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CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 48 City Council Regular Meeting, September 19, 1996, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

EVELYN V. FARGNOLI

IN CITY COUNCIL

OCT 17 1996

APPROVED:

Michael R. Clement CLERK

ROLL CALL

Present: Council President Fargnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Romano, Williams and Young—15.

Absent: None.

INVOCATION

The Invocation is given by COUNCILWOMAN PATRICIA K. NOLAN.

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

COUNCILWOMAN CAROL A. ROMANO leads the members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

SCHEDULE OF BILLS

FROM THE CITY CONTROLLER:

Street Lighting Bill from Narragansett Electric Company for the month of July, 1996, in the amount of One Hundred Forty-One Thousand, Five Hundred Sixty-Eight Dollars, Seventy-Nine Cents (\$141,568.79) and for the Month of August, 1996, in the amount of One Hundred Forty-Three Thousand, Four Hundred Twenty-Two Dollars and Sixty-Eight Cents (\$143,422.68).

Approved, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins and Councilwomen Romano, Williams and Young—15.

Noes: None.

Absent: None.

The motion for Approval is Unanimously Sustained.

ELECTION OF MEMBER OF CITY COUNCIL AS POLICE CONSTABLE

The following Member of the City Council is appointed and sworn in as a Police Constable for the ensuing term ending on the First Monday in January, 1999, by Raymond Dettore, Jr., Chairman of the Board of Licenses:

COUNCILWOMAN CAROL A. ROMANO

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated July 31, 1996, Informing the Honorable City Council that in accordance with Section 302(b) of the Providence Home Rule Charter of 1980, and Executive Order 1991-06, he is this day appointing Mr. Neil Corkery to the Mayor's Council on Drug and Alcohol Abuse for a term to expire June 30, 1997.

Also reappointing the following for a term to expire June 30, 1997:

Mr. Charles Maynard

Mr. Frank Corbishley

Mr. Raymond Brown

Mr. Stephen O'Rourke

Mr. Christopher Nocera

Mrs. Janice Luongo

Mr. Michael Mattiace

Ms. Jeneata Aldrich

Sister Barbara McMichael

Mr. Matt Brown

Dr. Arthur Zarella

Mrs. Thelma Corrente

Fr. Dan Trainor, Pastor

Mr. Vidal Perez

Colonel Urbano Prignano

Mr. William Pellegrino

Mr. Joseph Testa

Ms. Christine Roundtree

Mr. John Chea

COUNCIL PRESIDENT FARGNOLI Severally Receives the Communications and Refers the Appointments to the Committee on Finance.

The motion to Receive and Refer is Unanimously Sustained.

ORDINANCES SECOND READING

The following Ordinance was in City Council September 5, 1996, Read and Passed the First Time, as Amended and Returned for Passage the Second Time, as Amended:

An Ordinance in amendment of Chapter 1994-4, as approved February 15, 1994, entitled: "An Ordinance Amending Chapter 9 of the Code of Ordinances of the City of Providence, entitled: 'Fire Prevention and Protection', as amended."

Be it ordained by the City of Providence:

Section 1. Chapter 9 of the Code of Ordinances of the City of Providence entitled: "Fire Prevention and Protection," is hereby amended to read as follows:

Article III. Charges for Emergency Medical Services — Section 9-37. Fees.

Each person receiving emergency medical services in the City of Providence shall be billed for the following fees, if applicable:

- | | |
|--------------------------------|---------------------|
| 1. Advanced Life Support "ALS" | \$275.00
one way |
| 2. Base Life Support "BLS" | 245.00
one way |
| 3. Cardiac Monitoring | 25.00 |

- | | |
|----------------------------|---------------------|
| 4. Defibrillation | 180.00 |
| 5. Airways | 145.00 |
| 6. I.V. | 50.00 |
| 7. Mast Trousers | 75.00 |
| 8. Oxygen | 55.00
per bottle |
| 9. Mileage ALS | 6.00
per mile |
| 10. Mileage BLS | 7.00
per mile |
| 11. Miscellaneous Supplies | varies |

Section 9-38 Billing.

The City of Providence may either perform the billing tasks or contract for the services.

Section 9-39. Administration.

The following Ordinance was in City Council September 5, 1996, Read and Passed the First Time and Returned for Passage a Second Time.

An Ordinance in amendment of Section 17-28, entitled: "Assignment of Police Officers to Construction Projects".

Be it ordained by the City of Providence:

Section 1. Ordinance Section 17-28 entitled: "Assignment of Police Officers to Construction Projects" is hereby amended to include:

"All contractors and other parties requesting police details shall be required to comply with standard commercial credit procedures prior to receiving a police detail. Unless approved for credit, all parties will have to post 100% cash downpayment, use a credit card or other measure, as approved by the Finance Director, prior to receiving a detail assignment. All parties requesting credit shall have to personally guarantee any amount granted as credited."

Section 2. This Ordinance shall take effect upon its passage.

Severally Read and Collectively Passed the Second Time, as Amended, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DIRUZZO, by the following Roll Call Vote:

Ayes: Council President Fargnoli, Councilmen Allen, Clarkin, DeLuca, Councilwo-

man DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins and Councilwomen Romano, Williams and Young—15.

Noes: None.

Absent: None.

COUNCILMAN CLARKIN and COUNCILWOMAN YOUNG desire to be recorded as voting "No" relative to "An Ordinance in amendment of Chapter 1994-4, as approved February 15, 1994, entitled: "An Ordinance amending Chapter 9 of the Code of Ordinances of the City of Providence entitled: 'Fire Prevention and Protection', as amended".

Recapitulation of Vote:

Ayes: 13.

Noes: 2.

Absent: None.

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

PRESENTATION OF ORDINANCES

COUNCIL PRESIDENT FARGNOLI (By Request):

An Ordinance Establishing a Compensation Plan for the Water Supply Board and Repealing Chapter 1996-12, approved April 29, 1996, as amended.

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the Water Supply Board and Repealing Ordinance Chapter 1996-13, approved April 29, 1996.

An Ordinance making an Appropriation of Thirty-Six Million, Four Hundred Nine Thousand, Sixteen Dollars (\$36,409,016.00) for the Support of the Providence Water Supply Board for the Fiscal Year Ending June 30, 1997.

An Ordinance making an Appropriation of Twelve Million, Five Hundred Thousand, Eight Hundred Twenty-Two Dollars (\$12,525,822.00) for the Water Supply Board Infrastructure Replacement Program Fund for the Fiscal Year Ending June 30, 1997.

An Ordinance making an Appropriation of One Hundred Thirty-Six Thousand, Five Hundred Fifty-Three Dollars (\$136,553.00) for the Water Supply Board Conservation Fund for the Fiscal Year Ending June 30, 1997.

An Ordinance making an Appropriation of One Million Nine Hundred Forty-Six Thousand, Eight Hundred Sixteen Dollars (\$1,946,816.00) for the Water Supply Board Insurance Fund for the Fiscal Year Ending June 30, 1997.

An Ordinance making an Appropriation of Two Million, Four Hundred Fifty Thousand, Three Hundred Fifty-Six Dollars (\$2,450,356.00) for the Water Supply Board Water Quality Protection Fund for the Fiscal Year Ending June 30, 1997.

An Ordinance making an Appropriation of Two Million, Nine Hundred Seventy-Nine Thousand, Six Hundred Two Dollars (\$2,979,602.00) for the Water Supply Board Capital Fund for the Fiscal Year Ending June 30, 1997.

An Ordinance Relating to the Master Lease for the Water Supply Board.

COUNCIL PRESIDENT FARGNOLI Severally Refers the Ordinances to the Committee on Finance.

The motion to Refer is Unanimously Sustained.

An Ordinance Approving and Adopting the Official Redevelopment Plan for Downtown Providence Renewal for the acquisition of Lot 316, Plat 25.

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Unanimously Sustained.

An Ordinance in amendment of the Compensation Plan for the City of Providence by amending Ordinance Chapter 1996-28, approved July 23, 1996.

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

The motion to Refer is Unanimously Sustained.

An Ordinance in amendment of the Classes of Positions, the Maximum Number of Employees in Certain Classes in the City Department by amending Ordinance Chapter 1996-30, approved July 23, 1996.

An Ordinance relating to Tax Stabilization for property being converted to Residential Purposes from Manufacturing and Industrial Uses.

COUNCIL PRESIDENT FARGNOLI Severally Refers the Ordinances to the Committee on Ordinances.

The motion to Refer is Unanimously Sustained.

COUNCILMAN ALLEN and **COUNCILMAN ROLLINS** (By Request):

An Ordinance Approving and Adopting the Official Redevelopment Plan for Federal Hill East for additional acquisition and property.

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Unanimously Sustained.

COUNCILMAN IGLIOZZI (By Request):

An Ordinance amending the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, approved June 27, 1994, as amended and is hereby further amended.

Read and Passed the First Time, as Amended, on motion of **COUNCILMAN IGLIOZZI**, seconded by **COUNCILWOMAN DiRUZZO**, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins and Councilwomen Romano, Williams and Young—15.

Noes: None.

Absent: None.

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

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT FARGNOLI (By Request):

Resolution Requesting the Traffic Engineer to study the feasibility of installing a Caution Signal Light at the intersection of Old Road and Mount Pleasant Avenue.

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

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Chief Electrical Inspector to cause the installation of a high density light on Pole #56 and Pole #8 over the bridge at the intersection of Pleasant Valley Parkway, Justice Street and Fallon Avenue.

Resolved, That the Chief Electrical Inspector is requested to cause the installation of a high density light on Pole #56 and Pole #8 over the bridge at the intersection of Pleasant Valley Parkway, Justice Street and Fallon Avenue.

Resolution Requesting the Chief Electrical Inspector to cause that lighting at the corner of Mount Pleasant Avenue and Manomet Street, be increased.

Resolved, That the Chief Electrical Inspector is requested to cause that lighting at the corner of Mount Pleasant Avenue and Manomet Street, be increased.

COUNCILMAN CLARKIN (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Benefit Street, from College Street to Waterman Street on Tuesday, September 10, 1996, between the hours of 2:00 o'clock P.M. to 9:00 o'clock P.M. to accommodate a Student Orientation Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Benefit Street, from College Street to Waterman Street on Tuesday, September 10, 1996, between the hours of 2:00 o'clock P.M. to 9:00 o'clock P.M. to accommodate a Student Orientation Block Party.

COUNCILWOMAN DiRUZZO (By Request):

Resolution Requesting the Chief Electrical Inspector to cause the installation of a Street Light on Pole #1 located along Magnolia Street.

Resolved, That the Chief Electrical Inspector is requested to cause the installation of a Street Light on Pole #1 located along Magnolia Street.

COUNCILMAN GLAVIN (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Jewett Street, from Holden Street to Schaffer Street on Sunday, September 15, 1996, between the hours of 11:00 o'clock A.M. to 6:00 o'clock P.M. to accommodate the State House Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Jewett

Street, from Holden Street to Schaffer Street on Sunday, September 15, 1996, between the hours of 11:00 o'clock A.M. to 6:00 o'clock P.M. to accommodate the State House Neighborhood Block Party.

COUNCILMAN IGLIOZZI (By Request):

Resolution Requesting the Superintendent of Environmental Control to cause that property located at 211 Plainfield Street be examined for the presence of rodents and other violations.

Resolved, That the Superintendent of Environmental Control is requested to cause that property located at 211 Plainfield Street be examined for the presence of rodents and other violations.

COUNCILMAN JACKSON (By Request):

Resolution Requesting the Superintendent of Parks to cause the removal of all Dead Trees along various streets in the Third Ward.

Resolved, That the Superintendent of Parks is requested to cause the removal of all Dead Trees along various streets in the Third Ward, as follows:

46 Top Street

14-16 Doyle Street

7 Western Street

37 Mount Hope Avenue

63 Mount Hope Avenue

67 Mount Hope Avenue

Mount Avenue across from Groden Center

74 Rochambeau Avenue

48 Memorial Road

19 Fifth Avenue

17 Seventh Avenue

502 Morris Avenue

69 Ogden Street

corner of Lorimer Avenue and Overhill Road.

Resolution Requesting the Superintendent of Environmental Control to cause various vacant lots located in the Third Ward to be cleaned of all debris.

Resolved, That the Superintendent of Environmental Control is requested to cause various vacant lots located in the Third Ward to be cleaned of all debris, as follows:

corner of McCann Place and Pleasant Street

beside 102 Pleasant Street

across from Pleasant Street and Pleasant Court

across from 19 Knowles Street

corner of Winsted Street and Jenkins Street

dead end of Graham Street

lot beside 57 Knowles Street

93 Abbott Street

across from 75 Abbott Street

beside 37 Royal Street

corner of Peach Avenue and Grandview Street

York Street

100 Lancaster Street

beside 82 Abbott Street

beside 29 Locust Street

beside 82 Knowles Street.

Resolution Requesting the Chief Electrical Inspector to cause the installation of a new street light on Pole #2 located along Western Street.

Resolved, That the Chief Electrical Inspector is requested to cause the installation of a new street light on Pole #2 located along Western Street.

Resolution Requesting the Chief Electrical Inspector to upgrade the street lighting along Knowles Street.

Resolved, That the Chief Electrical Inspector is requested to upgrade the street lighting along Knowles Street.

Resolution Requesting the Director of Public Works to cause the potholes to be repaired along various streets located within the Third Ward.

Resolved, That the Director of Public Works is requested to cause the potholes to be repaired along various streets located within the Third Ward, as follows:

Creston Way

Memorial Road

Fifth Street

Mount Hope Avenue.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Methyl Street, from Hope Street to Lorimer Avenue on Sunday, September 22, 1996, between the hours of 12:00 o'clock P.M. to 7:00 o'clock P.M.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Methyl Street, from Hope Street to Lorimer Avenue on Sunday, September 22, 1996, between the hours of 12:00 o'clock P.M. to 7:00 o'clock P.M. (Raindate — Sunday, September 29, 1996).

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

The motion for Passage is Unanimously Sustained.

COUNCILMAN JACKSON, COUNCIL PRESIDENT FARGNOLI and COUNCILWOMAN WILLIAMS (By Request):

Resolution that an Ordinance be created giving the City the authority to create a special police patrol to monitor high density off-campus student streets.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Ordinances.

The motion to Refer is Unanimously Sustained.

COUNCILMAN JACKSON:

Resolution Requesting the Chief of Police to instruct the Traffic Division to monitor the speeding traffic along Abbott Street, from Camp Street to North Main Street.

Resolved, That the Chief of Police is requested to instruct the Traffic Division to monitor the speeding traffic along Abbott Street, from Camp Street to North Main Street.

Resolution Requesting the Chief of Police to instruct the Traffic Division to monitor the speeding traffic along Evergreen Street, from Ivy Street to North Main Street.

Resolved, That the Chief of Police is requested to instruct the Traffic Division to monitor the speeding traffic along Evergreen Street, from Ivy Street to North Main St.

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

The motion for Passage is Unanimously Sustained.

COUNCILMAN LOMBARDI (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a Traffic Signal Light with a control device for Pedestrians in the immediate vicinity of the Aaron Briggs Manor located along 301 Cranston Street.

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

The motion to Refer is Unanimously Sustained.

COUNCILMAN MANCINI (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking from 6:00 o'clock A.M. to 8:00 o'clock P.M." signs on both sides of Iona Street.

COUNCILMAN MANCINI moves that the Resolution be amended deleting the time "6:00 o'clock A.M." and inserting in lieu thereof the time "6:00 o'clock P.M." and deleting the time "8:00 o'clock P.M." and inserting in lieu thereof the time "8:00 o'clock A.M."

COUNCILMAN IGLIOZZI thereupon moves that the Resolution be Referred to the Committee on Public Works, as amended.

This motion being seconded by COUNCILWOMAN DiRUZZO, is put to vote and passed.

The motion to Refer, as amended is Unanimously Sustained.

COUNCILWOMAN NOLAN (By Request):

Resolution Requesting the Superintendent of Parks to cause Locust Grove Cemetery to be cleaned of all debris, and that the surrounding area to be cleaned such as grass along the fence and at the curbs on both Elmwood Avenue and Melrose Street.

Resolved, That the Superintendent of Parks is requested to cause Locust Grove Cemetery to be cleaned of all debris, and that the surrounding area to be cleaned such as grass along the fence and at the curbs on both Elmwood Avenue and Melrose Street.

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

The motion for Passage is Unanimously Sustained.

Resolution Requesting the Superintendent of Parks to cause Locust Grove Cemetery fence to be repaired.

Resolved, That the Superintendent of Parks is requested to cause Locust Grove Cemetery fence to be repaired.

Resolution Requesting the Director of Public Works to cause that existing asphalt sidewalk around Locust Grove Cemetery to be repaired with concrete.

Resolved, That the Director of Public Works is requested to cause that existing asphalt sidewalk around Locust Grove Cemetery to be repaired with concrete.

Resolution Requesting the Traffic Engineer to cause that wooden street name sign at the corner of Sackett Street and Broad Street be repaired because it can not be read.

Resolved, That the Traffic Engineer is requested to cause that wooden street name sign at the corner of Sackett Street and Broad Street be repaired because it can not be read.

Resolution Requesting the Director of Public Works to cause that Storm Drain located in front of 210 Lexington Avenue, and directly across the street to be cleaned of all debris.

Resolved, That the Director of Public Works is requested to cause that Storm Drain located in front of 210 Lexington Avenue, and directly across the street to be cleaned of all debris.

COUNCILMAN ROLLINS (By Request):

Resolution Requesting the Traffic Engineer to increase the lumen of the street light at the corner of Cass and O'Connor Streets.

Resolved, That the Traffic Engineer is requested to increase the lumen of the street light at the corner of Cass and O'Connor Streets.

Resolution Requesting the Forestry Division of the Parks Department to remove the dead trees along Calla Street from Eddy Street to Broad Street.

Resolved, That the Forestry Division of the Parks Department is requested to remove the dead trees along Calla Street from Eddy Street to Broad Street.

COUNCILMAN ROLLINS:

Resolution Requesting the Department of Public Works to repair various road depressions throughout the Tenth Ward.

Resolved, That the Department of Public Works is requested to repair various road depressions throughout the Tenth Ward

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

The motion for Passage is Unanimously Sustained.

to the many hazardous conditions and violations.

COUNCILWOMAN ROMANO (By Request):

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on City Property.

Resolution Requesting the Director of Inspections and Standards to condemn and tear down that building located at 34-36 Marietta Street, due

The motion to Refer is Unanimously Sustained.

REPORTS FROM COMMITTEES

COUNCILWOMAN EVELYN V. FARGNOLI, Chairwoman COMMITTEE ON FINANCE

Transmits the following with recommendation the same be Severally Adopted, as Amended:

An Ordinance making an Appropriation of Three Hundred Twenty-One Million, Six Hundred Forty-Five Thousand, One Hundred Sixty-Eight (\$321,645,168.00) Dollars for the fiscal year ending June 30, 1997, relative to the City Solicitor's Department, as amended.

COUNCILWOMAN DiRUZZO, by the following Roll Call Vote:

Ayes: Council President Fargnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliozi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins and Councilwomen Romano, Williams and Young—15.

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments, and repealing Ordinance Chapter 1995-30, approved December 28, 1995, relative to the City Solicitor's Department, as amended.

Noes: None.

Absent: None.

Severally Read and Collectively Passed the First Time, as Amended, on motion of COUNCILMAN IGLIOZZI, seconded by

The motion for Passagethe First Time, as Amended is Unanimously Sustained.

Transmits the following with recommendation the same be Severally Approved:

Resolution Requesting the Providence Public Building Authority to use its best efforts to develop the Project which shall include, the acquisition, construction, renovation, rehabilitation, improvements, furnishing and equipping of existing buildings including, but not limited to, the John Street School, the St. Anthony School, the Bridgham Middle School and real estate and improvements located at 234 Daboll Street (Assessor's Plat 43, Lot 570), 90 Mawney Street (Assessor's Plat 43, Lot 568), 81 Mawney Street (Assessor's Plat 49, Lot 469) and 83 Burnett Street (Assessor's Plat 49, Lot 479) in Providence for use as public schools, a parent-child center, and a day care center and any other acts necessary or incidental thereto, and to issue Bonds and/or Notes in an amount not to exceed Twenty-Two Million Dollars (\$22,000,000.00) to provide funding for the Project.

Whereas, The Providence Public Buildings Authority (the "Authority") was constituted as a body corporate and politic of the City of Providence pursuant to the provisions of Chapter 50 of Title 45 of the General Laws of Rhode Island (the "Act") and a resolution duly passed by this City Council on August 13, 1987; and

Whereas, The Authority's creation was approved by the Public Finance Management Board on February 12, 1988; and

Whereas, The Authority may now duly transact its business of acquiring and constructing public facilities, acquiring public equipment; maintaining, renovating, repairing and operating the same; and issuing its revenue bonds and/or notes to finance the public facilities and public equipment; and

Whereas, The Authority may develop its projects only upon the request of the Mayor and the City Council; and

Whereas, Such request must take the form of a proposal by the Mayor approved by the City Council; and

Whereas, The Mayor has submitted the proposal attached hereto as Exhibit "A" for the City Council's approval.

Now, therefore, be it Resolved,

1. That the City Council hereby approves the Proposal of the Mayor dated September 5, 1996 (the "Proposal") which, among other things, requests the Authority to use its best efforts to develop the Project which shall include, the acquisition, construction, renovation, rehabilitation, improvements, furnishing and equipping of existing buildings including, but not limited to, the John Street School, the St. Anthony School, the Bridgham Middle School and real estate and improvements located at 234 Daboll Street (Assessor's Plat 43, Lot 570), 90 Mawney Street (Assessor's Plat 43, Lot 568), 81 Mawney Street (Assessor's Plat 49, Lot 469) and 83 Burnett Street (Assessor's Plat 49, Lot 479) in Providence for use as public schools, a parent-child center, and a day care center and any other acts necessary or incidental thereto, and to issue Bonds and/or Notes in an amount not to exceed Twenty-Two Million Dollars (\$22,000,000.00) to provide funding for the Project.

2. That the President of the City Council be, and he hereby is, authorized to execute the Proposal and to deliver it to the Authority.

3. That the City Council hereby authorizes the Mayor to negotiate and lease the Project from the Authority.

4. That the Mayor be, and he hereby is, authorized to take any and all action and to execute, file and deliver any and all agreements, notes, deeds, leases and other documents as he,

in his sole discretion, may deem necessary or desirable to implement the transaction contemplated by the Proposal.

5. That the Authority shall submit all estimates, bids, etc. regarding such construction, renovation, rehabilitation, improvement, furnishing, and equipping of the Project to the Committee on Finance of the City Council as such estimates become available.

6. The City's Director of Finance is authorized to execute and deliver the continuing disclosure certificates in connection with the bonds and or notes issued by the Authority, 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 each continuing disclosure certificate, as it may be amended from time to time. Notwithstanding any other provision of this Resolution or the bonds or notes, failure of the City to comply with any continuing disclosure certificate shall not be considered an event of default; however, any bondholder or noteholder 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 any continuing disclosure certificate.

7. This Resolution is an affirmative action of the City Council towards the issuance of the Authority's Bonds and/or Notes 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 Section 1.150-2, to reimburse its General Fund in an amount not to exceed Twenty-two Million Dollars (\$22,000,000.00) for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the Authority's Bonds and/or Notes. Amounts to be reimbursed shall be reimbursed not later than eighteen 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.

8. This Resolution shall take effect on passage.

Resolution authorizing His Honor, the Mayor to execute the Agreement for and on behalf of the City and deliver the same to Leviton and to take any and all actions and execute any and all documents necessary or desirable to implement the transaction contemplated by the Agreement.

Whereas, The City of Providence, Rhode Island (the "City") has received a written communication from Leviton Manufacturing Co., Inc., of Little Neck, New York ("Leviton") with respect to property owned by Leviton within the City and located at 234 Daboll Street (Assessor's Plat 43, Lot 570), 90 Mawney Street (Assessor's Plat 43, Lot 568), 81 Mawney Street (Assessor's Plat 49, Lot 469) and 83 Burnett Street (Assessor's Plat 49, Lot 479) (hereinafter, all of such real estate and the improvements located thereon are referred to as "the Cable Electric Property"); and

Whereas, The terms of such communication provide, amongst other things, that Leviton will sell the Cable Electric Property to the City for the sum of One (\$1.00) Dollar provided that the City agrees to assume certain carrying costs and provide Leviton with certain indemnification agreements with respect to the Cable Electric Property, all as provided in a certain draft purchase and sale agreement by and amongst Leviton and the City, a true copy of which is attached hereto as Exhibit A (hereinafter, the "Agreement"); and

Whereas, Embodied in the Agreement is a request of Leviton and the City represent that it intends to use the Cable Electric Property for public school purposes; and

Whereas, The City intends to acquire, construct,

renovate, rehabilitate, furnish, equip the Cable Electric Property for use as two public elementary schools; and

Now, therefore, be it Resolved,

1. That the City Council hereby approves of the terms and conditions of the Agreement attached hereto as Exhibit A.

2. That the Mayor be and he hereby is authorized to execute the Agreement for and on behalf of the City and deliver the same to Leviton and to take any and all actions and execute any and all documents necessary or desirable to implement the transaction contemplated by the Agreement.

3. This Resolution shall take effect upon passage.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins and Councilwomen Romano and Williams—14.

Noes: None.

Absent: Councilwoman Young—1.

COUNCILMAN GLAVIN desires to be recorded as voting "No" relative to "Resolution Requesting the Providence Public Building Authority to use its best efforts to develop the Project which shall include, the acquisition, construction, renovation, rehabilitation, improvements, furnishing and equipping of existing buildings including, but not limited to, the John Street School, the St. Anthony School, the Bridgham Middle School and real estate and improvements located at 234 Daboll Street (Assessor's Plat 43, Lot 570), 90 Mawney Street (assessor's Plat 43, Lot 568), 81 Mawney Street (Assessor's Plat 49, Lot 469) and 83 Burnett Street (Assessor's Plat 49, Lot 479) in Providence for use as public schools, a parent-child center, and a day care center and any other acts necessary or incidental thereto, and to issue Bonds and/or Notes in an amount not to exceed Twenty-Two Million Dollars (\$22,000,000.00) to provide funding for the Project."

Recapitulation of Vote:

Ayes: 13.

Noes: 1.

Absent 1.

The motion for Passage is Sustained.

**COUNCILMAN DAVID V. IGLIOZZI, Chairman
COMMITTEE ON ORDINANCES**

Transmits the following with recommendation the same be Adopted, as Amended:

An Ordinance with reference to the Residency of Employees, as amended.

Transmits the following with recommendation the same be Adopted:

An Ordinance in amendment of and in addition to Chapter 1995-21 of the Ordinances of the City of Providence, approved August 17, 1995, and entitled: "An Ordinance Setting Fees and Schedules for New Construction, Alteration, Demolition and other Building Operations.

Severally Read and Collectively Passed the First Time, as Amended, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DIRUZZO, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Coun-

cilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Iglizzo, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins and Councilwomen Romano and Williams—14.

Noes: None.

Absent: Councilwoman Young—1.

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

COMMUNICATIONS AND REPORTS

FROM COUNCILMAN JOHN H. ROLLINS:

Communication Informing the City Clerk of his resignation as Vice-Chairman of the Committee on Finance effective September 16, 1996, he will remain a Member of the Committee.

FROM COUNCILMAN JOHN J. LOMBARDI:

Communication dated September 11, 1996, Informing the Honorable Members of the City Council of his resignation as a Member of the Commission to Restructure City Finances.

Severally Received.

PERSONAL EXPRESSION

COUNCILMAN ROLLINS requests the floor to speak on a Point of Personal Expression and states:

"It was with regret that I tendered by resignation as Vice Chairman of the Finance Committee. There are many reasons for this action

because, directly put, I find it impossible to support the leadership of this Council when they chose not to support me. Let me make it perfectly clear. I am not upset with my colleagues in general, but with the President and the Majority Leader.

Since the beginning of this term, I have served on the Finance Committee with them in my capacity as Vice Chairman. The natural progression since I have been on this City Council has been for Committee members to move up, but there seems to be two sets of rules. Or perhaps, as evidenced in the 1960's the rules get changed mid-stream depending on the players.

It was okay for the President Pro-Tem to move up to President, but not for me to move from Vice Chairman to Chairman of Finance.

Despite a population in the City that is 1/3 people of color, there are no minority councilmembers that are head of any standing committees. In addition, there is no minority in a leadership position that has real power. The most we are offered is a deputy's position or a vice chairmanship as a consolation prize.

Regarding remarks in the newspaper article, I want it made clear that the comment about giving 100% is absolutely resented. Is it the President's suggestion that I would not? Additionally, since I owned and operated my own companies for 13 years, I believe my qualifications would certainly equal those of a person who has been in the "business field" for many years.

Regarding comments from the Majority Leader, I was never, and I stress NEVER told of his apparent willingness to resign his position as Majority Leader. Nor was that position ever offered to me.

Finally, let me say that my commitment is to my constituents and to the people of Providence. I will continue to do the best that I can for them in spite of the political B.S. that goes on in this council."

COUNCILMAN IGLIOZZI requests the floor to speak on a Point of Personal Expression and states:

"Madam President, it saddens me to hear those kinds of comments tonight, they are particularly distasteful, inaccurate, and particularly repugnant, especially as a result of the caucus action tonight, perhaps tonight, the work might be hypocritical. But, to say the least, unfortunately, there have been a lot of elections on this Council many times where people have not got the office that they had sought. Councilwoman Josephine DiRuzzo had indicated on numerous occasions about her attempts not only to seek the Presidency but also re-election as President Pro Temp and although we have been on different sides of the issue, on her election, I think that we have put those differences aside and have moved on. It is unfortunate perhaps that my colleague, Mr. Rollins, who I do respect and appreciate should not focus on the excuse of why he didn't have the votes but perhaps should just move forward and look for the best on the Council.

Again, it is particularly repugnant under these circumstances when people try to use excuses, perhaps race as an excuse for a decision that was purely political. As I indicated, I was torn between two people who supported me both Councilwoman Nolan and Councilman Rollins and I had to make a difficult decision. Sometimes you have to make difficult decisions. I made that difficult decision and I stand by it and it has nothing to do with color or race or creed. So, it is sad to hear these kinds of comments."

COUNCILWOMAN DiRUZZO requests the floor to speak on a Point of Personal Expression and states:

"It really saddens me to hear the comments that Councilman Rollins just made and I'm really sorry to hear that because we, those of us who have tried to win elections on the Council that

feel that we deserved to win the election on the Council have tried to accept decisions of this Honorable Body with grace, and with the vision toward unifying the members of this City Council for the betterment of not only this Honorable Body but for the betterment of the Citizens of this City.

I don't like to hear one of the members that have been elected saying that it is for reasons of color. I don't believe in that, I don't see any color when I look at you John. I look at you as my brother, I look at women who sit in this Council as my sisters, the way that God intended it to be. I never did in the ten years that I served on the School Board and it is too bad because tonight, I in caucus, had indicated that we do not have any minorities on the Leadership and you had the opportunity to support one of your color and you chose not to and I don't like bringing this up, but I have to because of the comments you have just made.

I don't think that it is fair to anyone on this Council and I don't think it is fair to the members of the Finance Committee nor do I think it is fair to the person who was chosen to serve as Chairman of the Finance Committee because she has served on the Council with distinction and she represents people of color, as well.

So, I don't think it is appropriate and I am going to suggest that you accept what has happened with you, as Vice-Chairman of the Finance as graciously as I accepted the fact that I wanted to become Council President Pro Temp again after 14 years on the Council and 10 years on the School Committee that this Council chose not to elect me as President Pro Temp and I think I accepted that with grace and it is okay with me because my colleague now serves as President Pro Temp and I serve as that token you mention, as Deputy Majority Leader. But, that is fine with me, because I still know that I am in a leadership capacity and whether or not I am serving in this position or not, I am still elected by the people to do the best for them and I have a vote on the City Council.

You have not lost that. You still remain on the City Council and I think that you should wish the person who has become Chairman of the Finance Committee the very best of luck and continue to serve on the Finance Committee and do the very best that you can to cooperate with everyone. Let the by-gones be the by-gones and let the past be the past. You have the future to look forward to. So, we still have a lot of work to do and I would like to see us do it in harmony."

COMMUNICATIONS AND REPORTS

Certificates (Nos. 5A and 6A) recommending the same be severally cancelled pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of the State of Rhode Island, 1956, as amended.

COUNCIL PRESIDENT FARGNOLI Sev-

erally Refers the Certificates to the Committee on Claims and Pending Suits.

The motion to Refer is Unanimously Sustained.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Michael Cooper

Mary Rene Doelling

Keith Turbitt

Diane Connors

Jill K. Pimental

Donna Oliver

Lisa J. Flaherty

Hanover Ins. Co. a/s/o Ardente Supply

Josephine D'Ambra

Beverly Pacheco

American Universal Insurance Co. a/s/o Sheila A. Gormley

Peerless Insurance Co. a/s/o Dave Miller's Auto Body.

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

The motion to Refer is Unanimously Sustained.

PERSONAL EXPRESSION

COUNCILMAN DeLUCA requests the floor to speak on a Point of Personal Expression and states:

"Thank You Madam President, I would like to rise regarding the shocking news that there is a Referendum question on the Ballot this coming November asking the people to approve a 50 Million Dollar Bond to spend on City Streets and sidewalks, neighborhood Parks and Providence Plan.

That amount of information is basically all that the State Legislature's knew. Absolutely no details on for what, how much, what percentages, for what. That is all the information that the

Legislature knew at the request of the Mayor who said "ok, go ahead, put it on the Ballot".

I went through wholly hell for two months trying to put a question on the Ballot. Took it all the way to the Supreme Court and couldn't do it. Yet the Mayor can send a document . . . a brief note to the Legislature saying that we want a \$50 Million Dollar Bond to do some sidewalk repairs, some street repairs, some parks and finance the Providence Plan a little further. Not ever asking the City Council to support it, not ever giving any detail or asking for any input before it even went to the State House, the Legislature has no idea whether or not the City Council is aware of this, or is in support of it,

or against it, or what the feeling of the Council is, and just goes ahead and passes this referendum to vote on the ballot. I find it very insulting that the State Legislature would disregard the City Council, that a resolution wasn't accompanied and didn't request one. Didn't even make a call. I don't know what committee dealt with that, but they should have at least made a call to the City Council office and asked for an opinion on whether or not there was support of this issue, or if there was a knowledge of this issue. I think the referendum is so vague that without it being in full detail, and without Council support, it looks to me like a bad thing to approve. I am going to do what I can, and that's very little, I am only a little guy, to not support that referendum and

to make sure that it fails. I feel that leaving \$15 million dollars hanging with question marks all around it is just an opportunity for misuse of tax dollars, and I would certainly urge further discussion on the issue, that perhaps by November we could be appraised of what the plans are, we could come to an agreement of what will be and will not be. And perhaps I am open to having a change of heart on this issue, but knowing nothing about it, and just leaving it out there hanging, I think it's very dangerous, and I would hope that we not support it in this form at this time, unless there is further detail unveiled and talked about and agreed upon. Thank you."

PRESENTATION OF CITATIONS

"In Congratulations"

**COUNCIL PRESIDENT FARGNOLI and
the MEMBERS of the CITY COUNCIL:**

Citations Extending Congratulations.

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

Katie Charron, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Lindsay Charron, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Amanda Venticinque, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Christina Parillo, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Nicole Frazier, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Amanda Courtemanche, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Stephanie Damiano, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Daisy Garcia, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Gina Andreozzi, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Jacqueline Santos, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Gianna Chamberlain, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Kristina Ferucci, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Ed Damiano, Coach, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Frank Andreozzi, Coach, in recognition of winning the Championship for the V-Love Girls Softball Little League.

Shirley Santiago, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Monica Mandarelli, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Danielle Nolli, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Dorothea Rebello, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Elizabeth Chamberlain, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Gina Gentile, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Breann Egan, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Tenika Daponte, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Elizabeth Capuano, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Alicia Bevilacqua, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Nicole Costabile, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Joy Lufkin, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Donna Capuano, Coach, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

John Bevilacqua, Coach, in recognition of winning the Championship for the Silver Lake Annex Senior Girls League.

Steven Manchester, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Brandon Hasbrouck, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Joseph MacIntosh, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Alex Ruiz, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Jason Gentile, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Wallace James, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Angel Lopez, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Andres Lopez, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Allesandro Goodinson, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

David Curtin, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Brian Sepe, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Steven Manchester, Coach, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Al Goodinson, Coach, in recognition of winning the Championship for the Sports Hair Salon Boys Little League.

Gabriel Lopes, in recognition of winning the Championship for the New York System Boys Senior League.

David Geoghegan, in recognition of winning the Championship for the New York System Boys Senior League.

Hamlet Tarvarez, in recognition of winning the Championship for the New York System Boys Senior League.

Michael Branca, in recognition of winning the Championship for the New York System Boys Senior League.

David Regus, in recognition of winning the Championship for the New York System Boys Senior League.

Joey Giocastro, in recognition of winning the Championship for the New York System Boys Senior League.

Anthony DeCiantis, in recognition of winning the Championship for the New York System Boys Senior League.

Christopher Efflandt, in recognition of winning the Championship for the New York System Boys Senior League.

Gabriel Regus, in recognition of winning the Championship for the New York System Boys Senior League.

Carlo Goodinson, in recognition of winning the Championship for the New York System Boys Senior League.

David Loffredo, in recognition of winning the Championship for the New York System Boys Senior League.

John Carbone, Sr., Coach, in recognition of winning the Championship for the New York System Boys Senior League.

John Carbone, Jr., Coach, in recognition of winning the Championship for the New York System Boys Senior League.

John Carbone, III, Coach, in recognition of winning the Championship for the New York System Boys Senior League.

Reverend Dr. Robert E. Farrow, Pastor, in recognition of the celebration of his 12th Pastoral Anniversary at the Holy Cross Church of God in Christ.

Mr. and Mrs. Angelo Rosati, in recognition of the celebration of their 50th Wedding Anniversary.

Diane Elizabeth Lightsey and Clifford Henry LeValley, III, in recognition of the celebration of their marriage on September 15, 1996.

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

The motion for Passage is Unanimously Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT FARGNOLI 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:

Joseph A. DelGreco, Sr.

Rose Sanzi

Dorothy R. Lynch

Thomas P. McGann

Riccardo "Ricky" Coppola

Denise C. Almeida

Anthony Viola

Ralph Campanile, Sr.

Emil A. Fioravanti

Marie A. Fagnoli

Julia Scolardi

Arthur F. Zanfagna

Ursula Pinelli

Claire V. Vierra

Santo Balestra

Carl Bosco

Antony Rezendes

Frank Paiva

Lena C. Gasbarro

Calvin B.A. Mello

Vittorio "Rocco" Famiglietti

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

The motion for Passage is Unanimously Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DIRUZZO, it is voted to adjourn at 9:00 o'clock P.M. (E.D.T.) to meet again on THURSDAY, OCTOBER 3, 1996 at 7:30 o'clock P.M. (E.D.T.).

Michael R. Clement

City Clerk



