

CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

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No. 7 City Council Regular Meeting, Thursday, April 3, 2003, 7:30 o'clock P.M. (E.S.T.)

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PRESIDING

COUNCIL PRESIDENT

JOHN J. LOMBARDI

IN CITY COUNCIL

SEP 4 2003

APPROVED:

ROLL CALL

Present: Council President Lombardi, Councilmen Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—14.

Absent: Councilman Allen—1.

Also Present: Bruce D. Todesco, Deputy City Solicitor, Michael R. Clement, City Clerk, Claire E. Bestwick, First Deputy City Clerk and Sheri A. Petronio, Assistant Clerk.

## INVOCATION

The Invocation is given by COUNCILMAN  
TERRENCE M. HASSETT.

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

COUNCILMAN JOHN J. IGLIOZZI leads  
the members of the City Council and the  
Assemblage in the Pledge of Allegiance to  
the Flag of the United States of America.

## ORDINANCES SECOND READING

The following Ordinances were in City  
Council March 12, 2003, Read and Passed  
the First Time and are severally returned  
for Passage the Second Time:

An Ordinance amending the Appropriation  
Ordinance submitted to the City Council for  
approval for the fiscal year 2002-2003.

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An Ordinance amending the Compensation  
Ordinance submitted to the City Council for  
approval for the fiscal year 2002-2003.

COUNCILMAN APONTE moves to  
dispense with the reading of the foregoing  
matters.

COUNCIL PRESIDENT LOMBARDI  
Severally Refers the Ordinances Back to  
the Committee on Finance.

The motion to Refer Back is Sustained.

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## PRESENTATION OF ORDINANCE

**COUNCILMAN SEGAL (By Request):**

An Ordinance to adopt the payment in lieu of taxes agreement by and between the City of Providence and Tockwotten Home.

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

**The motion to Refer is Sustained.**

## PRESENTATION OF RESOLUTIONS

**COUNCIL PRESIDENT LOMBARDI, COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCILMAN LUNA, COUNCILMAN MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMAN WILLIAMS AND COUNCILWOMAN YOUNG:**

Resolution Extending sincere best wishes to Ralph Guglielmino for a complete and speedy recovery.

*Resolved*, That the Members of the Providence City Council hereby extend sincere best wishes to Ralph Guglielmino for a complete and speedy recovery.

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

**The motion for Passage is Sustained.**

**COUNCIL PRESIDENT LOMBARDI (By Request):**

Resolution in support of (H-5081) and (S-180):  
Resolution for the Separation of Powers.

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

**The motion to Refer is Sustained.**

Resolution Authorizing the City Council of the City of Providence, Rhode Island to request, of the Enterprise Zone Council, that Enterprise Zone Providence II be amended to include the following Census Tracts of United States Bureau of Census Tracts: Census Tracts 16, 17, 18 and 31 in their entirety and block 201 of Census Tract 20, the City will use its best efforts to ensure Federal and Municipal resources are targeted and allocated to the Enterprise Zone.

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

**The motion to Refer is Sustained.**

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Resolution Authorizing His Honor the Mayor to execute a statewide construction and maintenance agreement to the State of Rhode Island with respect to Traffic Control Improvements to Kennedy Plaza, Rhode Island Contract Number: 201-CT-008, construction and maintenance agreement.

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**COUNCIL PRESIDENT LOMBARDI, COUNCILMAN HASSETT, COUNCILMAN SEGAL and COUNCILWOMAN WILLIAMS:**

Resolution Authorizing His Honor the Mayor to execute a statewide construction and maintenance agreement to the State of Rhode Island with respect to I-95 ramp access, Rhode Island contract number: 9871, 9901, 9902, 9909, 9916, 9929, 9930, construction and maintenance agreement.

**COUNCILMAN APONTE moves to dispense with the reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Severally and Jointly Refers the Resolutions to the Committee on City Property and the Committee on Public Works.**

**The motion to Refer is Sustained.**

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**COUNCIL PRESIDENT LOMBARDI, COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCILMAN LUNA, COUNCILMAN MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMAN WILLIAMS AND COUNCILWOMAN YOUNG:**

Resolution Extending sincere congratulations to Frank Caprio, Chief Judge, Providence Municipal Court upon being sworn in as Chairman of the Board of Governors for Higher Education.

*Resolved*, That the Members of the Providence City Council hereby extend sincere congratulations to Frank Caprio, Chief Judge, Providence Municipal Court upon being sworn in as Chairman of the Board of Governors for Higher Education.

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**COUNCIL PRESIDENT LOMBARDI and COUNCILWOMAN DiRUZZO:**

Resolution Extending sincere congratulations to James McDonnell upon his retirement after fifty years of dedicated service to the Providence Biltmore Hotel.

*Resolved*, That the Members of the Providence City Council hereby extend sincere congratulations to James McDonnell upon his retirement after fifty years of dedicated service to the Providence Biltmore Hotel.

**COUNCILMAN APONTE moves to dispense with the reading of the foregoing matters.**

**Severally Passed, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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**COUNCILMAN ALLEN:**

Resolution Authorizing His Honor the Mayor to execute a statewide construction and maintenance agreement to the State of Rhode Island with respect to modified 3R improvements to Pontiac Avenue, Rhode Island contract number: 2002-CH-001, construction and maintenance agreement.

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Resolution Authorizing His Honor the Mayor to execute a statewide construction and maintenance agreement to the State of Rhode Island with respect to modified 3R improvements to Reservoir Avenue, Rhode Island contract number: 2000-CH-029, construction and maintenance agreement.

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**COUNCILMAN APONTE moves to dispense with the reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Severally and Jointly Refers the Resolutions to the Committee on City Property and the Committee on Public Works.**

**The motion to Refer is Sustained.**

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**COUNCILMAN APONTE (By Request):**

Resolution Requesting the Traffic Engineer to cause Baxter Street to be established as a "one-way" street in a northerly direction from Oxford Street to Potters Avenue.

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

**The motion to Refer is Sustained.**

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Resolution Relative to port security.

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

**The motion to Refer is Sustained.**

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**COUNCILMAN DeLUCA:**

Resolution endorsing and urging passage by the General Assembly of Senate Bill (2003-S 103), relative to An Act relating to labor and labor relations — labor relations act.

**COUNCILMAN DeLUCA moves to amend the resolution be deleting "endorsing and urging passage by the General Assembly" and inserting "opposes passage by the General Assembly", seconded by COUNCILMAN APONTE.**

**The motion to Amend is Sustained.**

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

**The motion to Refer is Sustained.**

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**COUNCILWOMAN DiRUZZO:**

Resolution Requesting the Traffic Engineer to cause the replacement of the missing street sign on Dora Street at its intersection with Webster Avenue.

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

**The motion to Refer is Sustained.**

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Resolution Requesting the Director of Environmental Control to conduct an investigation of all houses on Whittier Avenue between Webster Avenue and Plainfield Street.

*Resolved*, That the Director of Environmental Control is requested to conduct an inspection of all houses on Whittier Avenue between Webster Avenue and Plainfield Street.

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Resolution Requesting the Director of Code Enforcement to conduct an investigation of all houses on Whittier Avenue between Webster Avenue and Plainfield Street.

*Resolved*, That the Director of Code Enforcement is requested to conduct an inspection of all houses on Whittier Avenue between Webster Avenue and Plainfield Street.

Resolution Requesting the Director of Environmental Control to conduct an investigation of all houses on Laban Street.

*Resolved*, That the Director of Environmental Control is requested to conduct an inspection of all houses on Laban Street.

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Resolution Requesting the Director of Code Enforcement to conduct an investigation of all houses on Laban Street.

*Resolved*, That the Director of Code Enforcement is requested to conduct an inspection of all houses on Laban Street.

**COUNCILMAN APONTE moves to dispense with the reading of the foregoing matters and moves passage of the several Resolutions, seconded by COUNCILWOMAN WILLIAMS.**

**COUNCILMAN APONTE moves to withdraw his motion to dispense with the reading of the several Resolutions, and COUNCILWOMAN WILLIAMS withdraws her second to the motion.**

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Resolution Requesting the Narragansett Electric Company to remove all of the old electrical poles within Ward 15 that are tied to the new electrical poles due to public safety reasons.

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Resolution Requesting Verizon to remove all the old electrical poles within Ward 15 that are tied to the new electrical poles due to public safety reasons.

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matters.

**COUNCIL PRESIDENT LOMBARDI** Severally Refers the Resolutions to the Committee on Public Works.

The motion to Refer is Sustained.

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**COUNCILMAN HASSETT (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along various streets on various dates and times, to accommodate the 2003 WaterFire Season.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along various streets on various dates and times, to accommodate the 2003 WaterFire Season.

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**COUNCILMAN HASSETT:**

Resolution Extending sincere best wishes to John Mulholland, upon the celebration of his 60th Birthday.

*Resolved*, That the Members of the Providence City Council hereby extend sincere best wishes to John Mulholland, upon the celebration of his 60th Birthday.

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Resolution Extending sincere congratulations to Mr. and Mrs. James Murphy, upon the birth of their son, Colin James Murphy.

*Resolved*, That the Members of the Providence City Council hereby extend sincere congratulations to Mr. and Mrs. James Murphy, upon the birth of their son, Colin James Murphy.

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matters.

Severally Passed, on motion of **COUNCILMAN APONTE**, seconded by **COUNCILWOMAN WILLIAMS**.

The motion for Passage is Sustained.

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Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 68, Lot 586 (54 Goddard Street), in the amount of two thousand eight hundred twenty six dollars and sixty eight cents (\$2,826.68), or any taxes accrued, at the request of the Smith Hill Community Development Corporation's Affordable Housing Program.

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

The motion to Refer is Sustained.

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Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along that portion of Okie Street between Calverly Street and Bath Street, for a period not to exceed three (3) years, in order to accommodate certain traffic and noise-related specifications associated with the construction of the Narragansett Bay Commission's Combined Sewer Overflow Tunnel Project.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along that portion of Okie Street between Calverly Street and Bath Street, for a period not to exceed three (3) years, in order to accommodate certain traffic and noise-related specifications associated with the construction of the Narragansett Bay Commission's Combined Sewer Overflow Tunnel Project.

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Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along various streets in Ward 12 on Saturday, April 26, 2003 between the hours of 7:00 o'clock a.m. to 5:00 o'clock p.m., to accommodate Rebuilding Together's "Christmas in April".

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along various streets in Ward 12 on Saturday, April 26, 2003 between the hours of 7:00 o'clock a.m. to 5:00 o'clock p.m., to accommodate Rebuilding Together's "Christmas in April".

Close Pekin Street from Chalkstone Avenue to Douglas Avenue

Close Mansfield Street from Douglas Avenue to Pekin Street

Close Inkerman Street from Candace Street to Pekin Street

Close Alma Street from Candace Street to Pekin Street

Close Candace Street from Douglas Avenue to Smith Street

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Resolution Rescinding Resolution No. 102, approved March 3, 2003, relative to Casey Family Services.

*Resolved*, That Resolution No. 102, approved March 3, 2003, relative to Casey Family Services, be rescinded.

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#### **COUNCILMAN IGLIOZZI (By Request):**

Resolution Requesting the Chief Electrical Inspector to cause the installation of a street light on pole no. 2 on Killingly Street (next to the Honey Dew Donuts, 729 Hartford Avenue).

*Resolved*, That the Chief Electrical Inspector is requested to cause the installation of a street light on pole no. 2 on Killingly Street (next to the Honey Dew Donuts, 729 Hartford Avenue).

**COUNCILMAN APONTE moves to dispense with the reading of the foregoing matters.**

**Severally Passed, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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#### **COUNCILMAN IGLIOZZI:**

Resolution Authorizing His Honor the Mayor to execute a statewide construction and maintenance agreement to the State of Rhode Island with respect to 3R improvements to Killingly Street, Rhode Island contract: 9935. construction and maintenance agreement.



**COUNCIL PRESIDENT LOMBARDI**  
Jointly Refers the Resolution to the  
Committee on City Property and the  
Committee on Public Works.

The motion to Refer is Sustained.

**COUNCILMAN LUNA (By Request):**

Resolution Requesting the Chief Electrical  
Inspector to cause the upgrade of street  
lighting on Sassafras Street to 27,500 lumen.

*Resolved*, That the Chief Electrical Inspector  
is requested to cause the upgrade of street  
lighting on Sassafras Street to 27,500 lumen.

Resolution Requesting the Chief Electrical  
Inspector to cause the upgrade of street  
lighting on Stanwood Street to 27,500 lumen.

*Resolved*, That the Chief Electrical Inspector  
is requested to cause the upgrade of street  
lighting on Stanwood Street to 27,500 lumen.

**COUNCILMAN APONTE** moves to  
dispense with the reading of the foregoing  
matters.

Severally Passed, on motion of COUN-  
CILMAN APONTE, seconded by COUN-  
CILWOMAN WILLIAMS.

The motion for Passage is Sustained.

**COUNCILMAN SEGAL (By Request):**

Resolution Requesting the Traffic Engineer to  
cause the installation of one "handicapped

only" parking space (on weekends) on Hope  
Street or Arnold Street, so that St. Joseph's  
Church, at the corner of said streets, will be  
more easily accessible to the disabled.

Resolution Requesting the Traffic Engineer to  
extend the "no parking anytime" zones at the  
corner of Brook Street and Wickenden Street,  
and repaint the curbs yellow in order that  
emergency vehicles will be more easily able  
to negotiate that corner.

**COUNCILMAN APONTE** moves to  
dispense with the reading of the foregoing  
matters.

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

The motion to Refer is Sustained.

Resolution Authorizing His Honor the Mayor  
to execute a statewide construction and  
maintenance agreement to the State of Rhode  
Island with respect to high hazard intersec-  
tions (C-6A), Rhode Island contract number:  
9956, construction and maintenance  
agreement.

**COUNCIL PRESIDENT LOMBARDI**  
Jointly Refers the Resolution to the  
Committee on City Property and the  
Committee on Public Works.

The motion to Refer is Sustained.

**COUNCILMAN SEGAL and COUNCIL-  
WOMAN WILLIAMS:**

Resolution Requesting Gano Street Little  
League Field be named the "Mike McKenna  
— Jim Frutchey Field".

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

The motion to Refer is Sustained.

## REPORTS FROM COMMITTEES

### COMMITTEE ON PUBLIC WORKS COUNCILMAN TERRENCE M. HASSETT, Chairman

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

Resolution granting the abandonment of a  
portion of Stanhope Street.

*Resolved, Decreed and Ordered:*

That the following named street shown as  
cross-hatched area on the accompanying plan  
entitled: "Providence, RI Department of Public  
Works — Engineering Office, Street Line  
Section Plan No. 064733 dated February 12,  
2003."

Viz: Stanhope Street, (portions of), shown as  
cross-hatched area on accompanying plan and  
designated by the letters (A-B-C-D-A) 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 City Plan  
Commission of the City of Providence shall  
indicate its approval of the within abandon-  
ment by letter to the Office of the City Clerk,  
City of Providence. (2) Petitioner shall tender

the amount of five thousand five hundred and  
fifty six dollars (\$5,556.00) in legal tender U.S.  
to the City of Providence. 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.

Resolution granting the abandonment of a portion of West Fountain Street.

*Resolved, Decreed and Ordered:*

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works — Engineering Office, Street Line Section Plan No. 064705 dated January 29, 2003."

Viz: West Fountain Street, (portions of), shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-A) 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 City Plan Commission of the City of Providence shall indicate its approval of the within abandonment by letter to the Office of the City Clerk, City of Providence. (2) Petitioner shall tender the amount of one dollar (\$1.00) in legal tender U.S. to the City of Providence. 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.

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matters.

**Severally Passed**, on motion of **COUNCILMAN APONTE**, seconded by **COUNCILWOMAN WILLIAMS**, by the following Roll Call Vote:

**Ayes:** Council President Lombardi, Councilmen Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—14.

**Nays:** None.

**Absent:** Councilman Allen—1.

**The motion for Passage is Sustained.**

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**COMMITTEE ON FINANCE**  
**COUNCILMAN KEVIN M. JACKSON, Chairman**

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

Communication dated February 14, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 415 of the Providence Home Rule Charter of 1980, as amended, he is this day reappointing

Thomas E. Gardner of 93 Power Street, Providence, Rhode Island 02906, as a Member of the Salary Review Commission for a term to expire in January, 2007, and respectfully submits the same for approval.

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

Communication dated February 28, 2003. Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1009 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Charles Newton of 45 Larch Street, Providence, Rhode Island 02906, as an Auxiliary Member of the Zoning Board of Review for a term to expire in January 2008, and respectfully submits the same for approval. (Mr. Newton will fill the expired term of Mr. Marcos A. Rico).

Communication dated February 28, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1012 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Thomas E. Deller of 331 River Avenue, Providence, Rhode Island 02908, as the Director of the Department of Planning and Urban Development, and respectfully submits the same for approval.

**COUNCILWOMAN YOUNG is recorded  
as "Not Voting".**

Communication dated February 28, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1009 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Scott Wolf of 70 President Avenue, Providence, Rhode Island 02906, as a Member of the Zoning Board of Review for a term to expire in January 2008, and respectfully submits the same for approval. (Mr. Wolf will fill the expired term of Margaret Castro).

Communication dated February 28, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1002 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Makram H. Megalli of 196 Old River Road (8F South), Lincoln, Rhode Island 02865, as Director of the Department of Public Works, and respectfully submits the same for approval.

Communication dated February 28, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1004 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Frank Santos of 444 Woodward Road, North Providence, Rhode Island 02904, as the Director of the Department of Recreation, and respectfully submits the same for approval.

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Communication dated February 28, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 901 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Sybil F. Bailey of 53 Lauriston Street, Providence, Rhode Island 02906, as the Director of the Department of Personnel, and respectfully submits the same for approval.

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Communication dated February 28, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 606 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Ernesto Figueroa of 80 Waller Street, Providence, Rhode Island 02908, as the Registrar of Vital Statistics, and respectfully submits the same for approval.

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Communication dated February 28, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 814 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Nita Shah of 10 Brookway Road, Providence, Rhode Island 02906, as a Member of the Board of Tax Assessment Review for a term to expire in January 2006, and respectfully submits the same for approval. (Ms. Shah will fill an existing vacancy on the Board).

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Communication dated February 28, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 814 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Theodore Littler of 227 Irving Avenue, Providence, Rhode Island 02906, as a Member of the Board of Tax Assessment Review for a term to expire in January 2006, and respectfully submits the same for approval. (Mr. Littler will fill the expired term of Elizabeth Bracken).

**COUNCILMAN APONTE moves to dispense with the reading of the foregoing matters.**

**Severally Approved, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Approval is Sustained.**

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**Transmits the following with recommendation the same be Denied:**

Communication dated February 28, 2003, Informing the Honorable Members of the City

Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of

1980, as amended, he is this day appointing Pastor Jeffrey Williams of 1738 Broad Street, Providence, Rhode Island 02905, as a Member of the Human Relations Commission for a term to expire in January 2006, and respectfully submits the same for approval. (Pastor Williams will fill the expired term of Mr. Gary St. Peter).

**Read and Denied, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Denial is Sustained.**

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## PERSONAL EXPRESSION

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

Just a few words about Brown University's purchase of a 1.3 million dollar home on the East Side that I find to be disgraceful in light of the current budget situation of the City of Providence and their long standing reluctance to make any kind of contributions to the City seems to me that they have some capacity to pay something. Now this home from my understanding according to published reports will be for a new provost for social gatherings, well isn't that splendid. A 1.3 million dollar home for the new provost will be used for social gatherings. The tax-exempt property in this City is at 3.8 billion dollars, five hundred and five million dollars is owned by Brown University. So I guess that will go to five hundred and six and change million dollars. According to the report they will pay taxes on this property, surely they are showing a capacity to pay something but it can't contribute for the rest of the property that they own on the East Side where as we know values are particularly high. I just find it to be arrogant and ill timed for a property to be transferred to Brown University for 1.3 million

dollars. I could not believe what I was reading, I had to read it two or three times to actually realize that. A 1.3 million dollar house for a new provost when you have students struggling, they have blind assessments that they are trying to institute at Brown, Librarians say they haven't got enough books, the students are being asked to cut back, tuition costs are going up but they can buy a new home for the provost and they pay zero to the City of Providence in taxes. I find that to be offensive and I think that this council as well as the City government has to do something about it and I think we are on the right road of doing it. Colleges, universities and hospitals must be examined to determine if all real estate owned by tax-exempts meets the criteria within the 501.C-3 of the IRS Code. Our moratorium that was sent to the joint committee with Chairman Jackson and myself, the Joint Committee on Public Works and Finance upon agreement of the Chairs will be convening a meeting next Thursday to discuss that moratorium. I think it is high time, it's the expansion of these institutions that has crippled our ability to raise revenue to support this City Government. I will also be requesting the City Council for a budget amendment for funding for legal services to assist the Study Commission on Tax-Exempt

Institutions so that it may review in its full context what the IRS Code affords these institutions to do, particularly the top eleven where they control most of the property that is 1.3 billion among the eleven institutions. So I will be asking the Council to approve funding for legal services and perhaps utilize or augment the research staff that we have. I think this is the year, I applaud Governor Carcieri in making that a part of his budget, it's about time. It is the first Governor I ever heard talk about it so I applaud him and I know that Mayor Cicilline is having negotiations. I talked to Gordan Gee, he is long gone, he was on the second plane out so that door closed. It is nice to talk about it, the fact is now is the time to act. This is a pristine opportunity for

this City Council and for this City Government to get our arms around an issue that has crippling the tax base of this City and denying the revenue we need to support City services. So as I said in a few words, I find it outrageous that this purchase could happen and it just boils my blood but hopefully we can all get to the bottom of it and represent the people of this City in a way that they deserve. I know that my constituents are up in arms. I receive four or five e-mails a day now in letters of support for this moratorium so hopefully we can do it with the assistance of our Solicitors Office to get our arms around this issue and to put an end to this in an equitable fashion for the people of this City. Thank you.

## REPORTS FROM COMMITTEES

### COMMITTEE ON ORDINANCES

#### COUNCILWOMAN RITA M. WILLIAMS, Chairwoman

**Transmits the following with recommendation the same be severally Adopted, as amended:**

An Ordinance in amendment of Chapter 27 of the Ordinance of the City of Providence entitled: "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended. (Creation of Conservation Districts)

An Ordinance in amendment of Chapter 27 of the Ordinance of the City of Providence entitled: "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended. (Historic Trees)

**Transmits the following with recommendation the same be Adopted:**

An Ordinance in amendment of Chapter 27 of the Ordinance of the City of Providence entitled: "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended. (Technical Amendments)

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matters.

Severally Passed the First Time, on motion of **COUNCILMAN APONTE**, seconded by **COUNCILWOMAN WILLIAMS**, by the following Roll Call Vote:

**Ayes:** Council President Lombardi, Councilmen Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—14.

**Nays:** None.

**Absent:** Councilman Allen—1.

The motion for Passage the First Time is Sustained.

## **RULES COMMITTEE**

### **COUNCILWOMAN BALBINA A. YOUNG, Chairwoman**

**Transmits the following with recommendation the same be Approved, as amended:**

Rules of the City Council for the ensuing term January 6, 2003 to January 1, 2007.

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

**Ayes:** Council President Lombardi, Councilmen Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Luna, Mancini,

Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—14.

**Nays:** None.

**Absent:** Councilman Allen—1.

The motion for Passage is Sustained.

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## COMMUNICATIONS AND REPORTS

Communication from Councilman Patrick K. Butler, dated March 28, 2003, Informing the City Clerk that he is this day appointing Daniel E. Driscoll of 60 Callan Street, Providence, Rhode Island 02908 to the Providence External Review Authority. (PERA)

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Communication from Councilman Joseph DeLuca, dated March 26, 2003, Informing the City Clerk that he is this day appointing Eva Ann Geppo of 859 Manton Avenue, Providence, Rhode Island 02909 to the Providence External Review Authority. (PERA)

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Communication from Councilman Miguel C. Luna, dated March 27, 2003, Informing the City Clerk that he is this day appointing Kohei D. Ishihara of 22 Miller Avenue, Providence, Rhode Island 02905 to the Providence External Review Authority. (PERA)

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Communication from Councilwoman Rita M. Williams, dated March 24, 2003, Informing the City Clerk that she is this day appointing Mr. Stanley Bleecker of 515 Wayland Avenue, Providence, Rhode Island 02906 to the Providence External Review Authority. (PERA)

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Communication from Nancy L. Derrig, Superintendent of Parks, dated March 25, 2003, submitting the Providence Parks Department 2002 Annual Report.

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Communication from Stephen J. O'Rourke, Executive Director, Providence Housing Authority, dated March 18, 2003, submitting the Providence Housing Authority's Annual Report on Operation for Fiscal Year 2002.

**COUNCILMAN APONTE moves to dispense with the reading of the foregoing matters.**

**Severally Received.**

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Communication from Robert J. Kilduff, Esquire, P.E., General Manager and Chief Engineer, Water Supply Board, dated October 24, 2002, relative to the approval of a utility easement over a portion of Providence Water land located in Cranston to Narragansett Electric Company.

**COUNCIL PRESIDENT LOMBARDI Receives the Communication and Refers the Same to the Committee on City Property.**

**The motion to Receive and Refer is Sustained.**

## FROM THE CLERK'S DESK

Petition from Scott P. Bodell, Project Manager, Casey Family Services, requesting an easement for the planting bed located at 1268 Eddy Street.

**COUNCIL PRESIDENT LOMBARDI Refers the Petition to the Committee on Public Works.**

**The motion to Refer is Sustained.**

Petition from Barry Fontaine, Right-Of-Way Manager, Cox Communications New England, requesting an easement from the City of Providence to excavate and place conduit at 1 Davol Square to service new customers.

Petition from Barry Fontaine, Right-Of-Way Manager, Cox Communications New England, requesting an easement from the City of Providence to excavate and place conduit at 321 South Main Street to service new customers.

**COUNCILMAN APONTE moves to dispense with the reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Severally and Jointly Refers the Petitions to the Committee on City Property and the Committee on Public Works.**

**The motion to Refer is Sustained.**

Petition of Robert J. Levine, Esquire, requesting to change the zoning classification

of Assessor's Plat 88, Lot 129 (895 Elmwood Avenue, Providence, RI 02907) from C-2 to C-4.

Petition of Arnold Hahn, requesting to change the zoning classification of Assessor's Plat 68, Lots 207, 320 and 318, to be rezoned from R-3 to C-2.

**COUNCILMAN APONTE moves to dispense with the reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI Severally Refers the Petitions to the Committee on Ordinances.**

**The motion to Refer is Sustained.**

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

Henry J. Labonte, III

Kelly Venus

Jessica Joaquin

Beacon Mutual Insurance Co. a/s/o Johnson & Wales and Christopher Polinick

Maria L. Sampson

Olga Rebello

Orion T. Dooley

J. Anne Mitchell

Anna B. Gendron	Edward J. Doyle, III
Millen L. Silva Cabral	Ana Jacobs (John N. Calvino, Esquire)
Jose DaGraca	Mauran Lassiter
Mary F. Merrigan	John Iadevaia
Nina C. Baccala	American States Insurance a/s/o Providence Assembly of God (Stuart Allan & Associates, Inc.)
John Depina (Christopher E. Fay, Esquire)	Cheryl D. Mead
Orlando Gomes (Christopher E. Fay, Esquire)	Alex Lopez and Cecilia Tavico
Narsa Diaz (Ronald J. Resmini, Esquire)	Anthony J. Parillo, Sr.
David P. L'Etoile	Lois Waldron
Barry Rogers	Ada Winsten
Heather Lee McMahon	Margaret Ganie (Arnold N. Montaquila, Esquire)
Zita Qualls	Savitri Allie (Arnold N. Montaquila, Esquire)
Brooke Harrington	Patricia Wilson (Brenda L. Ferry, Esquire)
Susan Smulyan	<b>COUNCIL PRESIDENT LOMBARDI</b> <b>Severally Refers the Petitions to the</b> <b>Committee on Claims and Pending Suits.</b>
Andrew Dolliver	<b>The motion to Refer is Sustained.</b>
Amy Chi	
Melvin Vasquez-Mateo (Christopher E. Fay, Esquire)	

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## 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:

Mr. and Mrs. Thomas Scorpio, in recognition of the celebration of the Christening of your son, Thomas Scorpio, IV, Sunday, April 6, 2003.

Dorothy McCollough, in recognition of the celebration of your retirement after thirty-six years of dedicated service to the State of Rhode Island.

Mr. and Mrs. James Murphy, in recognition of the celebration of the birth of your son, Colin James Murphy.

John Mulholland, in recognition of the celebration of his 60th Birthday during a surprise reception on Friday, March 28, 2003.

Gollone Moore, in recognition of achieving first place in the Providence City Wide Spelling Bee.

Gethecelle Sena, in recognition of achieving second place in the Providence City Wide Spelling Bee.

Justin Brown, in recognition of achieving third place in the Providence City Wide Spelling Bee.

Amanda Fogarty, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode Island

Record Holders for points scored in a meet and being the All Around Champion and setting a new State record in the Rhode Island State Championship Meet.

Kristen Bobola, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode Island Record Holders for points scored in a meet.

Cassandra Brimmer, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode Island Record Holders for points scored in a meet.

Alexandra Fogarty, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode Island Record Holders for points scored in a meet.

Maeve Gilson, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode Island Record Holders for points scored in a meet.

Stephanie Gilson, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode Island Record Holders for points scored in a meet.

Tara Habaway-Quinlan, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode Island Record Holders for points scored in a meet.

Katelyn Rei, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode Island Record Holders for points scored in a meet.

Amy Tsai, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode Island Record Holders for points scored in a meet.

Jennifer Wein, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode Island Record Holders for points scored in a meet.

Catherine Kent, Head Coach, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode Island Record Holders for points scored in a meet.

Julie O'Neill, Assistant Coach, 2003 LaSalle Academy Gymnastics Team, in recognition of being the New England Champions, undefeated Rhode Island State Champions and Rhode

Island Record Holders for points scored in a meet.

Vincent S. Quintero, lifelong resident of the City of Providence, in recognition of the celebration of his 75th Birthday.

Jane E. Jillison, in recognition of the celebration of her 50th Birthday.

Honorable Embajador Hugo Guiliani Cury, in recognition of honoring the citizens of Providence with his visit to our renaissance city.

Honorable Lic. Ramon Albuquerque, President del Senado de la Republica Dominicana, in recognition of honoring the citizens of Providence with his visit to our renaissance city.

John Abruzzi, in recognition of the celebration of his 80th Birthday, born April 8, 1923.

**Severally Read and Collectively Passed, on motion of COUNCILMAN APONTE, 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:

Nita H. Costantino

Mark Dwaine Ostiguy

Joseph R. Cardello

John A. Cicerchia

David F. Donnelly, Jr.

Edward Moura

Josephine L. DiOrio

Mary DiGiacomo

Mary C. Partington

Barry V. Brassill

Mary F. Licciardi

Edmund Gentile

Jennie Pidgeon

Lawrence Covington, Sr.

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

**The motion for Passage is Sustained.**

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## ADJOURNMENT

There being no further business, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 7:05 o'clock P.M. (E.S.T.) to meet again on THURSDAY, APRIL 22, 2003 at 7:30 o'clock P.M. (E.D.T.).

*Michael R. Clement*

*City Clerk*



April 3]

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