

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL
JOURNAL OF PROCEEDINGS

No. 21 City Council Regular Meeting, Thursday, October 5, 1995, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT PRO TEMPORE

EVELYN V. FARGNOLI

IN CITY COUNCIL
NOV 2 1995

APPROVED:

ROLL CALL

CLERK

Present: Council President Pro Tempore Fargnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliozi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—14.

Absent: Council President Petrosinelli—1.

INVOCATION

The Invocation is given by COUNCILMAN
KEVIN JACKSON.

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

COUNCILMAN KEVIN JACKSON leads
the members of the City Council and the
Assemblage in the Pledge of Allegiance to
the Flag of the United States of America.

NOMINATION OF CERTAIN CITY OFFICERS

JUDGE OF THE PROBATE COURT and
CLERK OF THE PROBATE COURT:

COUNCIL PRESIDENT PRO TEMPORE
FARGNOLI informs the Members of the City
Council that Nominations are in order for
the Office of Judge of the Probate Court and
for Clerk of the Probate Court for the term
of Six (6) years ending on the First Thursday
in November, 2001.

COUNCILMAN IGLIOZZI places in nom-
ination the names of JOHN E. MARTI-
NELLI, ESQUIRE, as Judge of the Probate
Court and FRANK S. LOMBARDI,
ESQUIRE, as clerk of the Probate Court.

The several nominations are seconded by
COUNCILWOMAN DIRUZZO.

COUNCIL PRESIDENT PRO TEMPORE
FARGNOLI calls for further Nominations
and there are None.

There being no further nominations, on
motion of COUNCILMAN IGLIOZZI,
seconded by COUNCILWOMAN DIRUZZO it
is voted that nominations be closed.

The nomination of JOHN E. MARTI-
NELLI, ESQUIRE, only nominee as Judge
of the Probate Court of the City of Provi-
dence and FRANK S. LOMBARDI, ES-

QUIRE, only nominee as Clerk of the Probate Court of the City of Providence are thereupon laid on the City Clerk's Desk for the prescribed period of time in accordance with law.

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

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated September 15, 1995, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980 and 1994 Ordinance 365, Chapter 502.1, he is this day reappointing Guy Abelson of 729 Hope Street, Providence, Rhode Island, as a Member of the Downcity District Design Review Commission for a term expiring in September, 1998.

Providence Home Rule Charter of 1980 and Ordinance 1960, Chapter 1342, he is this day reappointing Ms. Lisa Watt-Ardente of 660 Elmgrove Avenue, Providence, Rhode Island, as a member of the Historic District Commission for a term to expire in September, 1998.

Communications Severally Received and Appointments Collectively Approved, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DIRUZZO.

Communication dated September 15, 1995, Informing the Honorable Members of the City Council that pursuant to Section 302 (b) of the

The motion for Passage, is Unanimously Sustained.

PRESENTATION OF ORDINANCE

COUNCILWOMAN FARGNOLI (By Request):

An Ordinance in amendment of and in addition to Article XV "City Plan Commission" of the City Code of Ordinances.

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI refers the Ordinance to the Committee on Ordinances.

The motion to Refer, is Unanimously Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILMAN ALLEN (By Request):

Resolution authorizing the City Collector to cause the taxes to be abated on that property located along 677 Cranston Street in the amount of Fifty-Thousand, Nine Hundred Sixteen Dollars, Forty Cents (\$50,916.40) as requested by the Providence Redevelopment Agency.

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI refers the Resolution to the Committee on Finance.

The motion to Refer, is Unanimously Sustained.

COUNCILMAN GLAVIN (By Request):

Resolution authorizing the City Collector to cause the taxes to be abated in the amount of One Thousand, Five Hundred Ninety Dollars, Twenty Cents (\$1,590.20) on that property located along 100 Lydia Street and as designated as Assessor's Plat 68, Lot 551 and 552, as requested by Jose E. and Alidia M. Lili.

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI refers the Resolution to the Committee on Finance.

The motion to Refer, is Unanimously Sustained.

COUNCILMAN IGLIOZZI (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of Signs to be posted along Grimwood Street to read as follows "No Illegal Dumping \$500.00 Fine call 941-DIRT".

Resolved, That the Traffic Engineer is requested to cause the installation of Signs to be posted along Grimwood Street to read as follows "No Illegal Dumping \$500.00 Fine call 941-DIRT".

COUNCILMAN JACKSON (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Edgehill Road, from Camp Street to Summit Avenue, on Saturday, September 30, 1995 between the hours of 10:00 o'clock A.M. to 5:00 o'clock P.M.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Edgehill Road, from Camp Street to Summit Avenue, on Saturday, September 30, 1995 between the hours of 10:00 o'clock A.M. to 5:00 o'clock P.M.

Resolution Requesting the Chief Electrical Inspector to cause the installation of a light fixture on Pole No. 12, located along 112 Jenkins Street.

Resolved, That the Chief Electrical Inspector is requested to cause the installation of a light fixture on Pole No. 12, located along 112 Jenkins Street.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along 30 Rochambeau Avenue, south on Camp Street, east on Olney Street, south on Hope and Thayer Streets and west on Meeting Street on Saturday, October 28, 1995, between the hours of 9:00 o'clock A.M. to 1:00 o'clock P.M. for a Parade

by the Bethel African Methodist Episcopal Church.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along 30 Rochambeau Avenue, south on Camp Street, east on Olney Street, south on Hope and Thayer Streets and west on Meeting Street on Saturday, October 28, 1995, between the hours of 9:00 o'clock A.M. to 1:00 o'clock P.M. for a Parade by the Bethel African Methodist Episcopal Church.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO.

The motion for Passage, is Unanimously Sustained.

COUNCILMAN LOMBARDI (By Request):

Resolution authorizing the Providence Public Building Authority, the Rhode Island Public Transit Authority and the Mount Hope Neighborhood Land Trust for the Development of Affordable Housing for transfer various parcels of land located in the City of Providence to the Providence Redevelopment Agency.

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI refers the Resolution to the Committee on City Property.

The motion to Refer, is Unanimously Sustained.

COUNCILMAN MANCINI, COUNCIL PRESIDENT PETROSINELLI, COUNCILMAN ALLEN, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILWOMAN FARGNOLI, COUNCILMAN GLAVIN, COUN-

CILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCILMAN LOMBARDI, COUNCILWOMAN NOLAN, COUNCILMAN ROLLINS, COUNCILWOMAN WILLIAMS and COUNCILWOMAN YOUNG:

Resolution extending the sincere best wishes of the Members of the City Council to Pasquale "Tom" D'Amico for a complete and speedy recovery from his recent operation.

Resolved, That the Members of the City Council hereby extend their sincere best wishes to Pasquale "Tom" D'Amico for a complete and speedy recovery from his recent operation.

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Forestry Division of the Parks Department to remove that dead tree located in front of 343 Doyle Avenue, next to the driveway.

Resolved, That the Forestry Division of the Parks Department is requested to remove that dead tree located in front of 343 Doyle Avenue, next to the driveway.

COUNCILWOMAN WILLIAMS:

Resolution amending Resolution No. 74, approved January 24, 1995 relative to the Study Commission on Education by adding One (1) additional School Board Member.

Resolved, That Resolution No. 74, approved January 24, 1995 relative to the Study Commission on Education is hereby amended by adding One (1) additional School Board Member.

Severally Read and Collectively Passed,
on motion of COUNCILMAN IGLIOZZI,
seconded by COUNCILWOMAN DiRUZZO.

The motion for Passage, is Unanimously
Sustained.

PERSONAL EXPRESSION

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

"I want to take this opportunity to comment
on the article in Monday's Providence Journal
newspaper regarding the fact that the City is not
implementing the Healthmate 2000 Plan for all
City employees. It's been 4 months that the City
employees have been without a Union Contract.
I don't understand the delay in working out the
agreement. It is totally unfair to the teachers to
be paying a co-pay to maintain Classic Blue if
that is there preference, when other City
employees are getting Classic Blue without a co-
pay. We must treat all City employees equally.

I request that the Leadership arrange a meeting
with the Administration to discuss this important
issue as soon as possible. Again, I want to say
that it is unfair to target the Teachers Union and
to appear to be unfair to them. In support of the
Teachers who are working together with us to
finalize this contract and who are willing to work
on the educational reform recommended by
PROBE, I am encouraged by the show of coop-
eration from the Teachers and I think it would
be terrible to jeopardize that by having this
discrepancy. So, I hope that this will be cleared
up very soon and I implore that the Leadership
do something about that, thank you."

REPORTS FROM COMMITTEES

COUNCIL PRESIDENT PRO TEMPORE

EVELYN V. FARGNOLI

CITY COUNCIL COMMITTEE OF THE WHOLE

Transmits with Recommendation, the same
be Adopted:

An Ordinance establishing a Tax Stabilization
Plan as amended.

COUNCILMAN IGLIOZZI moves that the
Ordinance be Amended as follows:

"Page 3, Section 3 included the language
"21-129".

Page 3, Section 3 Payments. Line 7 delete
the words "to be used to pay debt service

on the general obligation debt" and delete same language last three lines of said section".

Page 6, end of Section 6, shaded section "a comprehensive agreement reasonably satisfactory to the City and State".

Section 7 (c) last line "The City's MBE/WBE Coordinator shall monitor compliance with this subsection."

(d) Seventh line add: "Such efforts shall include, but shall not be limited to, including a statement in each tenant lease describing the training program and providing guidance as to procedures".

Page 7, Section (g) third line "It is understood that the City shall have no financial obligation for such service".

Page 8, Section (i) sixth line insert "PPG shall indemnify and hold the City, its agents, servants, officers and employees harmless from any and all claims, losses, actions, causes of action, costs, charges, fees (including attorneys' fees), violations (including any administrative action for violation of any Federal, State or local law, statute, regulation, rule or ordinance brought by any quasi-governmental or governmental entity or any board, bureau, agency, department, division thereof), on account of the presence of any contaminant, or hazardous or toxic substance at or near the Project and/or Site."

Section (j) second line "for the aforementioned Anchor Tenants without the consent of the City, which consent will not be reasonably withheld."

Section (k) seventh line "It is not expected that revenues in excess of the expense of maintaining the Garage and reducing the parking fees as set forth above will ever be generated. To the extent, however, that such

excesses should be generated the City shall be entitled to such share of revenues as is commensurate with its interest in the Garage."

Page 12, Section 14, third line add "March 1, 1996".

This motion being seconded by COUNCILWOMAN DiRUZZO, is put to vote and Passed, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Fagnoli, Councilmen Allen, Clarkin, Councilwoman DiRuzzo, Councilmen Glavin, Igliozi, Jackson, Lombardi, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—12.

Noes: Councilman DeLuca—1.

Absent: Council President Pertrosinelli and Councilman Mancini—2.

The motion to Amend, is Sustained.

COUNCILMAN IGLIOZZI moves that the Ordinance be Read and Passed, the First Time, as Amended.

This motion being seconded by COUNCILWOMAN DiRUZZO is put to vote and Passed, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Fagnoli, Councilmen Allen, Clarkin, Councilwoman DiRuzzo, Councilmen Glavin, Igliozi, Jackson, Lombardi, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—12.

Noes: Councilman DeLuca—1.

Absent: Council President Pertrosinelli and Councilman Mancini—2.

The motion for Passage, the First Time, as Amended, is Sustained.

PERSONAL EXPRESSION

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

"Just a brief point on personal privilege. The other day in the Education Committee Meeting, there were parents appointed by the City Council and it was quite obvious that those parents came from one Ward and there was not a parent of Color on that Ward on that Committee. Since the population of the School System is 76% minority,

I think it would behoove us to go out and find minority parents. I know they are there and I have been working with them in the PERC Group, in the PROBE Group. There are parents that are ready, willing and able to serve and I think it is a terrible . . . I just think that we are not representing the people of the City the way we should be."

REPORTS FROM COMMITTEES

COUNCILWOMAN EVELYN V. FARGNOLI, Chairwoman COMMITTEE ON FINANCE

Transmits the following with the recommendation the same be approved:

Resolution authorizing the City Collector to cause the taxes to be abated on that property located along 236 Atlantic Avenue in the amount of Two Thousand, Seventy-Nine Dollars, Ninety-Seven Cents (\$2,079.97) as requested by the Elmwood Foundation for Architecture & Historic Preservation.

Resolved, That the City Collector is hereby authorized to cause the taxes to be abated on that property located along 236 Atlantic Avenue in the amount of Two Thousand, Seventy-Nine Dollars, Ninety-Seven Cents (\$2,079.97) as requested by the Elmwood Foundation for Architecture & Historic Preservation.

Read and Passed, on motion of COUNCIL-

MAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Fagnoli, Councilmen Allen, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—12.

Noes: None.

Absent: Council President Pertrosinelli, Councilmen Clarkin and Mancini—3.

The motion for Passage, is Sustained.

**COUNCILMAN JOHN J. LOMBARDI, Chairman
COMMITTEE ON CITY PROPERTY**

**Transmits the following with recommenda-
tion the same be Adopted, as amended:**

An Ordinance consenting to the Rhode Island Economic Development Corporation Condemnation of Certain City Property, acknowledging intent to dedicate certain property for public use and granting easements in certain City Property, as amended.

COUNCILMAN IGLIOZZI moves that the Ordinance be amended as follows:

Page 2, after the word WHEREAS, insert the words "the City finds";

Page 3, Section 2, seventh line insert the words "three (3) inches" and fourth line from the bottom, insert the words "as determined by the City";

Page 4, Section 4, ninth line from the bottom after the word "would" insert the word "unreasonably".

Page 5, Section 6 after the word "the" insert the word "Corporation", and ninth line from the bottom in Section 6 after the word "regulations" insert the following: "and, upon completion, the appropriate municipal bodies shall review the same for acceptance as Public Ways. Any required relocation of utilities shall be done at the expense of PPG."

This motion being seconded by COUNCILWOMAN DiRUZZO is put to vote and passed, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Fagnoli, Councilman Allen, DeLuca, Coun-

cilwoman DiRuzzo, Councilmen Glavin, Igliozi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—13.

Noes: None.

Absent: Council President Pertrosinelli and Councilman Clarkin—2.

The motion to Amend, is Sustained.

COUNCILMAN IGLIOZZI thereupon moves that the Ordinance be Read and Passed, the First Time, as amended.

This motion being seconded by COUNCILWOMAN DiRUZZO is put to vote and passed, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Fagnoli, Councilman Allen, Councilwoman DiRuzzo, Councilmen Glavin, Igliozi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—12.

Noes: Councilman DeLuca—1.

Absent: Council President Pertrosinelli and Councilman Clarkin—2.

The motion for Passage, the First Time, as Amended, is Sustained.

COMMUNICATIONS AND REPORTS

FROM FRANK S. LOMBARDI, ESQUIRE, CLERK OF THE PROBATE COURT:

Communication dated September 22, 1995, informing the Honorable Members of the City Council that he is hereby, this day, appointing Julia M. Rollins, as Deputy Clerk of the Probate Court of the City of Providence.

Received.

FROM THE CITY ASSESSOR:

Certificates (nos. 8Z and 9Z) recommending the same be severally canceled 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 PRO TEMPORE FARGNOLI refers the Certificates to the Committee on Claims and Pending Suits.

The motion to Refer, is Unanimously Sustained.

FROM THE CITY COLLECTOR:

Certificates (Nos. 22, 23, and 24) recommending the cancellation of tangible and excise taxes for the years 1984 through 1994 pursuant to the provisions of Section 44-7-14 of the General Laws of the State of Rhode Island, 1956 as amended, inasmuch as the same have been determined to be uncollectable.

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI refers the Several Certificates to the Committee on Claims and Pending Suits.

The motion to Refer, is Unanimously Sustained.

FROM THE CITY PLAN COMMISSION:

Communication dated September 22, 1995, informing the Honorable Members of the City Council that pursuant to Section 503.4 (b) of the Providence Zoning Ordinance Chapter 1994-24 No. 365, as amended that the Laurelmead element of Butler Hospital Master Plan dated September 15, 1995 with findings of fact and six (6) conditions is consistent with Providence 2000, the Comprehensive Plan and all elements thereof.

Received.

FROM THE CLERK'S DESK

Petition of John Dziedzic, Treasurer, Warren Equities, Inc., One Warren Way, Providence, Rhode Island, requesting permission for renovations to premises known and numbered as 27 Warren Way, allowing encroachment of a new concrete foundation and a new concrete ramp for handicapped accessibility.

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI refers the Petition to the Committee on Public Works.

The motion to Refer, is Unanimously Sustained.

Petitions for Compensation for Injuries and Damages, viz;

Tabitha Chakouian

Kevin O'Neill

Laurie Ann Desmarais p.p.a. Sara Desmarais

Patricia M. Iadevaia

Angelo M. Grande

Julie Maley

Simone Jenice Whatley

Vicki Levesque

United States Fidelity & Guaranty Co., a/s/o
Patrick Kierce & Sons Landscaping

James W. Bodnar, Jr.

Anthony Catalano

John Berman

Hugo F. Cardona

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Severally Refers the Petitions to the Committee on Claims and Pending Suits.

The motion to Refer, is Unanimously Sustained.

PRESENTATION OF CITATIONS

"In Congratulations"

COUNCIL PRESIDENT PETROSINELLI and the MEMBERS of the CITY COUNCIL:

Citations Extending Congratulations.

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

Colonel Urbano Prignano, Jr., Chief of Police in recognition of the celebration of being appointed Colonel of the Providence Police Department.

Paul Verrecchia, in recognition of the celebration of being promoted to Major of the Providence Police Department.

Richard Sullivan, in recognition of the celebration of being promoted to Major of the Providence Police Department.

Stephen McCartney, in recognition of the celebration of being promoted to Major of the Providence Police Department.

Cornel Young, in recognition of the celebration of being promoted to Major of the Providence Police Department.

Mr. and Mrs. Cosmo and Ester Cambio, in recognition of being the recipient of the 1995 Service Award for the Grand Lodge, Order Sons of Italy in America for their dedication in furthering the Italian Culture throughout the State of Rhode Island.

Alfred and Delores Ferrara, in recognition of the celebration of their 25th Wedding Anniversary on October 21, 1995.

Mr. and Mrs. Jerry Abatiello, in recognition of the celebration of their 50th Wedding Anniversary.

Sergeant Walter Chin, in recognition of your

heroic action on June 27, 1995, in saving the life of a Citizen of the City of Providence.

Patrol Officer Anthony Hampton, in recognition of your heroic action on June 27, 1995, in saving the life of a Citizen of the City of Providence.

Patrol Officer George San Antonio, in recognition of your heroic action on June 27, 1995, in saving the life of a Citizen of the City of Providence.

Sergeant Dean Isabella, in recognition of your heroic action on August 25, 1995, in saving the life of a Citizen of the City of Providence.

Patrol Officer Edward Gonzalez, in recognition of your heroic action on August 25, 1995, in saving the life of a Citizen of the City of Providence.

Michael and Theresa Holohan, in recognition of the celebration of their marriage on September 23, 1995.

Thomas and Angella Deller, in recognition of the celebration of their becoming the parents of Adam Deller.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO.

The motion for Passage, is Unanimously Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

**COUNCIL PRESIDENT PETROSINELLI
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:

Miriam Kutneski

Lawrence A. Bouchard

Irving I. Mittleman

John Mello, Jr.

Lawrence Gaynor

Yolanda "Viola" D'Attilio

Angela Neri-Cazzaro

Dorothy Pelletier

Margaret Harmaian

Sylvia Paolilli

Cynthia M. Pietrunti

Elizabeth F. Baronian

Alfred Tudino

LeRoy W. "Roy" Kirkland

Lorraine D. "Lolly" DeMaula

Anthony DelVecchio

Felicia DelPadre

John M. Skaradowski

Jay C. Isom

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

**The motion for Passage, Unanimously is
Sustained.**

ADJOURNMENT

There being no further business, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DIRUZZO, the City Council adjourns at 8:15 o'clock P.M. (E.D.T.) to meet again on TUESDAY, OCTOBER 10, 1995 at 5:00 o'clock P.M. (E.D.T.).

Michael R. Clement

City Clerk

October 5]

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