

**CITY OF PROVIDENCE
RHODE ISLAND**



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 11 City Council Regular Meeting, Thursday, May 19, 1983, 8:00 P.M. (E.D.T.)

IN CITY COUNCIL

JUN 2 1983

APPROVED:

PRESIDING

Rose M. Mancuso

COUNCIL PRESIDENT

JOSEPH R. PAOLINO, JR.

ROLL CALL

Present: Council President Paolino and Councilman Annaldo, Councilwoman Brasil, Councilmen Cola, Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Farmer, O'Connor, Pitts and Stravato—12

Absent: Councilmen Glavin, Griffin and Petrosinelli—3.

INVOCATION

The invocation is given by COUNCILMAN
MALCOLM FARMER, III.

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

COUNCILMAN HERMAN C. PITTS 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 RECORDS

The Journal of Proceedings No. 8 of the
Regular Meeting of the City Council held
April 21, 1983 and Posted May 6, 1983 and
the Journal of Proceedings No. 9 of the
Regular Meeting of the City Council held
May 2, 1983 and Posted May 17, 1983 on
that Bulletin Board located on the Ground
Floor Level of City Hall Are Severally
Approved as Printed, on motion of COUN-
CILMAN DILLON, seconded by COUNCIL-
WOMAN FARGNOLI.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication, dated May 9, 1983, Informing the Honorable City Council that Pursuant to Section 203 of the Providence Home Rule Charter of 1980, He is this day Nominating Laurence K. Flynn, 12 Crescent Street, Providence, RI as a Member of the Board of Canvassers for a term to expire on the first Monday in March, 1989.

May 9, 1983

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, RI 02903

Dear Honorable Members:

Pursuant to Section 203 of the Providence Home Rule Charter of 1980, I am this day nominating Laurence K. Flynn, 12 Crescent Street, Providence, Rhode Island, a member of the Board of Canvassers for a term to expire on the first Monday in March, 1989.

Respectfully,

VINCENT A. CIANCI, JR.
Mayor of Providence

Communication Read and Appointment Approved, on motion of COUNCILMAN DILLON, seconded by COUNCILMAN O'CONNOR.

The motion for Approval is Sustained.

Communication, dated April 27, 1983, Informing the Honorable City Council that Pursuant to Sections 302 and 901 of the Providence Home Rule Charter of 1980, He is this

day appointing John D. Mancone of 17 Leo Avenue, Providence, as Acting Personnel Director.

April 27, 1983

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, RI 02903

Dear Honorable Members:

Pursuant to Sections 302 and 901 of the Providence Home Rule Charter of 1980, I am this day appointing John D. Mancone of 17 Leo Avenue, Providence, Rhode Island, as Acting Personnel Director.

Respectfully,

VINCENT A. CIANCI, JR.
Mayor of Providence

Received.

Communication, dated April 28, 1983, Informing the Honorable City Council that Pursuant to Sections 302 and 1107 of the Providence Home Rule Charter of 1980, He is this day appointing H. Alan Frank of 126 Hartshorn Road, Providence, as a Commissioner of the Providence Housing Authority for a term to expire on the first day of July 1987.

April 28, 1983

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, RI 02903

Road, Providence, Rhode Island, a Commissioner
of the Providence Housing Authority for a term to
expire on the first day of July 1987.

Respectfully,

Dear Honorable Members:

VINCENT A. CIANCI, JR.
Mayor of Providence

Pursuant to Sections 302 and 1107 of the
Providence Home Rule Charter of 1980, I am this
day appointing H. Alan Frank of 126 Hartshorn

Received.

APPOINTMENTS BY THE PRESIDENT OF THE CITY COUNCIL

Communication, dated May 13, 1983,
Informing the City Council of His Appointments
of Councilwoman Evelyn V. Fagnoli of the
majority party and Councilman Herman C. Pitts
of the minority party of the Providence City
Council to act as Liaison between the Providence
City Council and the State Legislature with
regard to those matters affecting the City of
Providence.

May 13, 1983

Mrs. Rose M. Mendonca
City Clerk
City Hall
Providence, Rhode Island

Dear Mrs. Mendonca:

In accordance with the authority granted me
under the provisions of Resolution No. 339 of the
City Council, effective May 2, 1983, I hereby
make the following appointments Councilwoman
Evelyn V. Fagnoli of the majority party and
Councilman Herman C. Pitts of the minority
party of the Providence City Council to act as
liaison between the Providence City Council and
the State Legislature with regard to those matters
affecting the City of Providence.

Very truly yours,

Joseph R. Paolino, Jr.
Council President

Received.

PRESENTATION OF ORDINANCES

COUNCILMAN ANNALDO:

An Ordinance Regulating Security Alarm Systems within the City of Providence.

An Ordinance in Amendment of the Article III of the Code of Ordinances of the City of Providence, entitled, "Construction and Repair of Sidewalks" by adding "Sec. 23-69, Liability of Property Owners".

Severally Referred to Committee on Ordinances, on motion of COUNCILMAN DILLON, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer is Sustained.

COUNCILMAN EASTON and COUNCILMAN O'CONNOR:

An Ordinance in Amendment of Sec. 15-2 of the

Code of Ordinances of the City of Providence, entitled, "Penalties for Traffic Violations".

Referred to Committee on Finance, on motion of COUNCILMAN DILLON, seconded by COUNCILMAN O'CONNOR.

The motion to Refer is Sustained.

COUNCILMAN FARMER and COUNCILMAN PITTS (By Request):

An Ordinance Amending Chapter 544 of the Code of Ordinances of the City of Providence, Entitled "An Ordinance Zoning the City of Providence and Establishing Use, Height and Area Regulations", Approved September 21, 1951, as Amended, by Adding Article VI-A, Entitled "Historic District Zoning".

Referred to Committee on Ordinances, on motion of COUNCILMAN DILLON, seconded by COUNCILMAN O'CONNOR.

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILMAN ANNALDO:

Resolution Authorizing the Department of Public Parks, in cooperation with the Law Department to draft and submit to the City Council a Street Tree Ordinance.

Resolved, That the Department of Public Parks, in cooperation with the Law Department, is hereby authorized to draft and submit to the City Council, a Street Tree Ordinance to regulate the removal, pruning and the establishment of

fees for miscellaneous services of public trees within the City of Providence.

Resolution Requesting the Board of Park Commissioners to meet with the Committee on Finance for the purpose of implementing a user fee for Roger Williams Park Zoo.

Whereas, The budget for the Roger Williams Park Zoo costs the Providence taxpayers Five Hundred Thirty-Eight Thousand Two Hundred Sixty Dollars (\$538,260.00) annually, and

Whereas, Seventy percent of the people who are attracted to the Zoo are non-residents and it is the suggestion of the Members of the City Council that a user fee in the amount of One Dollar per adult and Fifty Cents per child be imposed as a fee to all those entering the zoo,

Now, Therefore Be It Resolved, That the Board of Park Commissioners are hereby requested to meet with the Committee on Finance of the City Council for the purpose of implementing a user fee for Roger Williams Park Zoo to offset the high costs of operating the zoo.

COUNCILMAN ANNALDO (By Request):

Resolution requesting the Traffic Engineer to cause missing street name sign along "Fair Street" at the intersection of Seaman Street, be Replaced.

Resolved, That the Traffic Engineer is requested to cause the missing street name sign along "Fair Street" at the intersection of Seaman Street, be Replaced.

Resolution requesting the Chief Electrical Inspector to order the installation of a Pole and Street Light along Wardlaw Court.

Resolved, That the Chief Electrical Inspector is requested to order the installation of a Pole and Street Light along Wardlaw Court.

Resolution Requesting the Traffic Engineer to Cause those Missing Street Name Signs along "Pinehurst Avenue" on the Easton Street Side, to be Replaced.

Resolved, That the Traffic Engineer is requested to cause those Missing Street Name Signs along "Pinehurst Avenue", on the Eaton Street side, to be Replaced.

COUNCILMAN COLA (By Request):

Resolution Requesting the Traffic Engineer to Prohibit Motor Vehicle Traffic along Edendale Avenue, from Fruit Hill Avenue to the Dead End Portion on Friday, June 24, 1983 and Saturday, June 25, 1983 from 5:00 o'clock P.M. to 12:00 o'clock Midnight and on Sunday, June 26, 1983, from 12:00 Noon to 11:00 o'clock P.M. to Accommodate the Festival for St. Thomas Church.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Edendale Avenue, from Fruit Hill Avenue to the Dead End Portion on Friday, June 24, 1983 and Saturday, June 25, 1983 from 5:00 o'clock P.M. to 12:00 o'clock Midnight and on Sunday, June 26, 1983, from 12:00 Noon to 11:00 o'clock P.M. to Accommodate the Festival for St. Thomas Church.

Severally Read and Collectively Passed,
on motion of COUNCILMAN DILLON,
seconded by COUNCILWOMAN FARG-
NOLI.

The motion for Passage is Sustained.

COUNCILWOMAN DiRUZZO (By Request):

Resolution that Florence Street, from Kossuth
Street to Manton Avenue, be established as a
One-Way Street.

Referred to Committee on Public Works,
on motion of COUNCILMAN DILLON,
seconded by COUNCILMAN O'CONNOR.

The motion to Refer is Sustained.

COUNCILMAN EASTON:

Resolution Rescinding Resolution No. 84,
approved February 24, 1970, which authorized
the Board of Contract and Supply to contract
for the City the services of a Special Attorney to
represent the City in Labor Relations Matters.

Referred to Committee on Finance, on
motion of COUNCILMAN DILLON, sec-
onded by COUNCILMAN O'CONNOR and
COUNCILWOMAN FARGNOLI.

The motion to Refer is Sustained.

**COUNCILWOMAN FARGNOLI (By Re-
quest):**

Resolution approving the Request of Rhode
Island Public Transit Authority to cause the
construction of a Bus Shelter along Smith
Street at Academy Avenue.

Resolved, That the request of the Rhode Island
Public Transit Authority to cause the construc-
tion of a Bus Shelter along Smith Street, at
Academy Avenue is hereby approved, subject to
the approval of the Department of Public Works.

COUNCILMAN FARMER (By Request):

Resolution Requesting the Chief Electrical
Inspector to order the Installation of a Street
Light of Appropriate Power on Pole No. 7,
located between No. 59 and No. 67 Freeman
Parkway.

Whereas, Improved lighting is necessary on
Freeman Parkway, and

Whereas, The Chief Electrical Inspector has
made a recommendation for said lighting,

Now, Therefore, Be It Resolved, That the Chief
Electrical Inspector and the Narragansett
Electric Company are requested to order the
installation of a Street Light of appropriate
power on Pole No. 7, located between No. 59 and
No. 67 Freeman Parkway.

Severally Read and Collectively Passed,
on motion of COUNCILMAN DILLON,
seconded by COUNCILMAN O'CONNOR
and COUNCILWOMAN FARGNOLI.

The motion for Passage is Sustained.

COUNCILMAN GLAVIN (By Request):

Resolution Authorizing His Honor the Mayor, with the recommendation of the Committee on City Property, to enter into a Lease Agreement with the "Smith Hill Center, Inc." for the operation and maintenance of the Smith Hill Day Care Center located at 25 Danforth Street.

Resolved, That His Honor the Mayor is authorized with the recommendation of the Committee on City Property of the City Council to enter into a Lease Agreement with the "Smith Hill Center, Inc.", for operation and maintenance of the Smith Hill Day Care Center located at 25 Danforth Street in the City of Providence which will serve as a day care center.

Read and Passed, on motion of COUNCILMAN DILLON, seconded by COUNCILWOMAN FARGNOLI and COUNCILMAN O'CONNOR, by the following Roll call Vote:

Ayes: Council President Paolino and Councilman Annaldo, Councilwoman Bras-sil, Councilmen Cola, Dillon, Easton, Councilwoman Fargnoli, Councilmen Farmer, O'Connor, Pitts and Stravato—11

Absent: Councilwoman DiRuzzo, Councilmen Glavin, Griffin and Petrosinelli—4.

The motion for Passage is Sustained.

COUNCILMAN O'CONNOR:

Resolution Requesting the Mayor's Office of Community Development to reserve a certain

sum of money from the Job's Bill for the Rhodes Street Historic District.

Referred to Committee on Finance, on motion of COUNCILMAN DILLON, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer is Sustained.

COUNCILMAN PETROSINELLI (By Request):

Resolution Requesting the City Forester to cause that Tree located along 189 Woodward Road, to be Trimmed.

Resolved, That the City Forester is requested to cause that tree located along 189 Woodward Road, to be trimmed.

Resolution Requesting the Director of Public Works to cause the Sewers in the Immediate Area of Eagle Park, to be Cleaned.

Resolved, That the Director of Public Works is requested to cause the Sewers in the Immediate Area of Eagle Park to be Cleaned.

Severally Read and Collectively Passed, on motion of COUNCILMAN DILLON, seconded by COUNCILMAN O'CONNOR and COUNCILWOMAN FARGNOLI.

The motion for Passage is Sustained.

REPORTS FROM COMMITTEES

COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

Transmits the following with Recommendation, the Same be adopted:

Resolution Requesting the City Solicitor to Prepare, cause to be Introduced and to Urge Passage at the 1983 Session of the General Assembly of the State of Rhode Island, of An Act in Amendment of Section 9 of Chapter 489 of the Public Laws of 1923, as Amended, Entitled "An Act to Provide for the Retirement of the Employees of the City of Providence", relative to Presumptions in the Event of the Decease of Providence Police Officers who are Members of the Bargaining Unit from Heart Attack or Hypertension.

Resolved, (1) That the City Council urge the passage by the General Assembly of that Act entitled:

An Act in Amendment of Section 9 of Chapter 489 of the Public Laws of 1923, as Amended, Entitled "An Act to provide for the Retirement of the Employees of the City of Providence"; relative to presumptions in the event of the Decease of Providence Police Officers who are Members of the Bargining Unit from Heart Attack or Hypertension.

which provides that whenever a police officer who is a member of the bargaining unit suffers a heart attack or is suffering from hypertension, it

shall be presumed that either of said conditions were caused as a result of the member's duties as a police officer and he shall be entitled to all of the benefits set forth in Chapter 489 of the Public Laws of 1923, As Amended, Entitled "An Act to Provide for the Retirement of the Employees of the City of Providence".

This section shall apply to any member of the bargaining unit who suffers a heart attack or is suffering from hypertension whether or not said condition occurred while the member was actually on a tour of duty,

Be It Further Resolved (2) That the City Solicitor is directed and authorized to take whatever steps are necessary to assist in the passage of said act, substantially as set forth in the proposed bill attached.

Read and Passed, on motion of COUNCILMAN DILLON, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage is Sustained.

**COUNCILMAN THOMAS M. GLAVIN, Chairman
COMMITTEE ON ORDINANCES**

**Transmits the following with Recommendation,
the Same be Adopted:**

An Ordinance in Amendment of and in Addition to Article III of the Code of Ordinances of the City of Providence by Adding Section 17-70 to be Entitled: "Assignment of Police Officers to Constructions Projects".

Read and Passed, the First Time, on motion of COUNCILMAN DILLON, seconded by COUNCILWOMAN BRASSIL and COUNCILMAN FARMER, by the following Roll Call Vote:

Ayes: Councilman Annaldo, Council-

woman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen O'Connor and Stravato—8.

Not Voting: Council President Paolino, Councilmen Easton, Farmer and Pitts—4.

Absent: Councilmen Glavin, Griffin and Petrosinelli—3.

The motion for Passage the First Time is Sustained.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Laurence and Rose D'Alfonso

Richard A. Barbato

Domenic Cianci, Jr.

Donna Enright

Ann F. Ferrante p.p.a. William C. Ferrante

Herbert F. Gately, Jr.

Donald L. Groce

Mrs. Bernard Lombard

Lumbermens Mutual Casualty Co. as subrogee of
Linda Macaruso

Kenneth R. McGregor

Daniels F. Pantaleo

Thomas J. Randall

Linda Remington

James I. Rollins

Estate of Michael J. Silvestro

Leon Stansell, Jr.

Jane E. Tawney

Joseph and Doris White

Phyllis S. White

Williard S. Winslow

**Claims and Pending Suits, on motion of
COUNCILMAN DILLON, seconded by
COUNCILMAN O'CONNOR.**

The motion to Refer is Sustained.

Severally Referred to Committee on

PRESENTATION OF RESOLUTIONS

"In Memoriam"

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

Resolutions of Sympathy of the Members of the
City Council to the Families of Various
Decedents:

*Resolved, That the Sympathy of the Members
of the City Council is hereby expressed to the
families of the following:*

Margaret P. Sparks

Elizabeth Nottie

Irene C. Kelly

Marguerite Durgan

Paul Manera

Judge Stephen Fanning

Virginia A. Burke

Raymond J. Roy

Catherine A. Skorupa

Oscar Bertoncini

Nellie Marcello DiSabato

Doris Irene Turchetta

Anna Pelland

Rev. Msgr. Peter S. Hobeika

Michelina Mallozzi

Rose M. Lules

Clementina Sclama

Albert P. DeTora

Honora I. O'Connell

Louis F. Appleton

Joaquim Santos

Linda J. Morris

Robert Michael Caldarone

Vito A. Iacobbo

Carmine Duva

James H. Davis

Donato Pastore

Joseph Pennacchia

**Severally Read and Collectively Passed,
on motion of COUNCILMAN DILLON,
seconded by COUNCILMAN FARMER.**

Ann Cibor

The motion for Passage is Sustained.

Joseph DiFante

Mary L. Harrington

MATTER NOT APPEARING ON THE PRINTED DOCKET

**On motion of COUNCILMAN DILLON,
seconded by COUNCILMAN EASTON, it is
Voted to Suspend Rule 16 of the Rules of the
City Council in Order to Allow the
Introduction of the following Matter Not
Appearing on the Printed Docket.**

PRESENTATION OF RESOLUTION

**COUNCILMAN ANNALDO, COUNCIL
PRESIDENT PAOLINO and COUNCIL-
WOMAN FARGNOLI:**

Resolution Requesting the Administration to
Abide by Certain Recommendations until such
time as the 1983-1984 Fiscal Budget has been
passed by the City Council.

Resolved, That the Administration is hereby
requested to abide by the following recommen-

dations until such time as the 1983-1984 fiscal
budget has been passed by the City Council:

A total freeze on new hiring be implemented
immediately;

An immediate freeze on interdepartmental
transfers of any employee;

No pay increase except those negotiated by
Union contract are to be implemented; and

A total freeze commence on all overtime with the exception of the Department of Public Safety and the Board of Canvassers and no overtime shall be given in any department without the written request from the Department Director and the written approval from the Finance Director.

Read and Passed, on motion of COUNCILMAN DILLON, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN O'CONNOR, seconded by COUNCILMAN DILLON, the City Council adjourns at 8:35 o'clock P.M. (E.D.T.) to meet again on THURSDAY, JUNE 2, 1983 at 8:00 o'clock P.M. (E.D.T.).

Rose M. Mandonea

City Clerk

May 19]

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