

CITY OF PROVIDENCE

RHODE ISLAND

IN CITY COUNCIL
MAY 5 1977



APPROVED:

Vincent Cooper
CLERK

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 64 City Council Regular Meeting, Thursday, April 21, 1977, 8:00 P.M., (E.S.T.)

PRESIDING

COUNCIL PRESIDENT

ROBERT J. HAXTON

ROLL CALL

Present: Council President Haxton and Councilmen Addison, Ahern, Almagno, Bradshaw, Cirelli, Cola, Fagnoli, Flynn, Garan, Glavin, Gorodetsky, Henries, Johnson, Lynch, Mansolillo, Merola, Pearlman, Petrosinelli, Salvatore, Stravato, Tomasso, and Xavier—23.

Absent: Councilwoman Brassil, and Councilmen McKiernan and Turchetta—3.

ORDINANCES SECOND READING

The Following Ordinances were in City Council April 7, 1977 Read and Passed the First Time and Are Returned for Passage the Second Time:

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

Be it ordained by the City of Providence:

Whereas, the Providence Redevelopment Agency (hereinafter sometimes called "Local Public Agency") pursuant to the provisions of Title 45, Chapters 31-33 (inclusive) of the General Laws of Rhode Island, 1956, as amended, entitled "Redevelopment Act of 1956," has formulated and submitted to the City Council on March 2, 1977 for its consideration, as Urban Renewal Plan approved by the Local Public Agency, for an Urban Renewal Area, which said Urban Renewal Plan is entitled, "Federal Hill East" and comprises a report consisting of 33 pages of text, 1 exhibit and 5 maps; and

Whereas, a general plan has been prepared by the City Plan Commission and is recognized and used as a guide for the general development of the City of Providence as a whole; and

Whereas, the said Urban Renewal Plan concerns itself with areas which have been designated Redevelopment Areas by the City Council of the City of Providence by Chapter 103 of the Ordinances of the City of Providence, approved July 6, 1948, as amended by Chapter 69-44 of the Ordinances of the City of Providence, approved November 28, 1969, in conformity with the provisions of Section 22 of Chapter 1802 of the Public Laws of Rhode Island 1946, as amended, and Title 45, Chapter 32, Section 4 of the General Laws of Rhode Island, 1956, as amended.

Whereas, a copy of said Urban Renewal Plan was transmitted to the City Plan Commission on March 21, 1977.

Whereas, the City Plan Commission, which is the duly designated and acting official planning body for the City, has submitted to the City Council its report and recommendations respecting the Urban Renewal Plan for Federal Hill East and has certified that said Urban Renewal Plan conforms to the said general plan for the City as a whole, and the City Council has duly considered said report, recommendation and certification of the planning body; and

Whereas, the plan as submitted contains a finding that the area included in the proposed Urban Renewal Plan qualified as a deteriorated blighted area within the meaning of the "Redevelopment Act of 1956" as amended to date, because there exist in the area buildings or improvements, used or intended to be used for living, commercial, industrial or other purposes, which by reason of (1) dilapidation, deterioration, age or obsolescence, (2) inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities, (3) defective design or unsanitary or unsafe character or condition or physical construction, (4) defective or inadequate street and lot layout, (5) mixed character, deterioration or shifting of uses to which they are put, or any combination of such factors and characteristics are conducive to the further deterioration and decline of the area and injuriously affect the entire area.

Whereas, a structural quality survey was conducted by the City of Providence, Department of Planning and Urban Development and the results of that survey as set forth in the Urban Renewal Plan indicated that 346 of the structures have deficiencies that included serious deterioration; serious overcrowding; lack of sanitary facilities; and serious inadequacies in lighting and ventilation. The Federal Hill East Area is not

5. It be and hereby is found that the Federal Hill East Area requires clearance, replanning, redevelopment, and improvement and rehabilitation under the provisions of the "Redevelopment Act of 1956."

6. It be and hereby is declared to be the purpose and intent of this Body to eliminate the deteriorated and substandard conditions existing in the Federal Hill East Area and the replacement of such conditions by a well-planned area in accordance with and by means provided in the "Redevelopment Act of 1956."

7. It is hereby found, declared and determined that:

(a) The Urban Renewal Plan for the Federal Hill East Area will redevelop said Urban Renewal Area in conformity with the provisions of the "Redevelopment Act of 1956"; will effectuate the purposes and policy of said Act; and will promote the public health, safety, morals and welfare of the City of Providence.

(b) The Urban Renewal Plan for said Urban Renewal Area conforms to the general or master plan for the City of Providence as a whole.

(c) The acquisition of the real property in accordance with the said Plan for the Federal Hill East Area is in the public interest.

(d) Adequate provision for payment for property which may be acquired by the exercise of eminent domain has been made in the Urban Renewal Plan.

(e) The Urban Renewal Plan contains adequate safeguards to assure the carrying out of the work of redevelopment in accordance with the Urban Renewal Plan.

(f) The Urban Renewal Plan provides for the retention of controls and the establishment of restrictions and covenants which may run with the land.

8. The Providence Redevelopment Agency

shall sell, lease or dispose of land in the Project Area only in accordance with the terms of the Redevelopment Plan and subject to the restrictions, covenants and conditions set forth therein and which are hereby found and declared to be necessary to effectuate the purposes of the "Redevelopment Act of 1956."

9. In enacting this Ordinance, the City Council intends to comply with the provisions of the "Redevelopment Act of 1956" which relate to adoption of an Urban Renewal Plan for an approved Urban Renewal Area so that the blighted and substandard conditions in this Urban Renewal Area can be eliminated and the Urban Renewal Area can be redeveloped in accordance with the Urban Renewal Plan to attain the public purposes and policy of the "Redevelopment Act of 1956" and thereby to protect and promote and be in the interest of the public health, safety, morals and general welfare of the people in the State as a whole and particularly the people of this City.

10. The Urban Renewal Plan for the Federal Hill East Area consisting of a booklet containing a table of contents, 33 pages of text, 1 exhibit and 5 maps is hereby approved, adopted and designated as the Official Redevelopment Plan for the Federal Hill East Area and is herein incorporated by reference, made a part hereof and designated as "Exhibit B."

11. The Providence Redevelopment Agency is hereby fully authorized to carry out this Official Redevelopment Plan, provided, however, that the Agency shall not enter into any contracts for disposition of property in the Urban Renewal Area until at least ten days after the City Council of the City of Providence has received at a regular or special meeting a report from the Providence Redevelopment Agency concerning the proposed sale or lease.

12. In order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved, it is found and determined that certain official action must be taken by this Body.

(a) Pledges its cooperation in helping to carry out said Official Urban Renewal Plan;

Section 2. All monies received by the City of Providence from the federal government under the provisions of Section 106(a) or (h) of Title I of the Housing and Community Development Act of 1974, (Public Laws 93-383), shall be expended in accordance with the provisions of said Act and shall be by Ordinance of the City Council. The Citizens Advisory Committee may comment on the plan for expenditure of funds so received. The City Council will consider the views of the Citizens Advisory Committee but it shall retain to itself the final approval for the expenditure of funds. No funds received under said Act shall be allocated for specific projects nor expended without the approval of the City Council.

Section 3. The Mayor and City Council may require any and all information relative to the expenditure of Community Development Act funds and at any time conduct investigations pursuant to the existing provisions of the City Charter, and shall require that all employees of the said program shall be qualified electors and residents in the City of Providence, Rhode Island.

Section 4. Upon the written request of the City Council of the City of Providence, Rhode Island, names, addresses and salaries of all personnel engaged in this program shall be submitted to the said Council.

Section 5. There shall be submitted to the City Council and the Citizens Advisory Committee by the Finance Director of the Community Development Act, on a monthly basis a line item budget showing (a) Project Account, (b) Amount budgeted, (c) Amount expended, (d) balance.

Section 6. The Mayor shall submit to the City Council and the Citizens Advisory Committee on a Quarterly basis a narrative progress report on each program including supporting data.

Section 7. The Mayor shall be responsible for negotiating all contracts with outside agencies subject to approval by Ordinance of the City Council.

Section 8. Amendments to the Community Development Program during the program year necessitating the reallocation of funds or the designation of new activities shall be subject to at least one Public Hearing, review by the Citizens Advisory Committee and final approval by Ordinance of the City Council.

Section 9. This Ordinance shall take effect upon its passage by the City Council.

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

Ayes: Council President Haxton and Councilmen Addison, Ahern, Almagno, Bradshaw, Cirelli, Cola, Fagnoli, Flynn, Garan, Glavin, Gorodetsky, Henriess, Johnson, Lynch, Mansolillo, Merola, Pearlman, Stravato, Tomasso and Xavier—21.

Absent: Councilwoman Brassil, and Councilmen McKiernan, Petrosinelli, Salvatore and Turchetta—5.

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI:

Resolution Authorizing the Committee on Urban Redevelopment, Renewal and Planning to Subpoena, from the Mayor's Office of Community Development, Therese S. Kelly, Director of Administration, to Produce All Records and Papers Concerning Harbor View Trail; and William J. Bertolini, Director of Fiscal Operations, to Produce All Records and Papers Concerning the Paving of Certain Property of Saint Teresa's Church, Providence.

Resolved, that the Committee on Urban Redevelopment, Renewal and Planning is authorized to subpoena, from the Mayor's Office of Community Development, Therese S. Kelly, Director of Administration, to produce all records and papers concerning Harbor View Trail; and William J. Bertolini, Director of Fiscal Operations, to produce all records and papers concerning the paving of certain property of Saint Teresa's Church, Providence.

Resolution Congratulating the Saint Pius Church Midget Basketball Team Upon Recently Winning the State of Rhode Island and New England Catholic Youth Organization Championship for 1976-1977 Season.

Whereas, the Mighty Midget Basketball Team of Saint Pius Church have recently garnered the top laurels as Champions in the State of Rhode Island and in the New England Catholic Youth Organization for the 1976-1977 Season, and

Whereas, the diminutive and undaunted scrappy Midgets have proved their indomitable spirit to the delight of their followers,

Now, Therefore, be it Resolved, that in congratulating the Saint Pius Church Midget Basketball Team upon recently winning the State of Rhode Island and New England Catholic Youth Organization Championships for the 1976-1977

Season, its Coach, Armand E. Batastini, is also felicitated for his devotion to the training and inspiration which led to their Championship Awards.

COUNCILMAN ADDISON:

Resolution Requesting the Director of the Department of Public Property to Ascertain Whether or Not the Flood Lighting on the Basketball Court at Cypress Street Playground Are Operational.

Resolved, that the Director of the Department of Public Property is requested to ascertain whether or not the Flood Lighting located on the Basketball Court at the Cypress Street Playground is operational and if not, to cause the same to be functional in preparation for the Outdoor Season.

Resolution Congratulating Willie Washington, Rhode Island Junior College Current Leading Scorer and All-American National Junior College Athletic Association Selectee.

Whereas, Willie Washington, current All-Time Leading Scorer in the Junior College League has been selected as an All-American National Junior College Athlete, and

Whereas, this mainstay of the "Knights" has been inspirational in the victories of the Team,

Now, Therefore, be it Resolved, that the congratulations of this City Council are hereby tendered to Willie Washington, Rhode Island Junior College Current Leading Scorer and All-American National Junior College Athlete Selectee.

Severally Read and Collectively Passed, on

Resolution Requesting the Director of the Department of Public Property to Cause the Outside Elevations of Angelo Zuccolo Memorial Pool Building and the Pool to Be Repainted.

Resolved, that the Director of the Department of Public Property is requested to cause the outside elevations of that building at Angelo Zuccolo Memorial Pool and the pool to be repainted.

Severally Read and Collectively Passed on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN CIRELLI, GARAN, MEROLA and XAVIER.

COUNCILMAN MANSOLILLO:

Resolution Requesting the Providence Redevelopment Agency to Refrain from the Sale and Conveyance of Title of Any Real Property within Its Jurisdiction to Any Person or Entity Which Are Delinquent in the Payment of Taxes, Water Bills or Upon Which Lis Pendens Proceedings Have Been Recorded, by the City of Providence.

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

COUNCILMAN PEARLMAN and COUNCILMAN BRADSHAW (By Request):

Resolution Ratifying Amendments to Agreement of Current Contract Between the City of Providence and Local 799, International Association of Firefighters, A.F.L.-C.I.O.

Referred to Committee on Employee Relations, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN GARAN.

Resolutions Reporting Receipt of Certain Gifts of Monies by the Board of Park Commissioners for the Preservation and Care of Specified Burial Lots in North Burial Ground.

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

Resolution Reimbursing Cesare Santoro, an Employee in the Office of the City Collector, the Sum of One Hundred Dollars (\$100.00) Representing His Payment to Industrial National Bank, for Having Accepted a Counterfeit Bill, in that Amount.

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

Resolution Authorizing the City Treasurer to Arrange for the Redemption or Sale of Lot 145 on City Assessor's Plat 9, Located along Halsey Street, an Offer having been Received by the City Treasurer from Herbert J. Michel, of Cumberland, of \$378.37, for Said Lot which is Subject to 1938 through 1976 Taxes.

Referred to Committee on City Property, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN GARAN.

COUNCILMAN PETROSINELLI and COUNCILMAN SALVATORE (By Request):

Resolution Requesting the Acting Public Service Engineer to Order the Installation of A Pole

of installing tennis courts, as was previously contemplated in the agreement with the City, for the recreational benefit of the children and adults of the neighborhood.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN BRADSHAW, GARAN, FLYNN and MEROLA.

COMMUNICATIONS AND REPORTS

FROM ALDO J. MIGNANELLI, MEMBER OF THE ZONING BOARD OF REVIEW

Communication Informing he is doing Work for the City of Providence Under the Name of Aldo J. Mignanelli Construction.

Received.

FROM STATE COASTAL RESOURCES MANAGEMENT COUNCIL

Notice Informing the City Council that It Has Under Consideration, the Application of Marquette Cement Manufacturing Company, Providence for the State's Assent to Dredge an Area Adjacent to an Existing Wharf in the Providence River.

Referred to Committee on Public Works, on

motion of COUNCILMAN LYNCH, seconded by COUNCILMAN GARAN.

FROM WATER SUPPLY BOARD

Annual Report for the Year Ended June 30, 1976.

Received.

FROM BUREAU OF LICENCES

Report of All Monies Received During the Quarter Ended March 26, 1977.

Received.

PETITION

COUNCILMAN ADDISON and COUNCILMAN GORODETSKY (By Request):

Petition of Providence Inn Associates and Sun of Rhode Island, to Abandon as Public Highways Black Street, from Orms Street to Its Northerly

Termination and Conanicut Street, from Charles Street to Its Southerly Termination.

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

April 21

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