

**CITY OF PROVIDENCE
RHODE ISLAND**



IN CITY COUNCIL
MAR 18 1976

APPROVED:

Robert J. Haxton

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 33 City Council Regular Meeting, Thursday, March 4, 1976 8:00 P.M. (E.S.T.)

PRESIDING

COUNCIL PRESIDENT

ROBERT J. HAXTON

ROLL CALL

Present: Council President Haxton and Councilmen Addison, Almagno, Bradshaw, Councilwoman Brassil, Councilmen Cirelli, Cola, Fargnoli, Flynn, Garan, Gorodetsky, Johnson, Lynch, Mansolillo, McKiernan, Merola, Pearlman, Petrosinelli, Salvatore, Stravato, Tomasso, Turchetta, and Xavier—23.

Absent: Councilmen Ahern, Crowley, and Henries—3.

JOURNAL OF
CITY COUNCIL
MARCH 8 & 9 AM

INVOCATION

The Invocation is given by COUNCILMAN
ROBERT V. SALVATORE.

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

COUNCILWOMAN CAROLYN F. BRASSIL
leads 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. 32 of the Regular Meeting of the City Council held Thursday, February 19, 1976, and Posted March 1, 1976 on that Bulletin Board located on the Ground Floor of the City Hall, is Approved as Printed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

ORDINANCES SECOND READING

The Following Ordinance was in City Council February 19, 1976, Read and Passed the First Time and is Returned for Passage the Second Time:

An Ordinance in Amendment of and in Addition to Chapter 1971-24 of the Ordinances of the City of Providence, Entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for West Broadway NDP Urban Renewal Area (1)."

Be it ordained by the City of Providence:

1. That Chapter 1971-24 of the Ordinances of the City of Providence, approved May 10, 1971 entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for West Broadway NDP Urban Renewal Area (1)" as amended by Chapter 1972-29 of the Ordinance of the City of Providence, Approved June 12, 1972 and as amended by Chapter 1972-71 of the Ordinances of the City of Providence, approved December 28, 1972, and as amended by Chapter 1975-13 of the City of Providence, approved May 21, 1975, be and the same is hereby further amended as follows:

A. Insert the following paragraph on Page 25 of the Official Redevelopment Plan.

Paragraph E.1.a, 2C) **C-4 Heavy Commercial Zone**

(1) **Permitted Uses**

(a) For that C-4 area bounded by Bainbridge, Westminster and Tobey Streets, the only commercial permitted shall be: **Bakery; Barber Shop; Beauty Parlor; Drugstore; Grocery; Fruit or Vegetable Store; Laundry Agency; Meat Market; Delicatessen and Variety Store**, except that any other neighborhood oriented uses may be permitted only when approved by the Agency. R-4 Multiple Dwelling uses of the Zoning Ordinance shall also be permitted subject to the same limitations and controls as to use and areas

as specifically set forth in this Section 2 "Broadway-Westminster" Section and the Zoning Ordinance.

(2) **Development Controls for Commercial Uses**

The development controls for commercial uses in the C-4 area that is described in the above paragraph, shall be identical to those controls stated for commercial uses in the C-2 Zone of this Section 2 "Broadway-Westminster" Section.

(B) Delete Paragraph E.1.a, 4 b) (1) (a) on Page 26 of the Official Redevelopment Plan and insert the following paragraph instead:

(1) **Permitted Uses**

(a) C-2 General Commercial uses of the Zoning Ordinance shall be permitted in this section of the project area.

C. Certain Maps of the aforementioned Official Plan hereinafter identified are deleted:

(1) Sheet 1 of 2, Map No. 2 "Proposed Land Use" revised 2-13-75

(2) Sheet 2 of 2, Map No. 2 "Proposed Land Use" dated 1971-1972

(3) Sheet 1 of 2, Map No. 7 "Disposition Map" revised 2-13-75

(4) Sheet 2 of 2, Map No. 7 "Disposition Map" dated 1971

(5) Sheet 1 of 2, Map No. 9 "Proposed Zoning" revised 2-13-75.

Insert the following Maps in their stead:

(1) Sheet 1 of 2, Map No. 2, "Proposed Land Use" revised 1-1976

(2) Sheet 2 of 2, Map No. 2 "Proposed Land Use" revised 1-1976

(3) Sheet 1 of 2, Map No. 7 "Disposition Map" revised 1-1976

(4) Sheet 2 of 2, Map No. 7 "Disposition Map" revised 1-1976

(5) Sheet 1 of 2, Map No. 9 "Proposed Zoning" revised 1-1976.

2. That said Chapter 1971-24 of the Ordinances of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

Read and Passed, the Second Time, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON, by the following Roll Call Vote:

Ayes: Council President Haxton and Councilmen Addison, Almagno, Bradshaw, Councilwoman Brassil, Councilmen Cola, Fagnoli, Flynn, Garan, Gorodetsky, Lynch, Mansolillo, McKiernan, Merola, Pearlman, Petrosinelli, Salvatore, Stravato, Turchetta, and Xavier—20.

Absent: Councilmen Ahern, Cirelli, Crowley, Henries, Johnson, and Tomasso—6.

The Following Ordinance was in City Council February 19, 1976, Read and Passed the First Time, as Amended, and is Returned for Passage the Second Time:

An Ordinance Controlling and Regulating Massage Parlors and Health Clubs.

Be it ordained by the City of Providence:

Section 1. No person, firm or corporation shall practice or conduct an establishment for giving of massage, vapor, pool, or other baths for hire, reward or compensation, nor shall any person, firm or corporation advise or hold himself, itself or themselves out as being engaged in the business of massage or the giving of said baths in the City of Providence without receiving license therefor from the Bureau of Licenses.

Sec. 2. The City Council is hereby author-

ized to formulate rules and regulations governing the practice of massage and the operation of establishment for the giving of massage, vapor, pool, shower or other baths and to establish fees for the issuance of licenses thereunder.

Sec. 3. Regulations governing the practice of massage and the conduct of establishment for the giving of massage, vapor, pool, shower, or other baths.

A. LICENSES REQUIRED AND FEE: Each person, firm or corporation intending to practice massage, or conduct an establishment for the giving of massage, or vapor, pool, shower or other baths for hire, compensation or reward,

shall first obtain a license therefor from the Bureau of Licenses. The license fee for each establishment shall be One Hundred Dollars (\$100.00) and for each masseur or masseuse shall be Twenty-Five Dollars (\$25.00). A license issued to an establishment, masseur or masseuse is not transferable.

Sec. 4. DEFINITIONS: For the purpose of these regulations:

A. Massage shall mean manipulation or conditioning of part or parts of the body by manual, mechanical or other means as a beauty treatment, for the purported health or medical treatment, or for the purpose of invigoration.

B. Establishment for giving massage, vapor, pool, shower or other baths shall mean the office, place of business, or premises where massage is practiced or where therapeutic or conditioning baths of water, vapor, mud and oil or other substances are given.

C. Approved shall mean approved by the Providence Bureau of Licenses in accordance with accepted standards.

D. Approved course of massage shall mean a course in the art and science of massage which includes both theory and practice and is approved by the Providence Bureau of Licenses.

E. Masseur shall mean a male who practices massage; Masseuse shall mean a female who practices massage.

Sec. 5. EXCEPTIONS AND EXCLUSIONS: For the purpose of these regulations:

A. Persons excepted: Physicians, nurses, physical therapists, school athletic trainers, chiropodists (podiatrists), and/or chiropractors duly licensed by the State of Rhode Island.

B. Establishment Exceptions: Hospitals, nursing and convalescent homes and other similar licensed institutions where massage and baths may be given, are excluded from the definition of an establishment. Also, any facility conduct-

ing the services of a hospital, nursing and convalescent home, or other similar institutions as determined by the Providence Bureau of Licenses, but due to some limiting factor is not subject to licensing, shall be similarly excluded from the definition of an establishment.

Sec. 6. EXPIRATION DATE OF LICENSE: Licenses shall automatically expire on the first day of July of each year. Applications for renewal must be submitted at least thirty (30) days prior to expiration date.

Sec. 7. REQUIREMENTS FOR PERSONAL LICENSURE: No person shall be licensed to practice massage, vapor, pool, shower, or other baths unless they (male or female) meet the following requirements:

A. Be eighteen (18) years of age or older.

B. Submit to the Providence Bureau of Licenses a completed application form containing all information requested on said form.

C. Have completed an approved course of massage.

D. Have had a physical examination including serological examination and chest x-ray and is certified as free of communicable disease by a licensed physician within fifteen (15) days prior to application for licensing or relicensing.

Sec. 8. REQUIREMENT FOR LICENSING OF AN ESTABLISHMENT: Every establishment for the giving of massage or vapor, pool, shower or other baths shall meet the following standards:

A. It shall be connected to the public sewerage system, or an approved private sanitary sewage system in the event public sewerage is not available.

B. It shall be well lighted, well ventilated and properly heated when seasonally indicated.

C. No room used by the licensee in conduct of his business shall be used as a bedroom.

D. There shall be an adequate supply of hot and cold running water at all times.

E. There shall be approved toilet and washing facilities within the premises, readily available to the patrons and affording sufficient privacy.

F. Adequate dressing rooms, toilets and washing facilities shall be provided.

G. All rooms of the establishment and furniture and equipment therein shall be kept clean at all times.

H. The door of each room or enclosure used for massage purpose shall have an unobstructed window large enough to permit visual observation of the entire room or enclosure from the outside of such room or enclosure.

I. There shall be installed a heat and smoke detecting system approved by the Fire Marshal of the Fire Department of Providence.

J. There shall be adequate facilities for the cleaning and sterilizing to prevent infectious organisms.

K. All rooms in the establishment shall be arranged so as to afford adequate fire protection and shall have satisfactory means of egress in case of fire as approved by the Building Inspector and Fire Marshal.

L. All equipment, instruments, devices, robes, sheets, blankets, pillow cases, wearing apparel, towels and other materials which may come in direct contact with the body shall be properly cleaned and sterilized.

Sec. 9. SANITARY CODE

A. All individuals who are engaged in the practice of massage shall be properly clothed within the bounds of decency and propriety.

B. No instruments or devices designed or used for direct application to the skin shall be applied directly to the skin unless sterilized. The

part of the body being treated shall be covered with a clean towel or else the instrument shall be covered in a similar manner.

C. Treatment of wounds prohibited: No sponge, stick, alum or other article liable to convey infection shall be used to make application directly to the skin or any cut or wound, except for administering First Aid.

D. No person licensed shall treat any person afflicted with any skin disease unless such person shall have furnished written certificate from a physician to the effect that the disease is not of contagious or transmissible character.

E. Cleaning of hands: Every person licensed to practice massage shall thoroughly cleanse his hands by washing with soap and hot water immediately before serving a patron.

F. Working Hours: No establishment for the practice of massage or baths as defined herein shall be kept open between the hours of 1:00 o'clock A.M. and 9:00 o'clock A.M.

G. Display of License: Every licensed establishment must display in a conspicuous location the licenses of all the licensees operating in the establishment.

H. Designation of Name: No licensed person shall operate under any name or conduct his business under any designation not specified in his license.

I. Change of Address: Every licensed Masseur or Masseuse shall notify the Bureau of Licenses not longer than ten (10) days of any change of address, home or business, or name. Any new license or amendment to an existing license required because of the foregoing be issued with a set fee charge at the discretion of the Bureau of Licenses.

J. Inspections: Every licensee shall permit the Bureau of Licenses or its agents or other Providence City Authorities acting in an official capacity to inspect his work or place of business during regular business hours.

K. Every license issued under the Provisions of this Ordinance shall be subject to suspension or revocation by the Bureau of Licenses of its own motion after a Hearing on Sworn Testimony for Breach by the holder thereof of any rule or regulation applicable thereto or for Breach of any Provision of this Ordinance.

L. Invalidation: If any section, paragraph, sentence, clause or phrase of these rules and regulations shall be decided invalid for any reason whatsoever, such decisions shall not affect the remaining portions of these regulations which shall remain in full force and effect, and to this end the provisions of these regulations are hereby declared severable.

Sec. 10. This Ordinance shall take effect upon its passage.

Read and Passed, the Second Time, as Amended, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON by the following Roll Call Vote:

Ayes: Council President Haxton and Councilmen Addison, Almagno, Bradshaw, Councilwoman Brassil, Councilmen Cirelli, Cola, Fargnoli, Flynn, Garan, Gorodetsky, Lynch, Mansolillo, McKiernan, Merola, Pearlman, Petrosinelli, Salvatore, Stravato, Turchetta, and Xavier—21.

Noes: None.

Not Voting: Councilman Tomasso—1.

Absent: Councilmen Ahern, Crowley, Henries, and Johnson—4.

PRESENTATION OF EMERGENCY ORDINANCE

COUNCILMAN STRAVATO:

An Emergency Ordinance Prohibiting any City Employee from Intimidating, Harassing, Threatening or Otherwise Interfering in Any Manner With Any City Employee Desiring to

Vote for Candidates for any Elective Public Offices.

Referred to the Committee on Ordinances, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

PRESENTATION OF ORDINANCES

COUNCILMAN CIRELLI:

An Ordinance Requiring the Installation of Early Warning Fire Detection Systems in all

New Buildings Constructed for Residential Occupancy.

Referred to the Committee on Ordinances, on

motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

COUNCILMAN McKIERNAN, COUNCILMAN BRADSHAW, and COUNCILMAN MANSOLILLO:

COUNCILMAN GORODETSKY (By Request):

An Ordinance Amending Section 17 of Chapter 1974-55, Approved December 20, 1974, Entitled: "An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments. (Fire Department.)

Referred to the Committee on Finance, on motion of COUNCILMAN GORODETSKY, seconded by COUNCILMAN LYNCH.

An Ordinance in Amendment of the Appropriation Ordinance Chapter 1974-19, Approved June 19, 1974, by Appropriating the Sum Not to Exceed Twelve Thousand Dollars (\$12,000.00) to the Official Citizens Bicentennial Celebration Committee.

An Ordinance in Amendment of the Appropriation Ordinance Chapter 1974-19, Approved June 19, 1974, by Appropriating a Sum Not to Exceed Three Thousand Dollars (\$3,000.00) to the Mayor's Contingency Fund.

Severally Referred to the Committee on Finance, on motion of COUNCILMAN McKIERNAN, seconded by COUNCILMEN BRADSHAW, LYNCH, and MANSOLILLO.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI:

Resolution Expressing Best Wishes for a Complete Recovery from Recent Surgery to Louis Stravato, father of Councilman Louis R. Stravato.

Resolved, That to Louis Stravato, distinguished patriarch of his family and father of our colleague, Councilman Louis R. Stravato, are hereby extended best wishes for a complete recovery from recent surgery.

MAN LYNCH, seconded by COUNCIL PRESIDENT HAXTON and COUNCILMEN ADDISON, ALMAGNO, BRADSHAW, COUNCILWOMAN BRASSIL, COUNCILMEN CIRELLI, COLA, FARGNOLI, FLYNN, GARAN, GORODETSKY, JOHNSON, MANSOLILLO, McKIERNAN, MEROLA, PEARLMAN, PETROSINELLI, SALVATORE, STRAVATO, TOMASSO, TURCHETTA, and XAVIER.

Read and Passed, on motion of COUNCIL- COUNCIL PRESIDENT PRO TEMPORE FARG-

NOLI, and COUNCILMAN LYNCH (By Request):

Resolution Requesting the Traffic Engineer to Invoke "No Parking from 10:00 o'clock A.M. to 10:00 o'clock P.M., Mondays through Fridays" Along Both Sides of Eaton Street, From River Avenue to Huxley Avenue.

from Thayer Street to its Termination, Situated Between Keene Street and Barnes Street, as Clarke Lane, In Memory of Edward Clarke, M.D., Who Conveyed the said Gangway in 1876, to the City of Providence, for Use as a Public Highway.

Referred to the Committee on Naming of Buildings, Expressways, Bridges, Edifices and Other City Constructions, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

Resolution Requesting the Acting Public Service Engineer to Cause a Survey to be Undertaken for the Purpose of the Installation of Improved Street Lighting Along Smith Street, From Academy Avenue to Chalkstone Avenue, and From River Avenue to the City of Providence-Town of North Providence Line.

Severally Referred to the Committee on Public Works, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

COUNCILWOMAN BRASSIL and COUNCILMAN XAVIER:

Resolution Requesting the Director of the Department of Public Works to Cause the Point Street Bridge to Be Repainted.

Resolved, That the Director of the Department of Public Works is requested to cause the Point Street Bridge to be repainted.

COUNCILMAN ADDISON:

Resolution Creating a Special Committee for the Purpose of Observing Memorial Day, May 31, 1976.

Resolved, That a Special Committee of the City Council consisting of five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Memorial Day, May 31, 1976.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON, COUNCILWOMAN BRASSIL and COUNCILMAN XAVIER.

COUNCILMAN FLYNN:

Resolution Creating a Special Committee for the Municipal Observance of Armistice Day, November 11, 1976.

Resolved, That a Special Committee of the City Council consisting of five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Armistice Day, November 11, 1976.

COUNCILMAN BRADSHAW (By Request):

Resolution Designating that Gangway, Westerly

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON and FLYNN.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, MANSOLILLO, and STRAVATO.

COUNCILMAN GORODETSKY (By Request):

Resolution Authorizing His Honor the Mayor to Submit an Application for the Continuation of Funds of the Community Development Program for 1976-1977, as Required by the Department of Housing and Urban Development.

Referred to the Committee on Urban Redevelopment, Renewal, and Planning, on motion of COUNCILMAN GORODETSKY, seconded by COUNCILMAN LYNCH.

COUNCILMAN JOHNSON:

Resolution Creating a Special Committee for the Purpose of the Municipal Observance of Labor Day, September 6, 1976.

Resolved, That a Special Committee of the City Council consisting of five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Labor Day, September 6, 1976.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

COUNCILMAN MANSOLILLO for COUNCILMAN HENRIES, In Absentia, and COUNCILMAN STRAVATO, for Himself:

Resolution Requesting the Committee on Public Welfare to Investigate the Complaint of the Providence Teachers' Union, American Federation of Teachers' Local 598, Relative to Problems Involving Heating, Ventilation, and Respective Control Systems and Other General Conditions, Within Certain Providence Public Schools.

Resolved, That the Committee on Public Welfare is requested to investigate the complaint of the Providence Teachers' Union, American Federation of Teachers' Local 598, relative to problems involving heating, ventilation, and respective control systems and other general conditions, within certain Providence Public Schools, all in accordance with accompanying communication of the Providence Teachers' Union Local 598, dated January 20, 1976, a copy of which is hereto attached. (For copy see files of City Council.)

COUNCILMAN LYNCH:

Resolution Creating a Special Committee for the Purpose of Observing Christmas Day, December 25, 1976.

Resolved, That a Special Committee of the City Council consisting of five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Christmas Day, December 25, 1976.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

COUNCILMAN LYNCH, COUNCILMAN ADDISON, and COUNCILMAN GARAN (By Request):

Resolution Approving Accompanying Plat, Entitled, Dedication of Pleasant Walkway, Mount Hope Renewal Project, RI R-18, Providence Redevelopment Agency Dedicating the Same for Walkway Purposes and Thereafter Declaring it a Public Walkway. (Doyle Avenue.)

Resolution Approving Accompanying Plat, Entitled, Dedication of McCann's Place (Widening), Mount Hope Renewal Project, RI R-18, Providence Redevelopment Agency Dedicating the Same for Walkway Purposes and Thereafter Declaring it a Public Highway.

Severally Referred to the Committee on Urban Redevelopment, Renewal, and Planning, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON and MANSOLILLO.

Resolution Refunding to Certain Taxpayers Sums of Monies Representing Overpayment of Taxes to the City Collector for the Years, 1968, 1973, 1974, and 1975.

Referred to the Committee on Finance, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

COUNCILMAN MANSOLILLO:

Resolution Expressing Best Wishes to Councilman Ronald G. Henries for a Complete Recovery from Recent Surgery.

Resolved, That to our esteemed colleague, Councilman Ronald G. Henries, are hereby expressed the sincere best wishes of His Honor Mayor Vincent A. Cianci, Jr. and of the Members of the City Council, for his complete recovery from recent surgery.

Read and Passed, on motion of COUNCILMAN MANSOLILLO, seconded by COUNCIL PRESIDENT HAXTON and COUNCILMEN ADDISON, ALMAGNO, BRADSHAW, COUNCILWOMAN BRASSIL, COUNCILMEN CIRELLI, COLA, FARGNOLI, FLYNN, GARAN, GORODETSKY, JOHNSON, LYNCH, McKIERNAN, MEROLA, PEARLMAN, PETROSINELLI, SALVATORE, STRAVATO, TOMASSO, TURCHETTA and XAVIER.

COUNCILMAN McKIERNAN, COUNCILMAN BRADSHAW, and COUNCILMAN MANSOLILLO:

Resolution Authorizing His Honor the Mayor to Appoint an Official Citizens Bicentennial Celebration Committee.

Resolved, That His Honor the Mayor is hereby authorized to appoint an Official Citizens Bicentennial Celebration Committee; said Committee is further authorized to Apply, Receive, and Expend Federal and State Grants and Monies Available for the said Celebration.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, BRADSHAW, and MANSOLILLO.

COUNCILMAN MEROLA and COUNCILMAN TURCHETTA:

Resolution Requesting the Committee on Fi-

nance to Undertake a Study with the Purpose of Recommending an Appropriation to Provide the Department of City Clerk with Proper Apparatus for Electronic Recordings of all Proceedings of the City Council.

Whereas, Demands at various times are made upon the City Clerk for transcripts of Proceedings before meetings of the City Council, and

Whereas, Acoustics, within the Chamber of the City Council, are such that Stenographic Reporters of the staff of the Department of City Clerk, have had difficulty in recording the same, and

Whereas, In order to honor the said demands, it would appear that electronic recordings of such Proceedings, may eliminate that problem.

Now, Therefore, Be It Resolved: That the Committee on Finance is requested to undertake a study of this problem with the purpose of recommending an appropriation to provide the Department of City Clerk with proper apparatus for electronic recordings of all Proceedings of the City Council, so that the same will be available for more accurate transcriptions.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, MEROLA, and TURCHETTA.

COUNCILMAN PEARLMAN and COUNCILMAN BRADSHAW:

Resolution Requesting the Committee on Ordinances to Undertake a Study to Determine the Feasibility of Creating the Position of City Manager for the City of Providence.

Resolution Requesting the Committee on Ordina-

nances to Undertake a Study for the Purpose of Recommending a Revision of the City Charter to Reduce the Number of Members of the City Council.

Resolution Requesting the Committee on Ordinances to Undertake a Study for the Realignment of Wards Within the City of Providence.

Resolution Requesting the Committee on Ordinances to Study the Feasibility of Adopting Proportional Representation for the Elections to Certain Public Offices.

Severally Referred to the Committee on Ordinances, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

Resolution Requesting a Study of the Operation and Expenditures of the Proceeds of the Charles H. Smith Scholarship Fund at Harvard University.

Referred to the Committee on Ordinances and the Committee on Finance, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

COUNCILMAN STRAVATO:

Resolution Creating a Special Committee for the Purpose of the Municipal Observance of the 484th Anniversary on October 11, 1976, of the Discovery of America, by the Italian Navigator Cristofaro Colombo.

Resolved, That a Special Committee of the City Council consisting of five (5) Members to be appointed by the President, thereof, is hereby created for the purpose of planning and conducting the municipal observance of the 484th Anniversary of the Discovery of America by the Italian Navigator, Cristofaro Colombo.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, ALMAGNO, COUNCILWOMAN BRASSIL, COUNCILMEN CIRELLI, COLA, FARGNOLI, FLYNN, MANSOLILLO, MEROLA, PETROSINELLI, SALVATORE, STRAVATO, TOMASSO, TURCHETTA, and XAVIER.

COUNCILMAN XAVIER:

Resolution Creating a Special Committee for the Purpose of Observing the 200th Anniversary of the Declaration of Independence, on July 4, 1976.

Resolved, That a Special Committee of the City Council consisting of five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the 200th Anniversary of the Declaration of Independence, 1976 by the United States of America, on July 4, 1976.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, MEROLA, TURCHETTA, and XAVIER.

REPORTS FROM COMMITTEES

COUNCILMAN LAURENCE K. FLYNN, Chairman

COMMITTEE ON PUBLIC WORKS

**Transmits the Following with Recommendation,
the Same Be Severally Adopted:**

Resolution Ordering the Relocation of Gay Street, from Pearl Street to a Line Being the Extension of the Easterly Line of Wellington Street.

Resolved, Decreed, and Ordered, That Gay Street, from Pearl Street to a line being the extension of the easterly line of Wellington Street, be relocated, all in accordance with accompanying Petition of Rhode Island Hospital dated September 16, 1975 and of Plan entitled, "Providence, R.I. P.W. Dept.-Engineering Office/Street Line Section/Plan No. 063841/dated September 4, 1974."

Resolution Ordering that the Grade for Gay Street, from Somerset Street to Pearl Street be Defined.

Resolved, Decreed, and Ordered, That the Grade of Gay Street, from Somerset Street to Pearl Street be defined, all in accordance with accompanying Petition of Rhode Island Hospital, dated September 16, 1975, and Plan Entitled, "Plan and Profile of Gay Street, from Somerset Street to Pearl Street," a copy of which is hereto attached.

Resolution Ordering that Gay Street, from Somerset Street to Pearl Street, be Layed Out as a Public Highway.

Resolved, Decreed, and Ordered, That Gay Street, from Somerset Street to Pearl Street be layed out as a Public Highway, all in accordance with accompanying Petition of Rhode Is-

land Hospital, dated September 12, 1976, and Plan Entitled, "Providence, R.I. P.W. Dept. Engineering Office, Street Line Section, Plan No. 063841, dated September 4, 1974."

Severally Read and Collectively Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

COUNCILMAN ROBERT F. LYNCH, Chairman COMMITTEE ON FINANCE

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

Resolution Requesting the City Solicitor to Apply to the General Assembly at the 1976 Session, and Urge Passage of An Act in Amendment to "An Act to Provide for the Retirement of Employees of the City of Providence," Relative to Change of Options Selected by "Class B" Employees.

Resolved, That the City Solicitor is requested to apply to the 1976 session of the General Assembly and urge passage of an Act in amendment of Chapter 489 of the Public Laws of 1923, entitled, "An Act to Provide for the Retirement of Employees of the City of Providence" as amended, by requiring the Retirement Board of the Employees Retirement System of the City of Providence created under the Provisions of the Act, to permit upon written request, any retired "Class B" employee of the City of Providence to change any option previously selected, pursuant to Section 9 of said Act to receive benefits payable pursuant to the maximum pension plan of Section 10, retroactive to May 13, 1975.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON,

GARAN, McKIERNAN, MEROLA, STRAVATO, and TURCHETTA.

Resolution Requesting the City Solicitor to Apply to the General Assembly at the 1976 Session, and to Urge Passage of An Act in Amendment of the Retirement Act, Providing for City of Providence Paid Blue Cross Benefits for all Retired Class "A" Employees and Elected Officials.

Referred back to the Committee on Finance, on motion of COUNCILMAN GORODETSKY, seconded by COUNCILWOMAN BRASSIL, COUNCILMEN LYNCH, and MANSOLILLO.

Resolution Memorializing the Members of Congress from the State of Rhode Island to Use

Their Good Offices to Urge Re-Enactment of the Revenue Sharing Program.

Whereas, The Federal Revenue Sharing Program terminates December 31, 1976;

Whereas, Federal Allocation of Funds from this Program have become a necessary part of benefits accruing to the City of Providence so that discontinuation of such benefits would adversely effect this program,

Now, Therefore, Be It Resolved, That the Congressional Delegation from the State of Rhode Island are respectfully memorialized to employ their good offices to urge the Congress to re-enact the Federal Revenue Sharing Program.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

Resolution Authorizing the Retirement Board of the Employees Retirement System to Own and Operate Real Property.

Referred back to the Committee on Finance, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, PEARLMAN, and TOMASSO.

Resolution Refunding to Certain Taxpayers Sums of Monies Representing Overpayment of Taxes to the City Collector for the Years 1974 and 1975.

Resolved, That the accompanying certificates numbers 3633 through 3742 (except numbers 3638 and 3719) representing overpayments of taxes for the years (1968, 1970, 1973, 1974 and 1975) are hereby refunded in the amounts overpaid. (For list of Taxes see files of City Council this date.)

Severally Read and Collectively Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON, by the following Roll Call Vote:

Ayes: Council President Haxton and Councilmen Addison, Almagno, Bradshaw, Councilwoman Brassil, Councilmen Cirelli, Cola, Fagnoli, Flynn, Garan, Gorodetsky, Johnson, Lynch, Mansolillo, Pearlman, Petrosinelli, Salvatore, Stravato, Tomasso, Turchetta, and Xavier—21.

Absent: Councilmen Ahern, Crowley, Henries, McKiernan, and Merola—5.

COMMUNICATIONS AND REPORTS

FROM CLERK OF MUNICIPAL COURT OF THE CITY OF PROVIDENCE:

Report of its Business from the First Day of January, 1975 to the First Day of January, 1976.

Received.

FROM CITY CONTROLLER:

Monthly Statement of Capital, General and School Funds for the Seven Months ended January 31, 1976.

Received.

FROM ZONING BOARD OF REVIEW, BUILDING BOARD OF REVIEW, and HOUSING BOARD OF REVIEW:

Annual Reports for the Calendar Year, 1975.

Severally Received.

FROM CITY ASSESSOR:

Certificates (80-N to 83-N, Inclusive) Recommending the Same be Severally Cancelled.

Severally Referred to the Committee on Claims and Pending Suits, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

PETITIONS

COUNCILMAN AHERN and COUNCILMAN CROWLEY (By Request):

Petition of Harold Pansy and Muriel Pansy to Abandon as a Public Highway, Holyoke Street, from the Northerly Line of Valley Street to the Southerly Line of Prescott Street.

Referred to the Committee on Public Works, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

COUNCILWOMAN BRASSIL and COUNCILMAN XAVIER (By Request):

Petition of New England Telephone and Telegraph Co. for Permission to Gritblast Horizontal Shelf Angle and Miscellaneous Structural Members in the Exterior of the Building Situated at 234 Washington Street.

Referred to the Committee on Public Works, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages:

Camille Akkaoui

Sara Friedman

Hanover Insurance Co. as subrogee of Mary L. Simeone

David Panico Mattie

David L. Paiva

Rumford Ins. Co. as subrogee of Alan R. Forbes and Pending Suits, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

Severally Referred to the Committee on Claims

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCILWOMAN BRASSIL AND COUNCILMAN XAVIER:

Resolution Memorializing the Passing of Bradford F. Swan, Late, Feature Writer with the Providence Journal Company.

Whereas, Death has taken the life of Bradford F. Swan, Journalist Par Excellence, whose writings covered subjects of much interest and amused its readers, and

Whereas, "Brad," a personable individual, was a popular figure in and away from the Fourth Estate, who was respected by all,

Now, Therefore, Be It Resolved, That in the passing from this life of Bradford F. Swan, this City Council pauses in respectful memory of the man who enlightened all and sundry with his prolific authorship on subjects of varied interests.

Read and Passed by a Unanimous Rising Vote, on motion of COUNCILMAN XAVIER, seconded by COUNCILMEN ADDISON, BRADSHAW, COUNCILWOMAN BRASSIL, COUNCILMEN GARAN and LYNCH.

PERSONAL PRIVILEGE

COUNCILMAN STRAVATO Requests and is Granted the Privilege of the Floor and Makes the Following Remarks:

I have been actively engaged in politics for many many years and as such, have spent a considerable amount of time consulting Judges, the Attorney General's Office, the Board of Elections, the Board of Canvassers and many Attor-

neys for their interpretation of some key sections of the Election Laws of the State of Rhode Island. I am completely convinced that these laws are written so as to encourage the exploitation of the general public by unscrupulous politicians.

Our laws have such loose definitions of residence and home that almost anyone running for

office can transfer hundreds of voters into his district at his leisure for his own political gain.

It is ironic that the Lawmakers of this state have given us Election Laws which provide a means of cheating the public of their true choice of candidate for political office. It is ironic because these Lawmakers are sworn to protect the rights of the people but instead, provide tools for deceit and fraud.

The laws are written in pen and ink and can obviously be interpreted to provide different meanings. But the true meaning of the laws are fully known to the public, they are not dumb, they realize what is happening during election time because in their hearts they know what the spirit of the law really means. They know it does not mean that a candidate for office can bring outsiders into their district for the sole purpose of voting.

Since 1787 we have had representatives of the

people within Ward and District lines. According to the 10th Amendment of the United States Constitution we have a republican form of government which represents a democracy and jumping Ward and District lines is dirty pool.

It is my opinion that Mayor Cianci, Councilman Philip Almagno, and others, are part of an attempt to defraud the March 23rd Election to elect a representative candidate within the 13th District and that they are in violation of the 10th Amendment of the United States Constitution.

It is also my opinion that Mayor Cianci, Councilman Almagno, and others are in violation of the law in their support for a representative candidate for the 13th District who, in fact, does not have his home in the City of Providence.

On Election Day the voters will prove that they will not tolerate fraudulent election procedures.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, COLA, FLYNN, MANSO-LILLO, MEROLA, and TURCHETTA, the City Council adjourns at 9:50 o'clock P.M. (EST), to meet again on THURSDAY, MARCH 18, 1976 at 8:00 o'clock P.M. (EST).

Vincent Vespia

City Clerk

March 4]

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[1976
