

**CITY OF PROVIDENCE
RHODE ISLAND**



**CITY COUNCIL
JOURNAL OF PROCEEDINGS**

No. 18 City Council Regular Council Meeting, Thursday, June 18, 2015, 7:00 o'clock P.M.

**PRESIDING
COUNCIL PRESIDENT
LUIS A. APONTE**

CALL TO ORDER

**PRESENT: COUNCIL PRESIDENT APONTE, COUNCILWOMAN CASTILLO,
COUNCILMAN CORREIA, COUNCILWOMAN HARRIS,
COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON,
COUNCILMAN JENNINGS, COUNCILWOMAN MATOS,
COUNCILMAN NARDUCCI, COUNCILMAN PRINCIPE,
COUNCILWOMAN RYAN, COUNCILMAN SALVATORE,
COUNCILMAN YURDIN, COUNCILMAN ZURIER – 15.**

**ALSO PRESENT: LORI L. HAGEN, CITY CLERK, SHERI A. PETRONIO,
ASSISTANT CLERK, TINA MASTROIANNI, ASSISTANT CLERK AND JEFFREY
DANA, CITY SOLICITOR**

IN CITY COUNCIL
JUN 18 2015
APPROVED: *[Signature]* **CLERK**

ROLL CALL

INVOCATION

The Invocation is given by **COUNCILMAN BRYAN PRINCIPE**.

"Dear God, we come to you to offer our thanks as we seek your guidance and strength in this chamber. We pray that your presence bestows blessings upon the entire community. We thank you for the opportunity to serve the people of our city. We also ask for strength and your comfort for the family of our colleague, Councilwoman Carmen Castillo, in the loss of her nephew, Max Rodriguez. We pray that the wonderful memories they had with him will always be cherished. Please keep her family in your grace. Amen."

PLEDGE OF ALLEGIANCE

COUNCILWOMAN JO-ANN RYAN Leads the Members of the City Council and that Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF MINUTES

Journal of Proceedings No. 15 of the Regular Meeting of the City Council held June 4, 2015, Journal of Proceedings No. 16 of the Special Meeting of the City Council held June 8, 2015 and Journal of Proceedings No. 17 of the Special Meeting of the City Council held June 10, 2015, are approved as printed, on Motion of **COUNCILMAN JACKSON**, Seconded by **COUNCILMAN CORREIA**.

RESULT:	APPROVED (WITH VOTE) [UNANIMOUS]
MOVER:	Kevin Jackson, Councilman
SECONDER:	Michael J. Correia, Councilman
AYES:	Aponte, Castillo, Correia, Harris, Hassett, Igliozi, Jackson, Jennings, Matos, Narducci, Principe, Ryan, Salvatore, Yurdin, Zurier – 15.

10-11-2015

APPOINTMENT BY HIS HONOR THE MAYOR

Communication from His Honor the Mayor, dated May 29, 2015, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day appointing Laura Bozzi of 58 Barton Street, Providence, Rhode Island 02909, to the Bike and Pedestrian Advisory Commission, for a term to expire on June 11, 2016. (Ms. Bozzi will replace Jenn Steinfeld who has resigned.)

COUNCIL PRESIDENT APONTE Receives the foregoing matter.

RESULT:	RECEIVED
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ORDINANCE SECOND READING

The Following Ordinance was in City Council June 4, 2015, Read and Passed the First Time and is Returned for Passage the Second Time:

COUNCILMAN PRINCIPE, (By Request):

An Ordinance in Amendment of Chapter 15 of the Ordinances of the City of Providence, Entitled: "Motor Vehicles and Traffic."

SECTION 1. Chapter 15-132 of the Code of Ordinances of the City of Providence shall

be added as follows:

Sec. 15-131. Motorized devices.

It shall be unlawful for any person to operate a motorized device on any public sidewalk or street, or on any property owned and/or operated by the Providence Parks Department or the City of Providence. For the purposes of this section, a "motorized device" means a device which may be propelled by human power or helper power or by both, with a motor rated not more than one and one-half (1½) brake horsepower or two (2) (S.A.E.) horsepower, which is capable of a maximum speed of not more than thirty (30) miles per hour, except vehicles moved exclusively by human power, electric personal assistive mobility devices, including Segways, motorized wheelchairs and motorized scooters designed for individuals with disabilities, or any other vehicle utilized by a disabled person as his or her only practicable means of transportation.

For the purposes of this section, a "motorized device" shall not include any such device being operated by members of the Providence Police Department, or any employee of the parks department, or their designees, or any employee of the City of Providence operating the vehicle in an official capacity, or any authorized agent of the city.

For the purpose of this section, the terms *disabled* and *disabilities* refer to an impairment which prevents or impedes walking, which shall include but not be limited to:

- (1) An impairment which prevents walking and requires use of a wheelchair;
- (2) An impairment which involuntarily causes difficulty or insecurity in walking or climbing stairs with or without the need to use braces, crutches, canes or artificial support;
- (3) An impairment caused by amputation, arthritis, or an orthopedic condition;
- (4) An impairment in respiratory, circulatory, or neurological health which limits the person's walking capability; or
- (5) An impairment caused by the taking of medication that prohibits a person from holding a driver's license.

When a minor operates a motorized device, the minor's legal guardian is liable and legally responsible for all injuries and damages caused by the minor's operation of the motorized device, and for the minor's violation of this section.

Any motorized device being operated in violation of this section shall be confiscated by the Providence Police Department, and removed by towing or other means. Such devices shall be recovered only upon payment of applicable fines or completion of community service, if any.

Any person convicted of willfully violating this section shall be guilty of an infraction punishable by a fine not to exceed one hundred dollars (\$100.00) and/or a requirement to perform community service for a total time not to exceed twenty (20) hours over a period not to exceed thirty (30) days, during times other than his or her hours of school attendance and employment. Each violation of this section mentioned section shall be a separate infraction.

A second violation of this section shall be punishable by a fine not to exceed two hundred fifty dollars (\$250.00) and/or a requirement to perform community service for a total time not to exceed twenty (20) hours over a period not to exceed thirty (30) days, during times other than his or her hours of school attendance and employment. Any third-time violator shall forfeit the motorized device, in addition to payment of a fine not to exceed three hundred dollars (\$300.00) and community service as provided for a second-time offender.

Sec. 15-132. Low Speed Vehicles

(a) For the purposes of this chapter, a low speed vehicle means a self-propelled, electrically or gas powered motor vehicle which: is designed to carry four (4) or fewer persons; is designed to be, and is, operated at speeds of twenty-five (25) miles per hour or less; and conforms to the maximum safety equipment requirements as adopted in the Federal Motor Vehicle Safety Standard No. 500, Low Speed vehicles (49 C.F.R. 571.500).

(b) Notwithstanding the provisions of Sec. 15-131, the following organizations are authorized to operate low speed vehicles upon public streets and incidentally upon sidewalks if those vehicles meet the requirements of this section: The Omni Group; Providence Downtown Improvement District; Rhode Island Convention Center Authority; Providence Neighborhood Planting Program; the Dunkin' Donuts Center, or any other organization approved by the chief of police.

(c) Each person operating a low speed vehicle on a public sidewalk or street shall possess a valid driver's license issued pursuant to § 31-10-1.

(d) Every operator of a low speed vehicle shall maintain financial responsibility on such low speed vehicle if the low speed vehicle is to be operated upon public streets.

(e) The operator of a low speed vehicle shall observe all traffic laws and local ordinances regarding the rules of the road. A low speed vehicle shall not be operated on a street or a highway with a posted speed limit greater than twenty-five (25) miles per hour. The provisions of this subsection shall not prohibit a low speed vehicle from crossing a street or highway with a posted speed limit greater than thirty-five (35) miles per hour.

(f) No person shall operate a low speed vehicle: (1) in any careless way as to endanger the person or property of another; or (2) while under the influence of alcohol or any controlled substance. Low speed vehicles shall be manufactured and comply with the standards of the National Traffic Safety Administration Standards for low speed vehicles as set out in 49 C.F.R. 571.500, as amended.

SECTION 2. This ordinance, as amended, shall take effect upon passage.

Read and Passed the Second Time, on Motion of COUNCILMAN JACKSON, Seconded by COUNCILMAN CORREIA, by the following Roll Call Vote:

RESULT:	READ/PASSED SECOND TIME [UNANIMOUS]
MOVER:	Kevin Jackson, Councilman
SECONDER:	Michael J. Correia, Councilman
AYES:	Aponte, Castillo, Correia, Harris, Hassett, Igliozi, Jackson, Jennings, Matos, Narducci, Principe, Ryan, Salvatore, Yurdin, Zurier – 15.

The Motion for Passage the Second Time is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILMAN ZURIER, COUNCILMAN SALVATORE

Resolution Requesting a presentation by the PFM Group to the Committee on Finance concerning the methodology, findings and recommendations presented in their report.

COUNCILMAN ZURIER, COUNCILMAN SALVATORE

Resolution Requesting the Committee on Finance schedule a review of the City Council budget.

COUNCILMAN JACKSON Moves to Dispense with the Reading of the foregoing matters, Seconded by COUNCILMAN CORREIA.

COUNCIL PRESIDENT APONTE Refers the Several Resolutions to the Committee on Finance.

RESULT:	REFERRED
TO:	Committee on Finance

PERSONAL EXPRESSION

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

"I would just like to explain why these resolutions have been drafted and submitted to the Finance Committee. The first one refers to a consultant's report that the administration presented on May 21st concerning the long range financial projections. The headline was that there is an \$85.4 million dollar structure deficit that will accumulate by 2021. The next week the administration admitted that \$8.7 million of that was actually a mistake because that's going to have to be paid off over the next two years as part of state law. The other thing that's interesting is that if you look at some of the other assumptions the consultant made they're very different from what the administration made when it set its budget. For example, the administration is doing natural tax growth at 2% and the administration assumed PILOT from the state of either \$27.1 or \$29.6 million, if you adjust those two plus the \$8.7 million then suddenly the deficit goes down to \$20 million. So, that's an example of when you make these long range projections you have to make sure that you're initial assumptions are correct and that's why I'm hopeful that we can, through the Finance Committee, improve the quality of the PFM Report. The second has to do with the fact that there was no hearing on the City Council budget before the Finance

Committee before the Finance Committee approved the budget, and the request was that the Finance Committee have a hearing even though we've already approved the budget. The reason being is if we want to hold all the city departments accountable to us, it's only fair that we hold ourselves accountable to the taxpayers. That's why we have to have a full vetting of that budget, which includes a 13.8% increase, which is one of the highest of any city department. It includes a new \$108,000.00 position and it also includes a \$75,000.00 contingency line. As it happens, there is an additional reason for that review, which is that the General Assembly has now come closer to approving \$1.5 million dollars less in State Aid that's been put into our budget. So, we're going to have to look for ways to close that \$1.5 million dollar deficit. We will be looking for all savings from all departments and perhaps savings will be found in the City Council budget. Thank you very much."

REPORT(S) FROM COMMITTEE

COMMITTEE ON FINANCE COUNCILMAN JOHN J. IGLIOZZI, Chairman

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

COUNCILMAN HASSETT, (By Request):

An Ordinance Establishing a Tax Exemption and Stabilization Plan for 32 Custom House Street.

**Read and Passed the First Time, on Motion of COUNCILMAN JACKSON, Seconded by
COUNCILMAN CORREIA, by the following Roll Call Vote:**

RESULT:	READ/PASSED FOR THE FIRST TIME [UNANIMOUS]
MOVER:	Kevin Jackson, Councilman
SECONDER:	Michael J. Correia, Councilman
AYES:	Aponte, Castillo, Correia, Harris, Hassett, Igliazzi, Jackson, Jennings, Matos, Narducci, Principe, Ryan, Salvatore, Yuridin, Zurier – 15.

The Motion for Passage the First Time is Sustained.

COUNCILWOMAN RYAN, COUNCILWOMAN HARRIS, COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCILWOMAN MATOS, COUNCILMAN PRINCIPE, COUNCILMAN NARDUCCI

An Ordinance Amending Chapter 2, Section 4, "Authority to Comprise Interest on Overdue Taxes, Assessments," of the Code of Ordinances.

COUNCILWOMAN RYAN Moves to Amend the Ordinance by changing the word "compromise" to "comprise" three times in the document, Section (a) after the word "his" add "or her" and fourth line down delete the word "comprise" and insert "action.", Seconded by COUNCILMAN JACKSON.

COUNCILMAN JACKSON Moves Passages of the Ordinance the First Time, As Amended, Seconded by COUNCILMAN CORREIA, by the following Roll Call Vote:

RESULT:	READ/PASSED (AS AMENDED) 1X [14 TO 1]
MOVER:	Kevin Jackson, Councilman
SECONDER:	Michael J. Correia, Councilman
AYES:	Aponte, Castillo, Correia, Harris, Hassett, Igliazzi, Jackson, Jennings, Matos, Narducci, Principe, Ryan, Salvatore, Zurier – 14.
ABSENT:	Yurdin – 1.

PERSONAL EXPRESSION

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

"Going through the budget like we did just recently, and with the URRP budget coming up, I've noticed a couple of things that I'm hoping that I can get the support of my colleagues because some of us said how important our libraries are to us, and I know anyway, and I know all of you know how important our libraries are to us. I think at this point in time, with the CDBG funding, I know for a fact myself I am going to allocate some of my CDBG funds to the libraries. A lot of our libraries are safe havens to our children more so in the winter time then the summer time because obviously outdoors in the summer time they have a lot more to do then they do in the winter time. It would be a shame on us and a shame on the administration without supporting what we need to do with the libraries. So, I stand here tonight asking through the URRP budget that we make sure we do anything we can to support our libraries 100% of what they're asking for, and if any of you guys can reach into your CDBG funds, I know all our neighborhoods need a lot of work, but even if it's a \$5,000.00 apiece that you can give out to the libraries, I know I would appreciate it and I know our friends at the libraries would appreciate it, but more importantly I know the children in our fifteen wards would appreciate it. I'm just going to talk about the Wanskuck Library quick. It's been there forever. The city has let it go forever and it's like anything else, if you don't keep it up down the road you pay even more to try to get our libraries safe for our kids. This is not the time to take money away from the libraries. This is the time to support, all fifteen of us. We have to support what we can with the CDBG funds that are about to come before us. Thank you."

FROM THE CLERK'S DESK

Petitions for Compensation for Injures and Damages, viz:

Heriberto Guelen
Jeffrey Padwa
Serena L. Simeone
Sheila Sanchez
Lori Graham
Juanita Isom
Verizon
National Grid
Alice C. Barrera
(Frank L. Orabona, Jr., Esquire)
David Hyland
(Raymond J. Haskell, Jr., Esquire)
Robert Dimmick
James L. Nelson
Virginia Jalbert
Blaine M. Mota
Outside Plant Damage Recovery, LLC
a/s/o Cox Communications
Wilber & Associates
a/s/o USAA /Daniel Goldman

Jack D. Marques
Allstate
a/s/o David Chianese
(Erin Illuzzi, Esquire)
Scott R. Pray
Barry W. Fain
Lissette Fernandez
(Christopher E. Fay, Esquire)
Mary Garcia
Arthur Fixler
(Richard C. Tallo, Esquire)
Carl Johnson
Raymond Duran
(William L. Wheatley, Esquire)
Derrick Watson
Courtney Carvalho
(Joseph J. Voccola, Esquire)
Raymond G. Gustafson
Karen L. Fisher

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

RESULT:	REFERRED
TO:	Committee on Claims and Pending Suits

**PRESENTATION OF RESOLUTIONS
"IN CONGRATULATIONS"**

COUNCIL PRESIDENT APONTE AND MEMBERS OF THE CITY COUNCIL

Resolution Extending Congratulations.

RESOLVED, That the Members of the City Council hereby extend their Sincere
Congratulations to the following:

Michael Edward Kelly, Club 22, in recognition of his installation as the 105th President of the Rotary Club of Providence for 2015-2016.

Firefighter Alan Sousa, Special Hazards 1, Group "B", in recognition of his retirement after 28 Years of dedicated service to the Providence Fire Department.

Esmeralda Alvarez, in recognition of her Graduation from Roger Williams Day Care on June 11, 2015.

Kristian Banson-Gray, in recognition of her Graduation from Roger Williams Day Care on June 11, 2015.

Kayleana Curran, in recognition of her Graduation from Roger Williams Day Care on June 11, 2015.

Katherine DaVeiga, in recognition of her Graduation from Roger Williams Day Care on June 11, 2015.

Shamahrie Davis, in recognition of her Graduation from Roger Williams Day Care on June 11, 2015.

Amari Delves, in recognition of her Graduation from Roger Williams Day Care on June 11, 2015.

Tiyarri-Dennis-Gass, in recognition of her Graduation from Roger Williams Day Care on June 11, 2015.

Jaden Duffaut, in recognition of his Graduation from Roger Williams Day Care on June 11, 2015.

Josiah Lapsey, in recognition of his Graduation from Roger Williams Day Care on June 11, 2015.

Kemani Miller, in recognition of his Graduation from Roger Williams Day Care on June 11, 2015.

Samir Montervil, in recognition of his Graduation from Roger Williams Day Care on June 11, 2015.

Isabella Nardolillo, in recognition of her Graduation from Roger Williams Day Care on June 11, 2015.

Emmanuel Oyewale, in recognition of his Graduation from Roger Williams Day Care on June 11, 2015.

Janee Rene, in recognition of her Graduation from Roger Williams Day Care on June 11, 2015.

Kanisha Roberts, in recognition of her Graduation from Roger Williams Day Care on June 11, 2015.

Ava Smith, in recognition of her Graduation from Roger Williams Day Care on June 11, 2015.

Alba Guzman, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Alicia Nunez, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Amy Punchak, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Angela Ferrara, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Ashlee Matthews, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Beth Azero, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Cesarina Zabala, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Collita Miller, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Elizabeth "Fran" Marsh, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Leah Seton, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Leshia (Leslie) Sanchez, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Lisa Scorpio, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Oneyda Fernandez, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Steven Santos, in recognition of the celebration of his Graduation from the Parent Leadership Training Initiative.

Teresa Guaba, in recognition of the celebration of her Graduation from the Parent Leadership Training Initiative.

Lieutenant Joseph McCoart, Ladder Company 3, Group "B", in recognition of his retirement after 32 Years of dedicated service to the Providence Fire Department.

Firefighter Gary Manfredi, Engine Company 5, Group "B", in recognition of his retirement after 23 Years of dedicated service to the Providence Fire Department.

Brooke Hassett, in recognition of the celebration of her Graduation from East Greenwich High School on June 7, 2015.

Miguel Matos, in recognition of being honored as an Outstanding Father of 2015 Padre Extraordinario del 2015 Event on June 21st.

Wilbrod Gravel, in recognition of being honored as an Outstanding Father of 2015 Padre Extraordinario del 2015 Event on June 21st.

Carlos Manuel de la Rosa, in recognition of being honored as an Outstanding Father of 2015 Padre Extraordinario del 2015 Event on June 21st.

Josue-Josh Canario, in recognition of being named Chief of Police in the Town of Bristol, Rhode Island.

**Severally Read and Collectively Passed, on motion of COUNCILMAN JACKSON,
Seconded by COUNCILMAN CORREIA.**

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Kevin Jackson, Councilman
SECONDER:	Michael J. Correia, Councilman
AYES:	Aponte, Castillo, Correia, Harris, Hassett, Igliozi, Jackson, Jennings, Matos, Narducci, Principe, Ryan, Salvatore, Yurdin, Zurier – 15.

The Motion for Passage is Sustained.

**PRESENTATION OF RESOLUTIONS
"IN MEMORIAM"**

COUNCIL PRESIDENT APONTE AND 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:

Robert A. DiPetrillo

Armando Carvalho

Joseph Andre Caffey, Sr.

Severally Read and Collectively Passed, by a Unanimous Rising Vote, on Motion of COUNCILMAN JACKSON, Seconded by COUNCILMAN CORREIA.

RESULT:	READ AND PASSED [UNANIMOUS]
MOVER:	Kevin Jackson, Councilman
SECONDER:	Michael J. Correia, Councilman
AYES:	Aponte, Castillo, Correia, Harris, Hassett, Igliozi, Jackson, Jennings, Matos, Narducci, Principe, Ryan, Salvatore, Yurdin, Zurier – 15.

The Motion for Passage is Sustained.

**MATTERS NOT APPEARING
ON THE PRINTED DOCKET**

On Motion of COUNCILMAN JACKSON, Seconded by COUNCILMAN CORREIA, it is voted to Suspend Rule 16(b) of the Rules of the City Council in order to allow the introduction of the following Matters not Appearing on the Printed Docket.

COUNCILWOMAN RYAN

Resolution Formally Naming "Carnegie at Mount Pleasant High School."

COUNCIL PRESIDENT APONTE Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning.

RESULT:	REFERRED
TO:	Committee on Urban Redevelopment, Renewal and Planning

COUNCILMAN ZURIER

Resolution Formally Naming "360° High School at Hope High School" for the 2015-2016 School Year.

COUNCIL PRESIDENT APONTE Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning.

RESULT:	REFERRED
TO:	Committee on Urban Redevelopment, Renewal and Planning

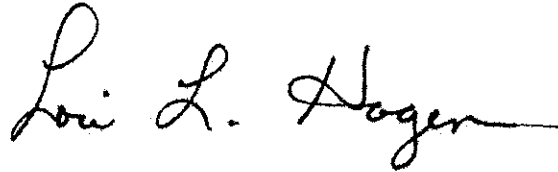
Communication from His Honor the Mayor Jorge O. Elorza, dated June 16, 2015, submitting the Tentative Agreement by and between the City of Providence and the Providence Teachers Union, AFT Local 958, for the period of September 1, 2014 through August 31, 2017.

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

RESULT:	REFERRED
TO:	Committee on Finance

CONVENTION

There being no further business, on Motion of **COUNCILMAN JACKSON**, Seconded by **COUNCILMAN CORREIA**, it is voted to adjourn at 7:35 o'clock P.M., to meet again **UPON THE RISE OF THE 7:00 O'CLOCK REGULAR CITY COUNCIL MEETING.**

A handwritten signature in black ink, reading "Lori L. Hagen". The signature is written in a cursive, flowing style with a long horizontal line extending from the end of the name.

**LORI L. HAGEN
CITY CLERK**

**This meeting was recorded and the video may be viewed on demand via the internet.
Please visit the City Clerk web site or contact us directly for details.**

