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City Plan Commission

GEORGE HURLEY, *Chairman*
JERRY V. LORENZO RALPH MATERA

WALTER H. REYNOLDS, *Mayor*
LUCIO E. CARLONE, *Secretary*

PAUL A. SAN SOUZI, *Vice Chairman*
HARRY PINKERSON EDWARD WINSON

FRANK H. MALLEY, *Director*
MILLARD HUMSTONE, *Senior Planner*

*Suite 103, City Hall,
Providence 3, Rhode Island*

April 29, 1953

The Honorable Walter H. Reynolds, Mayor
The Honorable City Council
of the City of Providence
City Hall
Providence, Rhode Island

SUBJECT: Referral 500 - REDEVELOPMENT PLAN FOR WILLARD CENTER UNIT ONE
PROJECT AREA D2-A1

Gentlemen:

The subject referral received consideration by the City Plan Commission at a meeting held on Tuesday, April 28, 1953.

It was unanimously

VOTED: That in connection with the Redevelopment Plan designated as the Redevelopment Plan for Willard Center Unit One Project Area D2-A1, submitted to the City Plan Commission on April 28, 1953 by the Providence Redevelopment Agency, the City Plan Commission reports that this Redevelopment Plan for Willard Center Unit One Project Area D2-A1 is in conformity with the Master or General Plan of the City of Providence, and the City Plan Commission recommends the approval and execution of this plan as being necessary in the public interest.

The above action was taken in accordance with the requirements of Section 53 of the "Slum Clearance and Redevelopment Act", Chapter 2574, General Laws 1950.

IN CITY COUNCIL

MAY 21 1953

READ:

WHEREAS IT IS DEEMED THAT
THE SAME BE NEEDED.

GH/veb

c.c. Providence Redevelopment Agency - 3

Very truly yours,

George Hurley
GEORGE HURLEY
CHAIRMAN
CITY PLAN COMMISSION

STATE OF RHODE ISLAND & PROVIDENCE PLANTATIONS
THE CITY OF PROVIDENCE CITY COUNCIL

PUBLIC HEARING

REDEVELOPMENT PLAN FOR :
WILLARD CENTER UNIT ONE : Providence Redevelopment Agency
PROJECT AREA D2-A1. :

THOMAS S. LUONGO, Esq., Presiding

Thursday, May 21, 1953,
City Council Chambers,
City Hall,
Providence,
Rhode Island.

TRANSCRIPT OF THE PROCEEDINGS

Vincent A. Walsh,
Shorthand Reporter.

THE CLERK: The Redevelopment Plan for Willard Center Unit One Project Area D2-A1. Report of City Plan Commission relative to Providence Redevelopment Agency's "Redevelopment Plan for Willard Center Unit One Project Area D2-A1."

PRESIDENT LUONGO: If there is no objection it will be received. Hearing none, it will be received.

THE CLERK: Public Hearing. The Redevelopment Plan for Willard Center Unit One Project Area D2-A1 from the Providence Redevelopment Agency was in the City Council May 7, 1953 and referred to Thursday, May 21, 1953 at 8:00 o'clock P.M. (E.D.S.T.) for Public Hearing with the notice required by Slum Clearance and Redevelopment Act of 1950.

PRESIDENT LUONGO: Continue.

THE CLERK: The City Council meeting of the City of Providence is now open for public hearing pursuant to the requirements of Sections 26 and 31 of Chapter 2574 of the Public Laws of Rhode Island, 1950. This public hearing of the City Council of the City of Providence is concerned with the "Redevelopment Plan for Willard Center Unit One, Project Area D2-A1." All persons or agencies who desire to speak will be given an opportunity to make a statement, and all persons or agencies who desire to submit communications in writing will be given an opportunity to read or submit such communications. You will now hear from Donald M. Graham, the Executive Director of the Providence Redevelopment Agency. Mr. Graham.

MR. GRAHAM: Mr. President.

PRESIDENT LUONGO: Mr. Graham.

MR. GRAHAM: Members of the City Council, Ladies and Gentlemen. On February 5th we had a public hearing on the Tentative Plan for Willard Center Unit One. The Council approved that plan and directed the Redevelopment Agency to prepare the final redevelopment plan for Willard Center Unit One. The public hearing tonight is on that final redevelopment plan. Both the tentative plan and the redevelopment plan are concerned with the same proposal, that is, the school site for the proposed South Providence Elementary School. In this Project Area the proposal is to acquire 43 lots of land along Blackstone, Gay, Robinson and Willard Avenue, clear that land, and sell that land to the City of Providence for the school site. Approval of the redevelopment plan by the City Council would enable the Redevelopment Agency to apply to the Federal Government for funds to carry out this project. Since it will require some time to get that approval and get the funds, there will be nothing taking place in the area for two or three months. The present schedule calls for acquisition of the properties in the fall; the clearance of the school site by the spring of 1954 and, if at all possible, the stores along Willard Avenue will be maintained in their present condition long enough to permit the merchants involved to move into the new center if they are so interested. The family relocation service of the City of Providence will be available to

assist all families in finding new quarters, although it is obviously for the advantage of each family to look for themselves as well. The plan--it is a detailed document setting forth the restrictions and so on--will be necessary to prevent this area from becoming slum blighted again in the future. If anybody is concerned with seeing the plan itself it will be available at the agency office and I certainly urge anybody interested to keep up on the developments as they proceed during the next few months by coming into the Redevelopment Agency Office on the first floor of the City Hall any time you happen to be downtown. We certainly are at your disposal to answer any questions you may have so you can very well be kept up to date on what is going to be done in Willard Center Unit One. Thank you.

PRESIDENT LUONGO: All persons or agencies who desire to speak may now come forward, give their name and address, and address the public hearing.

VOICE: I would like to ask a question.

PRESIDENT LUONGO: Come forward, please. Give your name, please.

VOICE: My name is Isadore Horenstein, 905 Industrial Trust Building. I happen to be a lawyer by profession. I represent Mr. Morris Rose who owns some property on Gay Street. I have a question to ask, if questions are permissible.

PRESIDENT LUONGO: They are.

MR. HORENSTEIN: And I want to say right now that we are in sympathy with the plan. I don't come here as an objector. My client is sitting in the back room. Now, I may be out of order in asking this question, but my client asked me to find out, if I could this evening, what arrangements have been made, or are to be made, on the acquisition of this property. I know you can condemn it, but I am not talking about that. I am talking about hard, ready cash. What arrangements have been made, or are to be made, as to that, please? My client and I--and I suppose everybody else in the back there-- is interested in cash. That is what they are interested in. Is there a formula for the acquisition of this property, or is it catch as catch can? Now, I know the commission is going to be fair. I think we ought to know, though, as to how you plan to do it.

MR. GRAHAM: I would like to outline briefly how that is done. First of all, the value of the property is determined by independent appraisers engaged by the agency. As you all know, the first appraisal has already been made. A second appraisal will be made when the funds are received from the Federal Government. And after those appraisals have been approved by the agency and by the Federal Government, all the property will be acquired at one time. When that property is acquired, the agency will send out a negotiator to discuss settlement with each of the property owners. And as I understand it, Mr. Rose has been

in our office. He is interested in settling the matter. I suggest that Mr. Rose get in touch with us from time to time to see how soon he can actually make a settlement.

MR. HORENSTEIN: Just one more question. Are those appraisals to be made public, or for your own information?

MR. GRAHAM: The appraisals are the confidential information of the Redevelopment Agency.

MR. HORENSTEIN: Thank you.

PRESIDENT LUONGO: Are there any others?

VOICE: My name is E. Harold Dick. I have an office at 622 Hospital Trust Building. Mr. President and members of the Council, I represent probably about 40 businessmen who call themselves the Willard Center Businessmen Association. When this problem first arose you can imagine the upset that there was along the streets where people had been rooted for years and immediately they called upon their councilmen who kindly came to their meeting and offered them whatever assistance they could offer. I think the Council ought to know that so that perhaps through this Council there may be some form of a resolution passed as to what the legal effect of it would be. I don't know at this moment. We had a meeting with Mr. Graham and his staff and he appreciated our problem and at that time the suggestion was made that perhaps a certain section of this project could be set aside and the businessmen that are being relocated could perhaps purchase. I don't know whether it is from the agency or the government or the city. Which is it, Mr. Graham?

MR. GRAHAM: From the agency.

MR. DICK: Purchase from the agency a certain parcel of land in which they could set up their own business center. Mr. Graham had informed us that neither the agency or the city or the government could have anything to do with the finding -- with the financing of it. The difficulty that these gentlemen find themselves in is simply this, that some of these business men are only tenants and there is nothing in the law, to my knowledge, and I asked the City Solicitor before I spoke tonight whether he knew of anything wherein any tenant who does not have a written lease, who has made considerable repairs to his property, would be able to get any compensation. For example, there is one man in the hall tonight who within the past two years spent better than \$600 to fix floors and other fixtures. He has no lease because he always had confidence in his landlord and as a result of which when this property is condemned this gentleman, it is my understanding, will get absolutely nothing. Perhaps the landlord will get the benefit of his improvements. I think that is probably so. Now, of course, that is an unfair situation and if the law is that way we can't argue with it, except state our opinion as to what we feel ought to be done. I am getting back to what I originally said. I think this Council, and perhaps Mr. Wexler might help us do it, should properly pass some sort of a resolution instructing the agency, that is, the Redevelopment Agency, that the Council is in sympathy with the

plight of these men that have put their life's savings into a little store there and to assist them in every way possible so that they, or a group that represents them, should be able to fairly obtain a piece of land bordering on this project. Several of these men were a little fearful that perhaps -- where it has already been made public that they intend or would like to build a center -- that there might be some speculator come in and purchase that land and then attempt to charge them exorbitant rents. The plan of the association is, if land is available to them at a reasonable price, to build a shopping center there. Perhaps they may do it as a co-operative group or perhaps several of the group may build it with the consent of the association and charge a fair rental, a fair return on their investment. Our first thought was that if there is some way that this Council can go on record requesting the agency to do all that they can to see that these men could obtain that piece of land. I know that Mr. Quigley and Mr. Wexler have assured me that they would do everything they can to help these men do that. I feel that it would have some force if it came from the Council as a whole. I see nothing objectionable about it. Secondly, I don't know what else can be done for these people. They rooted themselves for years in that area. I feel that the Council ought to have the picture of what the situation is. Thirdly, Mr. Graham has stated publicly, and I am sure he stated the same thing to me so I know that he meant it, that in the course of this project going through, I assume that

this Council knows it, there is another project to go through across the way. Now, it is going to be a rather difficult situation to have certain businessmen thrown out, or being put out in the course of this condemnation and have no place to go, and Mr. Graham, of course, has assured me--I mean, I don't know how it can be done, but he assured me that he will do everything he can do to allow them to stay in there until, if possible, the new shopping center is built. I feel that the Council ought to know what the situation is of the people in that area. I know that their councilmen are well aware of it and I feel that something in the form of a resolution from this Council making or requesting that the agency see that justice is done to these people would be appropriate and would perhaps carry some weight. If any of the council had any questions as to what the plan of the association is, I would be glad to answer it--or if anyone else had any, but I felt that the Council ought to know what our plan is for relocation and we feel that we ought to get from the Council some sort of resolution asking that we be given as much assistance as possible to carry it out.

PRESIDENT LUONGO: Is there any other person that would like to express himself?

VOICE: Joseph Grossman, 191 Willard Avenue. President, Councilmen, Gentlemen, Ladies and Gentlemen. I came over here to ask a little question. My question is this: For instance, a man

like me, I got a little store on Willard Avenue. When I took that store over that store wasn't amount to nothing. I improved that store a hundred percent. I spent over -- probably fifteen to \$1600 on floors and electricity and partitions, and am making a living. I got to support my family and pay my taxes as an American citizen and after this when they will break down this Willard Avenue, they will break my store, that means I will have lost \$1600. What I -- the \$1600 what I made and worked for, the \$1600, and pay taxes for it. What did I have to do, that they will tell me I can take the boards and place somewhere else. No, them boards is absolutely junk. I will have to take this thing and throw it on the dump. The landlord gets the benefit. The operator will come in and take a look at that building and say, "It's a nice little store," and he gets enough money for himself. And what am I going to do as a poor man to support my family and pay my tax. What I am going to get out of it-- nothing! Is that justice? I think you should consider a little businessman who always works for a living and is trying to do something the best he can. He should get something out of it. He should get the money he invested in any store. That shouldn't be a loss entirely. He couldn't afford it and that wouldn't be fine and that wouldn't be justice to the people, justice to the poor man. Yes, the landlord--he will get enough money for himself. What am I going to get--nothing! I will have to go out and get a bag and go out begging. I should say not. I have been in the

United States 44 years. Only I expect to get paid what I spent because I got a few more years to live and make a living. I have to go look for another store. I expect to get a little out of the city back for my money what I invest and I want you, gentlemen, to consider that over and bring that over to the appraiser, the one who do the appraising, and let him do something for the poor man, for the poor people who wants to try and make a living every day in the week. I thank you all.

PRESIDENT LUONGO: Is there any other person who would like to express himself? Seeing none, all persons or agencies who desire to submit communications in writing may now come forward and do so. I don't see any. Mr. Wexler.

MR. WEXLER: Mr. President, I would like to comment briefly on what has been stated this evening by the people of South Providence and their representatives. As has been pointed out by Mr. Graham of the Redevelopment Agency, this is not a new matter which comes to us for the first time. This matter has been pending now for quite a few months and Mr. Graham has explained here in the Council Chambers and his office to scores of people living within the area all phases of the proposed plan. In regard to the remarks of Mr. Dick, as he has advised the Council, Councilman Quigley and myself have offered to all the people living or having any interest in any property or any interest whatsoever in the effected area that we would cooperate with them to the best of our ability. In regard to whether or not a Council resolution is

feasible, I do not at the present time know the answer. But as he pointed out, it is the strict policy of the agency and of the federal government which is advancing the greatest part of the funds that there be no speculation whatsoever in any property acquired as part of a redevelopment project and the people of the area have been advised and told by the agency that they will do everything possible within the law governing the operation of the agency and the law governing the project to cooperate with and to help all people who may be dislocated as a result of this particular project. We have also heard from Mr. Grossman and unfortunately in his case as in the case of many other people, there are many people who will suffer hardship and if my understanding of the law is correct, perhaps without compensation. The law of condemnation is an ancient one. What may be done with public funds and how such public funds can be spent has been determined for many, many years by law. Of course, neither the city nor the agency can expend public funds in violation of the law governing such expenditures and it may be in the case of the small tenant or the small businessman who is a tenant, or the tenant in a household, that they will have to share an undue portion of the burden which is expected of those from whom property is taken as a result of condemnation. I do wish to say to him and to others in his category that this Council and the Redevelopment Agency will do everything possible within the law

to help and to assist all persons involved as a result of this condemnation proceeding. I might point out that the end result of these proceedings will be the erection of a new school in South Providence which will replace several schools now in the neighborhood which average around 60 or 70 years of age, and the people of South Providence will have a decent school for their children, and as the adjoining area -- project is completed there will be a play area serving the entire district. Mr. President, I now move that the plan be referred to the Ordinance Committee and to the Public Works Committee for their consideration.

(Moved and Seconded)

PRESIDENT LUONGO: Are there any remarks?

MR. QUIGLEY: I wish to state here before the Council what I have stated before the gentlemen who had the meeting on Willard Avenue sometime ago, that I would do all I possibly could to aid and assist those who are being displaced to be given preference -- to be given preferential treatment in returning to their business to that particular section and I stand and pledge you my word to assist my colleague, Ed Wexler, to do all I can to make of that section of South Providence a happier and a better place than it is right now.

PRESIDENT LUONGO: Mr. Worrell.

MR. WORRELL: This particular project, fortunately from my

point of view and that of the minority in this Council, is one which is dedicated to the taking of property by condemnation, eminent domain, for public use because that erection of a school as it is intended upon this area to be taken is definitely that of a public use. The constitution of this great country by which we live day in and day out, which guarantees to us all of our rights day in and day out, 24 hours of each day, authorizes that action by the government duly empowered, as this Council of the City of Providence is, to take such property. For that reason, I am not standing here tonight to oppose this particular project in any sense of the word. I agree, too, that perhaps when it is all done and over with, the school is established, the area of South Providence which my friends -- the majority leader and his colleague, Mr. Quigley, represent -- will be a better place within which to live. But I do say this, that I have in the past opposed and will continue to oppose on the floor of this Council any project of this administration, sponsored by the Federal Government, not the present one because you won't find them, but the previous Federal Government, for the taking of private property for private use, and I suggest that before the Redevelopment Agency consider another taking in the city for private use it await the present pending matter in the Supreme Court of this State and its opinion to that extent. I have risen tonight to say these few words because I think now the administration happens to be in the right groove because the

proposed use is a public use. But to the extent that this administration ever again attempts to take private property for private use, then, I will stand and vigorously oppose such a taking or proposed taking.

MR. WEXLER: Just to say briefly, that at no time has this city ever taken or ever contemplated taking private property through the exercise of eminent domain, or other than a public use as my colleague knows very well. The constitution of this State and the constitution of the United States, which is the supreme law of this land, expressly forbids any such taking and if any person whose property is taken feels that the proposed use is a private one, he can go to court and if the Court finds that the use is a private one there will be no taking.

MR. QUIGLEY: I am surprised at the remarks that were just made by the gentleman from the Second Ward at which he evidently is referring to, the redevelopment plan of Plain Street and is designed for the redevelopment of an industrial section. Now, we had that proposition before this Council on two previous occasions. It was placed before the Legislature and passed the House and the Senate without a dissenting vote from either party and as my memory serves me now I recall no individual, no party opposition to the redevelopment plan as passed at this Council that relates to the eastern section of the Eleventh Ward.

If my memory serves me right, at a hearing that we had on that, which many of my neighbors and friends came here and vociferously protested against it, and I took the floor and advocated it in the interest of my city and in the interest of my state, there was no individual member of the Republican Party or of the Democratic Party that took sides against me on that particular question. I was very much interested in that. My heart was put out because the section involved is the place where I was born and to me, Ladies and Gentlemen, that is the greatest section in all America--that spot in South Providence that is known as the "Old Dog Town" and the "Gashouse District."

MR. WORRELL: Be it Dog Town or the tail end of the dog, there is presently pending in the courts of this state a matter which is now, I think, in the Supreme Court of Rhode Island in which the attorney for the complainants sat in this very chamber. I talked with him before the hearing. I spoke upon the floor at the hearing and I am back of him during this proceeding. I feel that in that instance there was definitely a public taking for private use. I believe that it was an unconstitutional taking and I hope the Supreme Court of the state agrees with that opinion one day when they render the opinion in the case which is now pending before it and if the memory of my colleagues is not that well, then, I ask you to refer to the records of this chamber to find the remarks which may have been made by me on that particular evening.

MR. QUIGLEY: Mr. President, I would ask the records of this Council on the vote of the gentleman from the Second Ward on that particular question. I recall nothing that he said in opposition to that. As a matter of fact, I think I was congratulated by some of the members of the Republican Party for the stand that I took that particular night. I think that you will find that your vote was registered voting with the majority and there was no opposition whatsoever to the movement--whether it originated in Washington under the administration of Harry Truman or under the administration of Dennis J. Roberts or the present mayor of Providence.

MR. WEXLER: Mr. President, although we seem to be straying from the matter directly in point, namely, Willard Center, I think the record ought to be clarified. I wish to advise my colleague, the councilman from the Second Ward, that the taking which he has attacked so vociferously as being unconstitutional and illegal has been held and found to be constitutional by the Supreme Court of the State of Rhode Island.

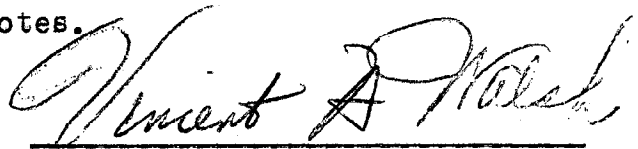
MR. WORRELL: I beg your pardon.

MR. WEXLER: That the only case now pending in the courts of this state is on the sole issue of whether or not the determination by this Council that that particular area was a blighted area remains to be decided by the courts.

PRESIDENT LUONGO: Is there any other person who desires to speak or submit communications, otherwise I will entertain a motion to refer it. All those voting in the affirmative say "aye," those opposed. The ayes have it. So referred. There being no one else, the public hearing is declared closed.

X-----X

I hereby certify that the foregoing is a true and accurate transcript of my shorthand notes.

A handwritten signature in cursive script, reading "Vincent A. Walsh", written over a horizontal line.

Vincent A. Walsh,
Shorthand Reporter.



Peter J. Hicks, Jr.
Public Service Engineer

444

CITY OF PROVIDENCE • RHODE ISLAND • Walter H. Reynolds • Mayor

Office of the Public Service Engineer

City Hall, Providence 3, R. I.

May 12, 1953

Mr. D. Everett Whelan
City Clerk
City Hall
Providence, Rhode Island

Dear Mr. Whelan:

I enclose herewith the bill of the Narragansett
Electric Company for the street lighting of the City of
Providence for the month of April, 1953.

The total net amount of the bill is \$35,566.53.

Yours very truly,

PJH, JR:tm
Enclosure:


PETER J. HICKS, JR.
PUBLIC SERVICE ENGINEER

*In City Council
May 21, 1953
Approved
Sent to Controller
May 22, 1953*



D. Everett Whelan
City Clerk

CITY OF PROVIDENCE • RHODE ISLAND • Walter H. Reynolds • Mayor

OFFICE OF THE CITY CLERK

CITY HALL
May 11, 1953

Vincent Vespia
First Deputy
William E. McWilliams
Second Deputy

Mr. D. Everett Whelan
City Clerk
City Hall
Providence, R. I.

Dear Sir:

In accordance with the provisions of
Resolution No. 408 of the City Council, adopted
and approved May 8, 1953, I hereby make the
following appointments to the Special Committee
to Verify Employees' War Service Records:

Councilman William A. Gray
Councilman Jerry Lorenzo
Councilman Lee A. Worrell

Very truly yours,

Thomas S. Luongo
President of the
City Council

TSL:rmc

IN CITY COUNCIL

MAY 21 1953

RECEIVED:
WHEREAS IT IS ORDERED THAT
THE SAME BE RECEIVED.



D. Everett Whelan
City Clerk

CITY OF PROVIDENCE • RHODE ISLAND • Walter H. Reynolds • Mayor

OFFICE OF THE CITY CLERK

CITY HALL
May 11, 1953

Vincent Vespia
First Deputy
William E. McWilliams
Second Deputy

Mr. D. Everett Whelan
City Clerk
City Hall
Providence, Rhode Island

Dear Sir:

In accordance with the provisions of
Resolution 256 of the City Council, approved
April 3, 1953, I hereby make the following
appointments to the Committee on Municipal
Celebration of July 4, 1953:

Councilman Jacob J. Alprin
Councilman Jerry Lorenzo
Councilman John A. Powers, Jr.
Councilman Thomas L. Payne
Councilman Frank Lazarus

Very truly yours,

Thomas S. Luongo
President of the
City Council.

TSL:rmc IN CITY COUNCIL
MAY 21 1953

RECORDED:

WHEN RECEIVED IT IS ORDERED THAT
THE SAME BE RECORDED.



D. Everett Whelan
City Clerk

447
CITY OF PROVIDENCE • RHODE ISLAND • Walter H. Reynolds • Mayor

OFFICE OF THE CITY CLERK

CITY HALL

Vincent Vespia
First Deputy
William E. McWilliams
Second Deputy

May 18, 1953

To the Honorable the City Council
of the City of Providence

Honorable Dear Sirs:

The undersigned presents the report of
moneys received and credited to his department, and returnable
to the City Collector, for the quarter ended March 31, 1953,
viz.:

January 1, 1953 through March 31, 1953

Trade Names.....	\$ 40.00
Notary Fees.....	36.75
Certified Copies.....	14.50
Physicians' Registrations.....	1.50
Fishing Licenses.....	3.80
Hunting Licenses.....	13.25
Hunting and Fishing Combination Licenses.....	3.75
	<hr/>
	\$113.55
Auctioneers' Returns.....	24.47
	<hr/>
Total	\$138.02

Respectfully submitted,

IN CITY COUNCIL
MAY 21 1953

RECEIVED:
WITH ENCLOSURE IT IS OBSERVED THAT
THE SAME BE RECEIVED.

Vincent Vespia
Acting City Clerk

Vincent Vespia
Vincent Vespia
Acting City Clerk