator Walton, as the Council President already did, I also wanted to acknowledge Dr. DeRobbio, the Chairperson of the School Board, Gertrude Blakey and Susan DeRita another member of the School Board. I would also like to acknowledge Allene Maynard, who is our District Committee

woman from the 19th district. Representative Aisha Odiase, the State Representative for the 19th district. Our wonderful ward committee members, Joe Vilen, Mr. Jose Perez, and our own Michael Clement. These are our invited guests. In addition to that, I want to acknowledge that Chris Nocera was here for the Mayor, he had to leave. Also Mr. Pastine from Central, the principal, and our one and only Sid Greene.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Lorraine Berard

Shawn Isom

Michael D. Trooiano

Janice Tanzi, p.p.a. Dylan Lanzi (Donald A. Woodbine, Esq.)

Suzy Johnson

Amica Mutual Insurance Co. a/s/o Victor Clark

Miguel Negron (Paul V. Jabour, Esq.)

Nationwide Mutual Insurance Co. a/a/o Carlos A. Arenas

Janine Bliss (Charles J. Vucci, Esq.)

United States Postal Service & Kathleen J. Foss

Progressive Insurance Co. a/s/o Kathleen Robbins (Thomas J. Gavlick, Esq.)

Janet S. Fogarty

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

The motion to Refer is Sustained.

PRESENTATION OF CITATIONS

“In Congratulations”

COUNCIL PRESIDENT LOMBARDI and the MEMBERS of the CITY COUNCIL:

Citations Extending Congratulations.

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

Gloria M. Pesaturo, in recognition of the celebration of her retirement after 11 years of dedicated service to the City of Providence.

Councilwoman Rita M. Williams, in recognition of being named by the Rhode Island Chapter of the National Association of Social Workers as School Social Worker of the Year.

Barbara and Joseph Fagnoli, in recognition of the celebration of their 50th Wedding Anniversary, married on June 4, 1949.

Mr. and Mrs. Robert Poirier, in recognition of the celebration of their 40th Wedding Anniversary.

Mr. and Mrs. Erik C. Liebegott, in recognition of the celebration of their marriage on May 8, 1999.

Sister Mary Reilly, Dorcas Place Director, in recognition of her lifetime of lobbying for social justice, helping to open a soup kitchen and leading literacy programs.

Tim Tolman, Manager, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Peter Miller, Coach, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Aaron Abrams, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Jared Dorfman, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Daniel Kenner, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Allie Oestreich, in recognition of her successful 1999 season in the East Side/Fox Point Little League.

Jimmy Rotenburg, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Holly Spalt, in recognition of her successful 1999 season in the East Side/Fox Point Little League.

Henry Tolman, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Darren Lopes, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Joseph Miller, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Will Otto, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Ahmad Spann, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Jesse Taylor, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Prabhat Dhar, in recognition of his successful 1999 season in the East Side/Fox Point Little League.

Ka Men, Head Coach, in recognition of having an undefeated season and winning the Providence Journal State Class C Volleyball Tournament.

Sam Pho, Assistant Coach, in recognition of having an undefeated season and winning the Providence Journal State Class C Volleyball Tournament.

Sam Phan, in recognition of having an undefeated season and winning the Providence Journal State Class C Volleyball Tournament.

Niurka Dias, in recognition of having an undefeated season and winning the Providence Journal State Class C Volleyball Tournament.

Cristina Ceden, in recognition of having an undefeated season and winning the Providence Journal State Class C Volleyball Tournament.

Miriam Ceden, in recognition of having an undefeated season and winning the Providence Journal State Class C Volleyball Tournament.

Mercy Sanchez, in recognition of having an undefeated season and winning the Providence Journal State Class C Volleyball Tournament.

Keynalee Ayala, in recognition of having an undefeated season and winning the Providence Journal State Class C Volleyball Tournament.

Yinette Rosario, in recognition of having an undefeated season and winning the Providence Journal State Class C Volleyball Tournament.

Antone Gray, in recognition of the celebration of his acceptance into Moses Brown School.

Mr. and Mrs. Louis Bavaro, in recognition of the celebration of their 50th Anniversary.

Severally Read and Collectively Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

“In Memorium”

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

Resolutions Extending Sympathy.

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

Robert J. Calvino

Henry “Sonny” Raymond Broccoli

Raymond D. D’Abate, Sr.

Antonetta “Etta” Izzo

John R. Santangelo

Julie Claire Gutterman

Joseph A. Cofone, M.D.

Susan DiScullio

Grace F. Nobrega

Normand A. Duquette

Rita Schlageter

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

The motion for Passage is Sustained.

MATTER NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, it is voted to Suspend Rule 16 of the Rules of the City Council in order to allow the introduction of the following matter not appearing on the Printed Docket.

An Ordinance in amendment of Section 16-106 of Chapter 16, Article III of the Code of Ordinances entitled, "Noise Control", as amended.

Be it ordained by the City of Providence:

Section 1. Article III of Chapter 16, Sec. 16-106 of the Code of Ordinances of the City of Providence is hereby amended to read as follows:

Sec. 16-106. Violations — Penalty. Any person found guilty of violating, disobeying, neglecting, or refusing to comply with the provisions of this article, shall upon conviction be punished by a fine of not more than five hundred dollars (\$500.00), for any one offense, except that any person electing to appear before the clerk of the municipal court and admitting the violation charged, or in lieu of personally appearing before the clerk of the court, electing

to admit the violation by mail to the clerk of the court, shall be punished by a fine of two hundred dollars. Provided, however, that for a second violation and any subsequent violation a person electing to appear before the Clerk of the Municipal Court and admit the violation charged or, in lieu of personally appearing before the Clerk of the Court, electing to admit the violation by mail to the Clerk of Court shall be punished by a fine of three hundred dollars (\$300.00).

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

Read and Passed the Second Time, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage the Second Time is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN HASSETT, seconded by COUNCILMAN ALLEN, it is voted to adjourn at 8:45 o'clock P.M. (E.D.T.) to meet again on THURSDAY, AUGUST 5, 1999 at 7:30 o'clock P.M. (E.D.T.).

Michael R. Clement

City Clerk