

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 12 City Council Regular Meeting, Thursday, May 20, 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, Igliozi, Jackson, Mancini,
Councilwomen Nolan, Romano, Williams
and Young—15.

Absent: None.

IN CITY COUNCIL
JUL 1 1999

APPROVED:

Michael P. Clement
Clerk

INVOCATION

The Invocation is given by Reverend Clyde Walker.

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

The American Legion Post and Bugler, Anthony DeQuattro, State Commander, Veteran's of Foreign War, Richard Souza, George Dupuis, Richard Verrier, and William Donnelly, Color Guard, Brian Mattias, Bugler, lead the members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF RECORD

The Journal of Proceedings No. 7 of the Regular Meeting of the City Council held March 18, 1999, and Posted May 6, 1999, on that Bulletin Board located on the Ground Floor Level of City Hall, is approved as printed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

VETO BY HIS HONOR THE MAYOR

Communication dated May 14, 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 of 1980. I hereby Disapprove and Veto the Resolution passed May 6, 1999 by the City Council relative to "Resolution Authorizing the City of Providence, Rhode Island to file an Annual Program Description and Budget under the Housing and Community Development Act."

COUNCIL PRESIDENT LOMBARDI Refers the Veto of the Mayor Back to the Committee on Urban Redevelopment, Renewal and Planning.

COUNCILMAN IGLIOZZI moves for a Roll Call Vote.

COUNCILWOMAN NOLAN seconds this motion, and is put to vote.

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Clarkin, DeLuca, Jackson, Councilwomen Williams and Young—8.

Nays: Councilman Butler, Councilwoman DiRuzzo, Councilmen Hassett, Iglionzi, Mancini, Councilwomen Nolan and Romano—7.

Absent: None.

The motion to Refer Back to the Committee on Urban Redevelopment, Renewal and Planning is Sustained.

ORDINANCES SECOND READING

The following Ordinances were in City Council May 6, 1999, Read and Passed the First Time and are returned for Passage the Second Time:

An Ordinance in amendment of Chapter 1992-20 of the Ordinances of the City of Providence, as amended in Chapter 1993-33, September 24, 1993, entitled "An Ordinance creating and establishing an Economic

Development Zone within the City of Providence pursuant to Rhode Island General Law 3-7-16.4, as amended", by expanding Economic Development Zone Number 4.

Be it ordained by the City of Providence:

Section 1 — Chapter 1992-20 of the ordinances of the city of Providence, as amended, is hereby amended pursuant to R.I.G.L. 3-7-16.4 by adding to economic development zone "Number 4" the area described as follows:

Beginning at a point in the northerly boundary of Economic Development Zone No. 4 located on Sophia Street at the junction of Lots 147 and 117 on AP 109 and running northerly along Sophia St. two hundred forty (240) feet to the northerly corner of Lot 151 on AP 109. Then running easterly along the northern boundary of Lot 151 on AP 109 to a corner where Lots 151, 153, 168 and 169 on AP 109 meet. Then southerly along the lot line one hundred sixty (160) feet to rejoin the northerly boundary line of Economic Development Zone No. 4 at the intersection of Lots 149, 172, 173 and 148 on AP 109. This amendment is meant to include Lots 117, 148, 149, 150 and 151 on AP 109 in Economic Development Zone No. 4.

Economic Development Zone No. 4 is shown in its entirety on the attached map Attachment A.

Section 2 — This ordinance shall take effect upon passage.

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

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

Nays: None.

Absent: None.

The motion for Passage the Second Time is Sustained.

An Ordinance in amendment of Article III Section 12-88 of the Code of Ordinances of the City of Providence relative to fencing of vacant lots.

Be it ordained by the City of Providence:

Section 1: Article III Section 12-88 is hereby amended to read as follows:

Sec. 12-88 Fencing Vacant Lots.

Any vacant and unused lot in a residential and/or commercial section of the city shall be fenced so that the lot does not become a dumping ground and a nuisance to the neighborhood. Said fence shall be at least six (6) feet in height and shall be chain link. Said fence shall remain in place and be maintained by the owner until a building permit has been obtained for the reuse of the property.

Vacant and unused shall mean any lot that is not used for a side yard and/or parking lot and is not maintained and kept free of litter. The director of public works shall enforce this regulation and within ninety (90) days of the adoption of this ordinance shall establish rules and regulations for the placement of fences around vacant and unused lots. If the owner of the property does not install a fence in accordance with this ordinance or the rules and regulations adopted, the director of public

works shall cause such fence to be installed and for such purpose shall enter upon any real property necessary to install such fence. In the event that the director of public works is required to fence said lot, the city shall obtain a special lien against said real property for the cost of said fence and installation which lien shall be removed only upon reimbursement of the cost of the fence and its installation by the owner of the property or successor.

Fences constructed pursuant to this section shall be exempt from that restriction on height stated in Section 12-88 of this ordinance.

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, 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 is Sustained.

PRESENTATION OF ORDINANCES

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

An Ordinance relating to honorable service for pension services.

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

The motion to Refer is Sustained.

COUNCILMAN HASSETT (By Request):

An Ordinance establishing a tax stabilization plan for Gateway Eight, L.P. on behalf of Boston Financial Data Services.

**COUNCIL PRESIDENT LOMBARDI
Refers the Ordinance to the Committee on
Finance.**

The motion to Refer is Sustained.

**An Ordinance relating to Article IV, Chapter
17, Section 17-189(5) of the Code of Ordinances.**

**COUNCIL PRESIDENT LOMBARDI
Refers the Ordinance to the Committee on
Finance.**

The motion to Refer is Sustained.

COUNCILMAN JACKSON (By Request):

PRESENTATION OF RESOLUTIONS

**COUNCIL PRESIDENT LOMBARDI,
COUNCIL PRESIDENT PRO TEM-
PORE YOUNG, COUNCILMAN JACK-
SON, COUNCILWOMAN WILLIAMS,
COUNCILMAN DeLUCA, COUNCIL-
MAN APONTE and COUNCILMAN AL-
LEN (By Request):**

**Resolution Requesting the City Council to hire
R. Kelly Sheridan to determine the options of
the Arbitrator's decision of April 19, 1999, and
if necessary to include all legal action relative
to the matter of the Arbitration between
Rhode Island Laborers District Council,
Local 1033 and the City of Providence.**

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

The motion to Refer is Sustained.

**COUNCILMAN ALLEN, COUNCILMAN
APONTE, COUNCILMAN DeLUCA and
COUNCILMAN BUTLER:**

**Resolution endorsing and urging passage by
the General Assembly of House Bill (99-H
5533) relating to towns and cities, and Senate
Bill (99-S 733) relating to state aid, in
substantially the form attached.**

**COUNCIL PRESIDENT LOMBARDI
Refers the Resolution to the Special
Committee on State Legislation.**

The motion to Refer is Sustained.

**Resolution endorsing and urging passage by
the General Assembly of House Bill (99-H
6456), and Senate Bill (99-S 655) relating to**

towns and cities — municipal public building authorities, in substantially the form attached.

COUNCIL PRESIDENT LOMBARDI
Refers the Resolution to the Special Committee on State Legislation.

The motion to Refer is Sustained.

Resolution endorsing and urging passage by the General Assembly of House Bill (99-H 5519) relating to towns and cities — franchises, and Senate Bill (99-S 789) relating to franchises, in substantially the form attached.

COUNCIL PRESIDENT LOMBARDI
Refers the Resolution to the Special Committee on State Legislation.

The motion to Refer is Sustained.

Resolution endorsing and urging passage by the General Assembly of House Bill (99-H 6453), and Senate Bill (99-S 734) relating to towns and cities, in substantially the form attached.

COUNCIL PRESIDENT LOMBARDI
Refers the Resolution to the Special Committee on State Legislation.

The motion to Refer is Sustained.

COUNCILMAN APONTE (By Request):

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

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

The motion to Refer is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "Four Way Stop" signs along the intersection of Gallup Street and Burnside Street.

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

The motion to Refer is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "Four Way Stop" signs along the intersection of Gallup Street and Ocean Street.

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

The motion to Refer is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "Stop" signs along Ocean Street and Thurbers Avenue.

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

The motion to Refer is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of a "Do Not Enter During School Hours" signs along Oxford Street and Gordon Avenues.

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

The motion to Refer is Sustained.

COUNCILMAN BUTLER (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Rialto Street from Mount Pleasant Avenue to the intersection of Galileo Avenue and Standish Avenue on Friday, June 11, 1999 and Saturday, June 12, 1999 between the hours of 4:00 o'clock P.M. to 2:00 o'clock P.M. to accommodate the American Cancer Society Relay for Life.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Rialto Street from Mount Pleasant Avenue to the intersection of Galileo Avenue and Standish

Avenue on Friday, June 11, 1999 and Saturday, June 12, 1999 between the hours of 4:00 o'clock P.M. to 2:00 o'clock P.M. to accommodate the American Cancer Society Relay for Life.

COUNCILMAN CLARKIN (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Trenton Street from Ives Street to Gano Street on Sunday, June 6, 1999 between the hours of 9:00 o'clock A.M. to 6:00 o'clock P.M. to accommodate the Portuguese Holy Ghost Feast.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Trenton Street from Ives Street to Gano Street on Sunday, June 6, 1999 between the hours of 9:00 o'clock A.M. to 6:00 o'clock P.M. to accommodate the Portuguese Holy Ghost Feast.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along various streets on various dates between the hours of 12:00 o'clock Noon to 11:00 o'clock P.M. to accommodate WaterFire Providence.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along the following streets on Saturday, May 15, 1999, Sunday, May 30, 1999, Friday, June 4, 1999, Saturday, June 12, 1999, Saturday, July 10, 1999, Saturday, August 21, 1999 and Saturday, October 9, 1999 between the hours of 12:00 o'clock Noon to 11:00 o'clock P.M. to accommodate WaterFire Providence.

College Street between Memorial Boulevard and South Main Street

Steeple Street between Canal Street and North Main Street

Canal Street between Steeple Street and Washington Street

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

The motion for Passage is Sustained.

Resolution Authorizing the State Retirement System to conduct an actuarial analysis relative to enrolling all new city employees in the State Retirement System at an approximate cost of \$2,000.00.

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

The motion to Refer is Sustained.

COUNCILMAN HASSETT:

Resolution Requesting the Traffic Engineer to investigate hazardous traffic conditions at the intersection of River Avenue and Regent Avenue.

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

The motion to Refer is Sustained.

COUNCILMAN IGLIOZZI (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Ralph Street between Eastwood Avenue and Laban Street on Saturday, May 22, 1999 between the hours of 1:00 o'clock P.M. to 6:00 o'clock P.M. to accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Ralph Street between Eastwood Avenue and Laban Street on Saturday, May 22, 1999 between the hours of 1:00 o'clock P.M. to 6:00 o'clock P.M. to accommodate a Neighborhood Block Party.

COUNCILMAN MANCINI (By Request):

Resolution Requesting the Chief Electrical Inspector to cause upgrade of street lighting along Bradley Street from River Avenue to Sharon Street to 27,500 lumens.

Resolved, That the Chief Electrical Inspector is requested to cause upgrade of street lighting along Bradley Street from River Avenue to Sharon Street to 27,500 lumens.

Resolution Requesting the Forestry Division of the Parks Department to cause the removal of that tree located at 42 Durham Street.

Resolved, That the Forestry Division of the Parks Department is requested to cause the removal of that tree located at 42 Durham Street.

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

Resolutions extending Congratulations to Vicki Virgilio, President, Betty Jackson, Vice President, Vincent Masino, Recording Secretary, Pasquale D'Amico, Secretary Treasurer, Donald Iannazzi, Business Manager, Joseph Kenney, Sergeant At Arms, Arlene Martone, Auditor, Kevin Holt, Auditor, Antoinette Crudale, Auditor, Barbara Devine, Executive Board and Timothy Walsh, Executive Board, on their recent elections as officers to the International Laborer's Union, Local 1033.

Resolved, That the Members of the Providence City Council hereby extend their sincere congratulations to Vicki Virgilio, President, Betty Jackson, Vice President, Vincent Masino, Recording Secretary, Pasquale D'Amico, Secretary Treasurer, Donald Iannazzi, Business Manager, Joseph Kenney, Sergeant At Arms, Arlene Martone, Auditor, Kevin Holt, Auditor, Antoinette Crudale, Auditor, Barbara Devine,

Executive Board and Timothy Walsh, Executive Board, on their recent elections as officers to the International Laborer's Union, Local 1033.

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

The motion for Passage is Sustained.

COUNCILWOMAN NOLAN:

Resolution supporting House Bill (99-H 5909) relating to lead hazard reduction, in substantially the form attached.

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Special Committee on State Legislation.

The motion to Refer is Sustained.

COUNCILWOMAN ROMANO (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Hawkins Street, from Charles Street to Branch Avenue, and from the corner of Monticello Street and Russo Street, and Russo Street to Greeley Street, on Thursday, July 22, 1999 to Sunday, July 25, 1999 between the hours of 4:00 o'clock P.M. to 9:00 o'clock P.M. to accommodate the Saint Ann's Church Feast.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Hawkins Street, from Charles Street to Branch Avenue, and from the corner of Monticello Street and Russo Street, and Russo Street to Greeley Street, on Thursday, July 22, 1999 to Sunday, July 25, 1999 between the hours of 4:00 o'clock P.M. to 9:00 o'clock P.M. to accommodate the Saint Ann's Church Feast.

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

The motion for Passage is Sustained.

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking to Corner" signs along the intersection of Prospect Street and Halsey Street.

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

The motion to Refer is Sustained.

COUNCILWOMAN YOUNG (By Request):

Resolution Requesting the Traffic Engineer to replace that missing "No Parking Any Time"

sign located along Taylor Street between Willard Avenue and Chester Avenue.

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

The motion to Refer is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of a "No Parking to Corner" sign, to be located on the northerly side of Whitmarsh Street at Broad Street, on the Memorial Hindle Building side.

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

The motion to Refer is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" sign on Wesleyan Avenue at its intersection with Taylor Street.

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

The motion to Refer is Sustained.

REPORTS FROM COMMITTEE

COUNCILMAN RONALD W. ALLEN, Chairman SPECIAL COMMITTEE ON STATE LEGISLATION

Transmits the following with recommendation the same be severally Approved:

Resolution endorsing and urging passage by the General Assembly of Senate Bill (99-S 384) relating to towns and cities — general powers — city of Providence, in substantially the form attached.

Resolved, That the Providence City Council hereby endorses and urges passage by the General Assembly of Senate Bill (99-S 384) relating to towns and cities — general powers — city of Providence, in substantially the form attached.

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

The motion for Passage is Sustained.

Resolution endorsing and urging passage by the General Assembly of House Bill (99-H 5046) relating to state aid for local roads, in substantially the form attached.

Resolved, That the Providence City Council hereby endorses and urges passage by the General Assembly of House Bill (99-H 5046) relating to state aid for local roads, in substantially the form attached.

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

The motion for Passage is Sustained.

Resolution endorsing and urging passage by the General Assembly of House Bill (99-H 5087) relating to payment in lieu of taxes, in substantially the form attached.

Resolved, That the Providence City Council hereby endorses and urges passage by the General Assembly of House Bill (99-H 5087) relating to payment in lieu of taxes, in substantially the form attached.

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

The motion for Passage is Sustained.

Resolution endorsing and urging passage by the General Assembly of House Bill (99-H 5089) relating to non-profit organizations, in substantially the form attached.

Resolved, That the Providence City Council hereby endorses and urges passage by the General Assembly of House Bill (99-H 5089) relating to non-profit organizations, in substantially the form attached.

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

The motion for Passage is Sustained.

Resolution opposing passage by the General Assembly of House Bill (99-H 5021) relating to state aid — residency, in substantially the form attached.

Resolved, That the Providence City Council hereby opposes passage by the General Assembly of House Bill (99-H 5021) relating to state aid — residency, in substantially the form attached.

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

The motion for Passage is Sustained.

Resolution endorsing and urging passage by the General Assembly of House Bill (99-H 5919) and Senate Bill (99-S 729) relating to taxation — investment tax credit — film production, in substantially the form attached.

Resolved, That the Providence City Council hereby endorses and urges passage by the General Assembly of House Bill (99-H 5919) and Senate Bill (99-S 729) relating to taxation — investment tax credit — film production, in substantially the form attached.

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

The motion for Passage is Sustained.

Resolution endorsing and urging passage by the General Assembly of House Bill (99-H 5494) and Senate Bill (99-S 653) relating to public buildings, in substantially the form attached.

Resolved, That the Providence City Council hereby endorses and urges passage by the General Assembly of House Bill (99-H 5494) and Senate Bill (99-S 653) relating to public buildings, in substantially the form attached.

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

The motion for Passage is Sustained.

Resolution endorsing and urging passage by the General Assembly of House Bill (99-H 5767) and Senate Bill (99-S 763) relating to retail licenses, in substantially the form attached.

Resolved, That the Providence City Council hereby endorses and urges passage by the General Assembly of House Bill (99-H 5767) and Senate Bill (99-S 763) relating to retail licenses, in substantially the form attached.

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

The motion for Passage is Sustained.

PERSONAL PRIVILEGE

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

I attended the Finance Committee meeting the other night, and after going through the Recreation Budget, that the City of Providence pays \$8,000.00 in property tax to the Town of Narragansett. I can not understand that. That is probably three summers of hot dogs and hamburgers at Camp Cronin. It may seem like a small amount, but if the host city, some of the non profits where the tax base is at 49 percent, but the City of Providence that runs a boys' and girls' camp, senior citizens and for those who are disabled, for a nice summer day

in Pt. Judith, pays \$8,000.00 in property tax out of the Department of Recreation's budget. If that is not a joke, I don't know what is. I have asked the Internal Auditor to investigate whether or nor our status is a 501(c), I would imagine we are since we do good things here. We are a non-profit ourselves, that we would pay the Town of Narragansett, the condo capital of the world, where there is plenty of cash down there, that the City of Providence has to pay property tax to that town. I thought it was a typographical error. I thought it might have been employment taxes. We pay them property tax. What a joke. Thank you.

REPORTS FROM COMMITTEES

COUNCILMAN ROBERT M. CLARKIN, Chairman COMMITTEE ON PUBLIC WORKS

Transmits the following with recommendation the same be Approved:

Resolution ordering the abandonment of a portion of Alger Avenue.

Resolved, decreed and ordered, That the following-named street shown as cross-hatched area on the accompanying map entitled "Providence, Rhode Island, Department of Public Works — Engineering Office, street line Section Plan No. 064633 dated May 19, 1999."

Viz: Alger Avenue (a portion of) shown as a 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 is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. The Petitioner shall convey an easement acceptable to the Providence Gas Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation;

2. Receipt by the City Clerk from the Providence Water Supply Board, in writing that said Board has no objection to said abandonment or, in the alternative, the Petitioner shall undertake such action so as to remedy any such objection(s);

3. Receipt by the City Clerk from the Department of Planning and Development, in writing that the Department of Planning and Development has no objection to said abandonment or, in the alternative, the Petitioner shall undertake such action so as to remedy any such objection(s);

4. Receipt by the City Clerk from the City Plan Commission, in writing that said Commission has no objection to said abandonment or, in the alternative, the Petitioner shall undertake such action so as to remedy any such objection(s) or shall satisfy any such condition(s) as the City Plan Commission may impose thereon.

5. Any use of the abandoned realty by the Petitioner of the shall be operate as consent by the Petitioner that the within abandonment is also conditioned upon that any improvement of the situs shall be consistent with the proposal posted before the City Council Committee on Public Works as the same may be modified by the Director of Inspection and Standards and Public Works.

6. The customer fees are waived, and the charge for said realty is one dollars (\$1.00 U.S.)

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.

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

The motion for Passage is Sustained.

COUNCILMAN KEVIN JACKSON, Chairman COMMITTEE ON FINANCE

Transmits the following with recommendation the same be Approved:

Resolution relative to the Fogarty Building located at 111 Fountain Street.

Whereas, The Providence Redevelopment Agency was directed by the City Council to solicit proposals for the development of a Public Safety Facility which included proposals for the development of a Public Safety Facility which included proposals for an adaptive commercial use for the LaSalle Square Site (defined below); and

Whereas, The City Council by Resolution No. 166 approved on March 26, 1999 approved the

transfer to the Providence Redevelopment Agency of all right, title and interest of the City to the property on which the Police and Fire Station is currently located, Plat 25, Lots 116 and 436 (16 Empire Street) (the "LaSalle Square Site"), such transfer being necessary for the relocation of the existing Public Safety Building and the development of the LaSalle Square Site; and

Whereas, It has been determined that the Fogarty Building located at 111 Fountain Street in the City of Providence would be suitable for use as an interim facility for the Police and Fire

Departments and subsequently, for use by various municipal departments or agencies or non-profit agencies; and

Whereas, In order to prepare the Fogarty Building for such use, to provide consideration to the City for the transfer of the LaSalle Square Site to the Providence Redevelopment Agency, and to prepare the LaSalle Square Site for development, it is desirable for the Providence Redevelopment Agency to finance the acquisition, renovation, refurbishing, equipping and construction of additions to the Fogarty Building and the acquisition and site preparation of the LaSalle Square Site (the "Project"),

Now, therefore be it Resolved, that:

1. The City Council hereby authorizes the Mayor to enter into a Lease or Leases (the "Lease") with the Providence Redevelopment Agency in order to finance the Project, and the Mayor is authorized to take any and all action and to execute, file, and deliver the Lease and any and all agreements, notes, and other documents in such form as he may deem necessary or desirable to implement the Providence Redevelopment Agency's financing of the Project.

2. The City Council, pursuant to Section 45-32-5(3) of the General Laws of Rhode Island, authorizes the Providence Redevelopment Agency to retain title to the Project for twenty (20) years or until any obligations issued by or on behalf of the Providence Redevelopment Agency to finance the Project (the "Obligations") have been paid in full.

3. This Resolution is an affirmative action of the City towards the issuance of the Obligations in accordance with the purposes of the laws of the State. This Resolution

constitutes the City's declaration of official intent, pursuant to Treasury Regulation §1.150-2, to reimburse the City's General Fund for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the date of this Resolution but prior to the issuance of the Obligations, or otherwise as permitted by such regulation. Amounts to be reimbursed shall be reimbursed not later than eighteen (18) months after (a) the date on which the expenditure is paid or (b) the date the project is placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid.

4. The City's Director of Finance is authorized to execute and deliver a continuing disclosure certificate in connection with the Obligations issued by or on behalf of the Providence Redevelopment Agency, in such form as shall be deemed advisable by the City's Director of Finance. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the continuing disclosure certificate, as it may be amended from time to time. Notwithstanding any other provisions of this Resolution or the Obligations, failure of the City to comply with the continuing disclosure certificate shall not be considered an event of default; however, any certificate holder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Resolution and under the continuing disclosure certificate.

5. The Resolution shall take effect upon its passage.

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, Igliozi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Nays: None.

Absent: None.

The motion for Passage the Second Time is Sustained.

COUNCILMAN PETER S. MANCINI, Chairman COMMITTEE ON CLAIMS AND PENDING SUITS

Transmits the following with recommendation the same be Approved:

Certificates from the City Assessor (Nos. 11C through 16C, inclusive) recommending the same be 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.

Read and Cancelled, 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, Igliozi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

Nays: None.

Absent: None.

The motion for Cancellation is Sustained.

COMMUNICATIONS AND REPORTS

Communication from Laurence K. Flynn, Executive Secretary, Board of Canvassers, Mark J. Lomazzo, Commissioner, Board of Canvassers and George T. Smith, Clerk, Board of Canvassers, dated May 12, 1999 certifying that one Class "B" Member, Mr. Richard A'Hearn, was elected on May 11, 1999 to fill the

vacancy caused by the resignation of Michael Baldassare. Mr. A'Hearn's term will expire on the First Monday in October, 2001.

Received.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Josephine Antonzio (Eva Marie Mancuso, Esq.)

Frances M. Pasqualucci

Michael Sozek (David N. Cicilline, Esq.)

John P. Condon

Quyen Dinh

Ronald Nani

Anthony Beltre, Yasil Martinez & Katherine Pimental (Arthur E. Chatfield, III, Esq.)

Cynthia Kozma (Richard A. Skolnik, Esq.)

Marisol Lebron p.p.a. Winfield Espinal (Christopher E. Fay, Esq.)

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:

Councilwoman Rita M. Williams, in recognition of her birthday on May 23, 1999.

Patricia Anne and Eric Francis Foster, in recognition of the celebration of their marriage on May 21, 1999.

Jonathan Montalbano, in recognition of receiving his First Holy Communion on May 2, 1999.

Emmett O'Rourke, in recognition of receiving his First Holy Communion on May 2, 1999.

John Smith, in recognition of receiving his First Holy Communion on May 2, 1999.

Cody Crawford, in recognition of receiving his First Holy Communion on May 2, 1999.

Grace Neubauer, in recognition of receiving her First Holy Communion on May 2, 1999.

Jenna Venditto, in recognition of receiving her First Holy Communion on May 2, 1999.

Anne Culpepper, in recognition of receiving her First Holy Communion on May 2, 1999.

Charles Daddieh, in recognition of receiving his First Holy Communion on May 2, 1999.

Glenn DuFault, in recognition of receiving his First Holy Communion on May 2, 1999.

Leia Dwyer, in recognition of receiving her First Holy Communion on May 2, 1999.

Shannon Falvey, in recognition of receiving her First Holy Communion on May 2, 1999.

Gina Iavarone, in recognition of receiving her First Holy Communion on May 2, 1999.

Dylan Leazes, in recognition of receiving his First Holy Communion on May 2, 1999.

Cassandra Lombardi, in recognition of receiving her First Holy Communion on May 2, 1999.

Christina Lombardi, in recognition of receiving her First Holy Communion on May 2, 1999.

Alan Sepe, Jr., in recognition of receiving his First Holy Communion on May 2, 1999.

Anne Sullivan, in recognition of receiving his First Holy Communion on May 2, 1999.

Ana Hartley, in recognition of being a resident of Charlesgate North Apartments since October 1984.

Rudolph DeMaria, in recognition of being a resident of Charlesgate North Apartments since December 1983.

Nicholas Florio, in recognition of being a resident of Charlesgate North Apartments since April 1984.

Gloria Levitt, in recognition of being a resident of Charlesgate North Apartments since October 1981.

Emma E. McClure, in recognition of being a resident of Charlesgate North Apartments since October 1984.

Loletta McKenzie, in recognition of being a resident of Charlesgate North Apartments since March 1982.

Geneva Miller, in recognition of being a resident of Charlesgate North Apartments since September 1983.

Russell Nichols, in recognition of being a resident of Charlesgate North Apartments since April 1983.

Lillian Oliver, in recognition of being a resident of Charlesgate North Apartments since July 1980.

Francisco Peters, in recognition of being a resident of Charlesgate North Apartments since January 1982.

Charlotte Swartz, in recognition of being a resident of Charlesgate North Apartments since February 1980.

Vivian Taylor, in recognition of being a resident of Charlesgate North Apartments since June 1981.

Sue Topalian, in recognition of being a resident of Charlesgate North Apartments since February 1983.

Morris Wagner, in recognition of being a resident of Charlesgate North Apartments since June 1983.

Phil Woled, in recognition of being a resident of Charlesgate North Apartments since June 1983.

Bertha Barber, in recognition of being a resident of Charlesgate North Apartments since June 1975.

Hazel Barstow, in recognition of being a resident of Charlesgate North Apartments since November 1975.

Becky Burnat, in recognition of being a resident of Charlesgate North Apartments since December 1974.

Ernest Cary, in recognition of being a resident of Charlesgate North Apartments since November 1974.

Ruth Chamberlain, in recognition of being a resident of Charlesgate North Apartments since September 1977.

Eva Cipriano, in recognition of being a resident of Charlesgate North Apartments since September 1977.

Esther Finn, in recognition of being a resident of Charlesgate North Apartments since September 1974.

Henry Houle, in recognition of being a resident of Charlesgate North Apartments since October 1976.

John Lima, in recognition of being a resident of Charlesgate North Apartments since June 1978.

George Montero, in recognition of being a resident of Charlesgate North Apartments since September 1974.

Laura Robbins, in recognition of being a resident of Charlesgate North Apartments since September 1979.

Gertrude Shechtman, in recognition of being a resident of Charlesgate North Apartments since September 1974.

Jennie Silvia, in recognition of being a resident of Charlesgate North Apartments since February 1975.

Mary Tavares, in recognition of being a resident of Charlesgate North Apartments since October 1974.

Cleone Taylor, in recognition of being a resident of Charlesgate North Apartments since October 1974.

Pearl Wagner, in recognition of being a resident of Charlesgate North Apartments since June 1978.

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:

Michael S. Santilli

Carlo Ricci

Joan P. Brown

Louis Carbone

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.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:30 o'clock P.M. (E.D.T.) to meet again on THURSDAY, JUNE 3, 1999 at 7:30 o'clock P.M. (E.D.T.).

Richard R. Clement

City Clerk