

CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

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No. 4 City Council Regular Meeting, Thursday, February 21, 1991, 7:30 o'clock P.M. (E.S.T.)

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IN CITY COUNCIL  
MAR 7 1991

PRESIDING

APPROVED:

*E. M. Mendez* CLERK

COUNCIL PRESIDENT PRO TEMPORE

EVELYN V. FARGNOLI

ROLL CALL

Present: Council President Pro Tempore Fagnoli, Councilmen Clarkin, DeLuca, Dillon, Councilwoman DiRuzzo, Councilmen Fenton, Glavin, Igliozi, Lombardi, Mancini, Councilwomen Nolan and Young — 12.

Absent: Council President Petrosinelli, Councilman Rollins and Councilwoman Williams — 3.

## INVOCATION

The Invocation is given by COUNCILWOMAN BALBINA A. YOUNG.

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

COUNCILWOMAN JOSEPHINE DiRUZZO leads the members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

## PRESENTATION OF RESOLUTIONS

COUNCILMAN CLARKIN (By Request):

Resolution authorizing the City Collector to cause taxes to be abated along One Jackson Walkway in the amount of \$1,555.78, for the year 1989, as requested by the Downtown Improvement Association.

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

The motion to Refer is Sustained.

COUNCILWOMAN DiRUZZO and COUNCILMAN LOMBARDI:

Resolution requesting the State Department of Environmental Management to conduct an air count in and around Onleyville to determine the present level of TCE in the area.

*Resolved*, That the State Department of Environmental Management is requested to conduct an air count in and around Onleyville to determine the present presence level of TCE in the area, better known as trichloroethylene in the area.

Resolution Requesting the Director of Environmental Management to continue to enforce the regulations of the Air Toxics Program.

*Resolved*, That the Director of Environmental Management is requested to continue to enforce the regulations of the Air Toxics Program sharply curtailing the use of TCE and their emissions into the air at plating plants and all related industrial plants.

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

**The motion for Passage is Sustained.**

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**COUNCILWOMAN DiRUZZO (By Request):**

Resolution requesting the Acting Director of the Department of Planning and Development to cause the curb to be cut to accommodate the Handicapped in front of the Pocasset Manor along 20 Kelley Street.

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

**The motion to Refer is Sustained.**

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Resolution Requesting the Director of Public Works to cause Progress Avenue, from Webster Avenue to Terrace Avenue, to be repaired and resurfaced.

*Resolved*, That the Director of Public Works is requested to cause Progress Avenue, from Webster Avenue to Terrace Avenue, to be repaired and resurfaced.

**COUNCILWOMAN DiRUZZO and COUNCILMAN LOMBARDI (By Request):**

Resolution requesting the Rhode Island Department of Transportation to replace the Union Avenue Bridge, the Westminster Street Railroad Bridge No. 926 and the Broadway Railroad Bridge No. 927.

*Resolved*, that the Rhode Island Department of Transportation is requested to replace the Union Avenue Bridge, the Westminster Street Railroad Bridge No. 926 and the Broadway Railroad Bridge No. 927, according to its more recent Cities and Towns Bridge Replacement Study.

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

**The motion for Passage is Sustained.**

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**COUNCILMAN FENTON (By Request):**

Resolution requesting the Traffic Engineer to cause the installation of Four Way "Stop" signs at the intersection of Highland Avenue and Ninth Street.

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

**The motion to Refer is Sustained.**

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**COUNCILMAN FENTON, COUNCILWOMAN WILLIAMS, COUNCILWOMAN DiRUZZO and COUNCILWOMAN YOUNG:**

Resolution Requesting the Superintendent of the School Department to conduct public hearings

on the Desegregation Plan prior to approval by the School Board.

*Whereas*, The School Department is presently in the process of developing a desegregation plan for the City of Providence, and

*Whereas*, This will affect the entire student population and is of grave importance to all parents as well as the students,

*Now therefore be it resolved*, That Dr. Robert Roberti, Superintendent of the Providence School Department, is hereby requested to undertake a survey so that parents will have significant input in the process, and that a minimum of three public hearings be held throughout the City to enable discussion and dissemination prior to the task force submitting its presentation to the School Board, and

*Be it further resolved*, That these public hearings should in no way delay the implementation of Phase I of the Desegregation Plan to be implemented in the 1991-1992 school calendar year.

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**COUNCILMAN IGLIOZZI:**

Resolution requesting the Chief Electrical Inspector to cause the installation of a flood light facing the parking lot of St. Bartholomew's Church on Pole No. 2, located along Hillhurst Avenue.

*Resolved*, That the Chief Electrical Inspector is requested to cause the installation of a flood light facing the parking lot of St. Bartholomew's Church on Pole No. 2, located along Hillhurst Avenue.

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**COUNCILMAN IGLIOZZI, COUNCIL-**

**WOMAN DIRUZZO and COUNCILMAN LOMBARDI:**

Resolution requesting the Department of Planning and Development to study the feasibility of constructing a Neutaconkanut Park Youth Center and to identify sources of both the public and private sector for said project.

*Resolved*, That the Department of Planning and Development is requested to study the feasibility of constructing a Neutaconkanut Park Youth Center and to identify sources of both the public and private sector for said project.

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

**The motion for Passage is Sustained.**

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**COUNCILMAN MANCINI (By Request):**

Resolution in amendment of Resolution No. 344, approved July 17, 1989 relating to the abandonment of that Unnamed Street, between Burns Street and Lubec Street.

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

**The motion to Refer is Sustained.**

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**COUNCILWOMAN YOUNG:**

Resolution Requesting a Moratorium in the Eleventh Ward on all Building Permits and all Petitions before the Zoning Board of Review until July 1, 1991 or until the New Comprehensive Zoning Plan is adopted by the City Council.

*Whereas*, The Zoning Commission, the City Plan Commission and the Department of Planning and Development have been working for some time on a revised Zoning Ordinance for the City of Providence, and

*Whereas*, This revised Zoning Ordinance will be a blueprint for the development of our City for future generations, and

*Whereas*, It is preferable to have development conform to the new Zoning Ordinance and avoid situations in which developers rush to obtain permits under the existing 1951 Zoning Ordinance,

*Now, therefore, be it resolved*, That the Director of the Department of Inspection and Standards is directed to place a Moratorium on the issuance of building permits for new construction or any acceptance of variances or special exceptions in the Eleventh Ward of the City of Providence, pending the adoption of a new Zoning Ordinance by the City Council, or until July 1, 1991 whichever comes first, and

*Be it further resolved*, That the City Council may grant exceptions to the Moratorium only upon a showing of undue financial hardship. Any petitions for exception shall be referred for consideration and recommendation to the City Council Committee on Ordinances.

COUNCILMAN GLAVIN moves the Resolution be Amended by inserting in the fourth paragraph, third line, following the word "construction", the following: "or any acceptance of variances or special exceptions" and by deleting in the last paragraph, fifth line, the words "Urban Redevelopment, Renewal and Planning" and inserting in lieu thereof the word "Ordinances".

This motion is seconded by COUNCILMAN FENTON.

COUNCILMAN GLAVIN moves the Resolution be Read and Passed as Amended.

This motion being seconded by COUNCILMAN FENTON and COUNCILMAN DeLUCA is Put to Vote and Passed.

COUNCILMEN IGLIOZZI, FENTON and LOMBARDI desire to be recorded as "Not Voting".

The motion for Passage as Amended is Sustained.

Resolution requesting the Director of Public Works to cause various potholes in the Eleventh Ward to be repaired.

*Resolved*, That the Director of Public Works is requested to cause the Potholes along the following Streets to be Repaired:

Stanwood Street;

Udike Street/Daboll Street;

23-25 and 35-37 Hanover Street;

18 Wilson Street;

Prince Street;

Maple Street;

West Clifford Street;

Lockwood Street;

Corner of Lockwood Plaza/60 Prairie Avenue;

51 Tanner Street;

Corner of Mt. Vernon Street and Chester Avenue;

Glenham Street/Prairie Avenue;

Milk Street;

Plain Street;

Hamilton Street/Bogman Street, and

Sprague Street.

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

**The motion for Passage is Sustained.**

**COUNCILWOMAN YOUNG (By Request):**

Resolution authorizing the City Collector to cause a portion of the taxes to be abated on that property located along 95 Wilson Street in the total amount of \$9,375.60 due to Bellini Realty Co. being taxed for a building that was razed in 1974.

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

**The motion to Refer is Sustained.**

## REPORTS FROM COMMITTEES

### COUNCILMAN ROBERT M. CLARKIN, Chairman COMMITTEE ON PUBLIC WORKS

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

Resolution that the One-Way Traffic Flow on State Street be reversed from One-Way Northbound to One-Way Southbound, between Orms Street and Smith Street.

*Resolved*, That the One-Way Traffic Flow on State Street be reversed from One-Way Northbound to One-Way Southbound, between Orms Street and Smith Street.

be established as a One-Way Street in a northerly direction, between Smith Street and Orms Street.

*Resolved*, That Park Street (Service Road No. 9) be established as a One-Way Street in a northerly direction, between Smith Street and Orms Street.

Resolution that Park Street (Service Road No. 9)

Resolution Accompanied by Petition to cause the direction of Traffic on Thayer Street, between

Transit Street and Power Street, be converted from partly One-Way North and Partly Two-Ways North and South, to wholly One-Way North.

*Whereas*, Thayer Street from Hope to Transit Streets has traffic moving one-way south, both north and south and one-way north, in sections:

A. North of Waterman Street, traffic moves south, one-way.

B. Between Waterman and Arnold Streets, traffic moves both ways.

C. South of Arnold Street, traffic is north, one-way;

*Whereas*, Thayer is residential from Power to Transit Streets; and

*Whereas*, Thayer Street is narrower between Power and John than between Power and Waterman Streets, and narrows further between John and Arnold Streets; and

*Whereas*, stop signs at Thayer Street have been installed at Power, Williams, John and Arnold Streets, one of which, at John Street, is a four-way stop; and

*Whereas*, the stop signs have had little, if any, effect in reducing the number of vehicles which cross the intersections without stopping or in preventing accidents and near-misses, with screeching tires; and

*Whereas*, the intersections of Thayer Street at Power, Williams, John and Arnold are dangerous, because that section of Thayer Street is a raceway going south; noise from tires and car radios is very disturbing both day and night; and

*Whereas*, only a few weeks ago at Thayer and Williams an accident resulted in the overturning of a vehicle and another short while ago had resulted in the foundation of a dwelling at that

intersection to be smashed by a vehicle after an accident; and

*Whereas*, further measures are required to reduce the affects of accidents and of near misses, which occur both during the day and at night, causing the residents great concern for their safety and interrupting their rest;

*Now, therefore, be it resolved*, that the direction of traffic on Thayer Street, between Transit Street and Power Street, be converted from partly one-way north and partly two-ways, north and south, to wholly one-way north.

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Resolution that Florence Street be made a One-Way Street, from Kossuth Street to Manton Avenue, travelling in a southerly direction.

*Resolved*, That Florence Street be made a One-Way Street, from Kossuth Street to Manton Avenue, travelling in a southerly direction.

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Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Nelson Street, between Smith Street and Eaton Street, from 8:30 o'clock A.M. to 9:00 A.M. and 2:30 o'clock P.M. to 3:00 P.M. to provide a safe area for the Children at Robert F. Kennedy School during School Days.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Nelson Street, between Smith Street and Eaton Street, from 8:30 o'clock A.M. to 9:00 A.M. and 2:30 o'clock P.M. to 3:00 P.M. to provide a safe area for the Children at Robert F. Kennedy School, during school days.

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Resolution, accompanied by Petition, requesting the Traffic Engineer to cause the installation of Four-Way "Stop" signs at the intersection of Whitford Avenue and Nelson Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of Four-Way "Stop" signs at the intersection of Whitford Avenue and Nelson Street.

Resolution, accompanied by Petition, requesting the Traffic Engineer to cause the installation of Traffic Signal Lights at the Intersection of Douglas Avenue and Chad Brown Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of Traffic Signal Lights at the intersection of Douglas Avenue and Chad Brown Street.

Resolution requesting the Traffic Engineer to cause the installation of Four-Way "Stop" Signs at the Intersection of Molloy Street and Home Avenue.

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

Resolution requesting the Traffic Engineer to cause the installation of Four-Way "Stop" signs at the intersection of Gay Street and Dudley Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of Four-Way "Stop" Signs at the intersection of Gay Street and Dudley Street.

Resolution establishing Detroit Avenue as a One-Way Street.

*Resolved*, That Detroit Avenue be established as a One-Way Street.

Resolution Ordering the abandonment of a portion of Salina Street.

*Resolved, Decreed and Ordered*, That the following named street shown as cross-hatched area on the accompanying plan entitled "Providence, Rhode Island, Department of Public Works — Engineering Office, Street Line Section Plan No. 064490, dated May 26, 1990", viz:

Salina Street (portion of) shown as cross-hatched area on the accompanying plan and designated by the letters (A-B-C-D), having ceased to be useful to the public and the same is proposed to be abandoned as a Public Highway provided a full sewer easement be required for the 60-inch storm sewer line from the northerly line of Clarkson Street to 10-feet north of said 60-inch sewer line, and the damage to the abutters is appraised at nothing and so awarded, and it is further

*Ordered*, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

*Ordered*, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

**Severally Read and Collectively Passed,**



on motion of COUNCILMAN GLAVIN,  
seconded by COUNCILMAN LOMBARDI.

The motion for Passage is Sustained.

The following are transmitted with  
recommendation the Same be Severally  
Denied:

Resolution that Moulton Lane, from Westminster  
Street to a distance of 150 feet be designated  
as "No Parking Reserved for Press."

Petition to abandon that unnamed gangway  
which connects Commodore Street and Touro  
Stret.

Denied, on motion of COUNCILMAN  
GLAVIN, seconded by COUNCILMAN  
LOMBARDI.

Denied, on motion of COUNCILMAN  
GLAVIN, seconded by COUNCILMAN  
LOMBARDI.

The motion to Deny is Sustained.

The motion to Deny is Sustained.

The following petitioner is Granted Leave  
to Withdraw:

Petition of The Miriam Hospital to abandon a  
portion of Seventh Street.

motion of COUNCILMAN GLAVIN, secon-  
ded by COUNCILMAN LOMBARDI.

Petitioner Granted Leave to Withdraw, on

The motion to Withdraw is Sustained.

**COUNCILMAN DAVID G. DILLON, Chairman**  
**COMMITTEE ON FINANCE**

Transmits the following with Recommenda-  
tion the Same be Approved:

Communication from His Honor the Mayor  
dated January 31, 1991, Informing the Honorable

City Council that pursuant to Sections 302 (b) and  
701 of the Providence Home Rule Charter of 1980

he is this day appointing Donald Lopes of 22 Hazard Avenue, Providence, RI, as a Member of the Providence School Board for a term expiring in January of 1994 replacing Anthony Caprio whose term has expired, and respectfully submits same for approval.

January 31, 1991

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

Dear Honorable Members:

Pursuant to Sections 302 (b) and 701 of the Providence Home Rule Charter of 1980, I am this day appointing Donald Lopes of 22 Hazard Avenue, Providence, Rhode Island, as a member of the Providence School Board for a term expiring in January of 1994 replacing Anthony Caprio whose term has expired, and I respectfully submit same for your approval.

Respectfully submitted,

VINCENT A. CIANCI, JR.  
Mayor of Providence

Communication from His Honor the Mayor dated January 28, 1991, Informing the Honorable City Council that pursuant to Sections 302 (b) and 701 of the Providence Home Rule Charter of 1980 he is this day reappointing Roosevelt Benton of 226 Gallatin Street, Providence, RI, as a member of the Providence School Board for a term expiring in January of 1994, and respectfully submits the same for approval.

January 28, 1991

The Honorable Members  
The City Council of the  
City of Providence

City Hall  
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Sections 302 (b) and 701 of the Providence Home Rule Charter of 1980, I am this day reappointing Roosevelt Benton of 226 Gallatin Street, Providence, Rhode Island, as a member of the Providence School Board for a term expiring in January of 1994, and I respectfully submit same for your approval.

Respectfully submitted,

VINCENT A. CIANCI, JR.  
Mayor of Providence

Communication from His Honor the Mayor dated January 28, 1991, Informing the Honorable City Council that pursuant to Sections 302 (b) and 701 of the Providence Home Rule Charter of 1980 he is this day appointing Lisa E. Powers of 92 Salina Street, Providence, RI as a Member of the Providence School Board for a term expiring in January of 1994 replacing Albert Lepore, Jr. whose term has expired, and respectfully submits the same for approval.

January 28, 1991

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

Dear Honorable Members:

Pursuant to Sections 302 (b) and 701 of the Providence Home Rule Charter of 1980, I am this day appointing Lisa E. Powers of 92 Salina Street, Providence, Rhode Island, as a member of the Providence School Board for a term expiring in January of 1994 replacing Albert Lepore, Jr.

whose term has expired, and I respectfully submit same for your approval.

Respectfully submitted,

VINCENT A. CIANCI, JR.  
Mayor of Providence

**Communications Severally Received and Appointments Collectively Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI.**

**The motion of Approval is Sustained.**

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## COMMUNICATION

### FROM THE CITY ASSESSOR:

Certificates (Nos. 23-U and 24-U) 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.

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

**The motion to Refer is Sustained.**

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## FROM THE CLERK'S DESK

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

Robert J. Bonner

Matthew E. Brophy

The Cathedral of St. John

Isabel E. Cabral

Morris Fayerweather

GECC/GEAL/Creative Credit

Joseph M. George

Tina M. Griffin

Angelo and Rose Guarino

Jake Kaplan Associates

Frank S. Lombardi

Bennie Woods

**Severally Referred to the Committee on Claims and Pending Suits, on motion of**

**COUNCILMAN GLAVIN, seconded by  
COUNCILMAN LOMBARDI.**

**The motion to Refer is Sustained.**

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## PRESENTATION OF RESOLUTIONS

### *"In Memoriam"*

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

Resolutions extending Sympathy.

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

Gloria A. DuCharme-Isabella

Charles L. Pistocco, Sr.

Charles R. Kohloff

Raymond DeCosta

Anna E. Barros-Wesley

Ralph J. Babits

Sidney L. Flanagan, Sr.

Mary L. Simeone

Joseph Louis Gesualdi

John L. Fantozzi

Concetta Campanella

William A. Mabray

Flora M. Araujo

Erin C. Roy

Lena Cataldo

Mary Manera

Edith M. Vota

Nicholas Alba

Anna M. Rocchio

Hilda A. Barone

Leo J. Gravier

Espedito Parente

Robert Yeremian

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

**The motion for Passage is Sustained.**

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## MATTERS NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN GLAVIN,  
seconded by COUNCILMAN LOMBARDI, it  
is Voted to Suspend Rule 16 of the Rules of  
the City Council in order to allow the  
introduction of the following matters Not  
appearing on the Printed Docket.

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## PRESENTATION OF RESOLUTIONS

COUNCILMAN LOMBARDI, COUNCIL-  
MAN IGLIOZZI and COUNCILMAN  
FENTON:

Resolution of the City Council requesting the  
Finance Director, Acting City Controller and  
the City Treasurer not to issue payment to  
Fernando S. Cunha, Esquire, or any other  
substitute Probate Court Judge until approval  
has been received by the City Council.

*Resolved*, That the Members of the City Council  
hereby request the Finance Director, Acting City  
Controller and the City Treasurer not to issue  
payment to Fernando S. Cunha, Esquire or any  
other substitute Judge of the Probate Court until  
such time as approval has been received by the  
City Council.

**Read and Passed**, on motion of COUNCIL-  
MAN GLAVIN, seconded by COUNCILMAN  
LOMBARDI.

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

**The motion for Passage is Sustained.**

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Resolution in accordance with Sec. 401 (d) of the  
Providence Home Rule Charter of 1980, for  
permission to retain the services of legal counsel  
to represent the City Council with regard to the  
legal challenge against the appointment of  
Fernando S. Cunha as the Acting Judge of the  
Probate Court.

**Referred to Committee on Finance**, on  
motion of COUNCILMAN GLAVIN, second-  
ed by COUNCILMAN LOMBARDI.

**The motion to Refer is Sustained.**

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## ADJOURNMENT

There being no further business, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI, it is voted to adjourn at 9:35 o'clock P.M. (E.S.T.) to meet again on THURSDAY, MARCH 7, 1991 at 7:30 o'clock P.M. (E.S.T.).

*Rose M. Mandonea*

*City Clerk*





