

# CITY OF PROVIDENCE RHODE ISLAND



## CITY COUNCIL JOURNAL OF PROCEEDINGS

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No. 92 City Council Regular Meeting, Thursday, June 3, 1982, 8:00 P.M. (E.D.T.)

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IN JUNE 4 1982  
JUN 24 1982

APPROVED:

PRESIDING

*Robert F. Lynch* CLERK

COUNCIL PRESIDENT

ROBERT F. LYNCH

### ROLL CALL

Present: Council President Lynch and Councilmen Almagno, Boyle, Councilwoman Brassil, Councilmen Brennan, Cirelli, Cola, Dillon, Easton, Councilwoman Fagnoli, Councilmen Farmer, Flynn, Glavin, Griffin, Johnson, Mansolillo, O'Connor, Paolino, Pearlman, Petrosinelli, Salvatore, Snowden and Stravato—23.

Absent: Councilmen Moise, Pennine and Xavier—3.

## INVOCATION

The invocation is given by COUNCILMAN  
THOMAS C. BOYLE.

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

COUNCILMAN JOHN P BRENNAN leads  
the Members of the City Council and the  
Assemblage in the Pledge of Allegiance to  
the Flag of the United States of America.

## ORDINANCES SECOND READING

The following Ordinances were in City  
Council May 27, 1982 Read and Passed, the  
First Time and Are Returned for Passage  
the Second Time:

An Ordinance in Amendment of Chapter 4 by  
Amending Section 4-34.1 which is Entitled:  
"Proof of Ownership Required Prior to  
Impounding Dog".

*Be It Ordained By The City Of Providence:*

*Section 1.* Chapter 4 of the Code of Ordinances  
of the City of Providence is hereby amended by

amending Section 4-34.1, which shall read as  
follows:

"Section 4-34.1. Proof of Ownership Required  
Prior to Impounding Dog.

(A) Anyone attempting to commit or have  
detained or impounded any dog or cat to a police  
officer, dog officer or any other individuals  
authorized by the city to exercise such control

must first sign an affidavit that he or she is the true owner of said animal.

(B) The dog officer shall charge a fee, as specified in the following schedule, to be paid by said owner of any dog or cat taken to the dog pound for the purpose of transferring title or for disposal according to law.

**FEE SCHEDULE:**

\$5.00 for each adult (6 months or older) dog  
\$5.00 for each adult (6 months or older) cat  
\$5.00 for each kitten or puppy."

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

An Ordinance in Amendment of Chapter 4 by Amending Section 4-35 which is Entitled: "Redemption of Impounded Dogs or Other Animals".

*Be It Ordained By The City Of Providence:*

Section 1. Chapter 4 of the Code of Ordinances of the City of Providence is hereby amended by amending Section 4-35, which shall read as follows:

"Section 4-35. (a) The owner shall be entitled to regain possession of any impounded dog or other animal except as hereinafter provided in the cases of certain dogs, at any time upon the payment of impoundment fees set forth herein.

(b) Any dog or other animal impounded under the provisions of this article and not reclaimed by its owner within five (5) days, may be humanely destroyed by the dog officer, have its possession transferred to the Society for the Prevention of Cruelty to Animals as provided for in section 4-34(b), or placed in the custody of some person deemed to be a responsible person, who will agree

to comply with the provisions of this article and such other regulations as shall be fixed by the dog officer; provided, however, that such person pay to the dog officer an adoption fee of \$5.00."

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

An Ordinance in Amendment of Section 16-3 of the Ordinances of the City of Providence Entitled: "Disorderly and Indecent Conduct", as Amended.

*Be It Ordained By The City Of Providence:*

Section 1. Section 16-3 of the Code of Ordinances of the City of Providence, entitled:

"Disorderly and indecent conduct," is hereby amended to read as follows:

Any person who engages in conduct which violates any of the following subsections thereby commits disorderly conduct:

(a) Any person who shall act in a threatening, violent or tumultuous manner toward another whereby any person is placed in fear of safety of his life, limb or health or the property of any person is placed in danger of being destroyed or damaged; or

(b) Any person who shall, in a public place or near a private residence that he has no right to occupy, disturb any person by making loud and unreasonable noise which under the circumstances would disturb a person of average sensibilities; or

(c) Any person who shall in a public place use "fighting words" or offensive language or words which by their very utterance inflict injury or are likely to provoke a violent reaction on the part of the average person so addressed; or

(d) Any person, who alone or in concert with others, obstructs any place ordinarily used for the passage of persons, vehicles or conveyances or otherwise engages in conduct which obstructs or interferes physically with a lawful meeting, procession or gathering; or

(e) Any person who shall assemble or congregate with another or others for the purpose of causing, provoking, or engaging or who shall cause, provoke or engage in any fight or other riotous conduct whereby the life, limb, health or property of another is endangered; or

(f) Any person who shall throw any stone or other missile upon or at any person, vehicle, building, tree, sign or other public or private property; or

(g) Any person who shall urinate or defecate on any public street, alley, sidewalk or floor of any public building or building where the public gathers or has access;

(h) Any person who enters upon the private property of another and looks into an occupied building structure located thereon without visible or lawful business with the owner or occupant thereof.

Any person who commits any of the aforesaid offenses shall be punished by a fine of not less than TWENTY-FIVE (\$25.00) DOLLARS nor more than TWO HUNDRED (\$200.00) DOLLARS or by imprisonment of not less than One (1) Day nor more than Thirty (30) Days or both such fine and such imprisonment.

If any clause, sentence, paragraph, section or part of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such decree shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part directly involved in the controversy in which the decree shall have been

rendered. To this end, the provisions of this ordinance are severable.

Sec. 2. This ordinance shall take effect upon its final adoption.

**Severally Read and Collectively Passed, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMEN FLYNN AND GLAVIN, by the following Roll Call Vote:**

**Ayes: Council President Lynch and Councilmen Almagno, Boyle, Brennan, Cirelli, Cola, Dillon, Farmer, Flynn, Glavin, Griffin, Johnson, Mansolillo, O'Connor, Pearlman, Petrosinelli, Salvatore and Stravato—18.**

**Absent: Councilwoman Brassil, Councilman Easton, Councilwoman Fagnoli, Councilmen Moise, Paolino, Pennine, Snowden and Xavier—8.**

**COUNCILMEN GRIFFIN and O'CONNOR desire to be recorded as "Not Voting" relative to "An Ordinance in Amendment of Chapter 4 by Amending Section 4-34.1 which is Entitled: "Proof of Ownership Required Prior to Impounding Dog" and "An Ordinance in Amendment of Chapter 4 by Amending Section 4-35 which is Entitled: "Redemption of Impounded Dogs or Other Animals".**

**Recapitulation of Vote:**

**Ayes: 16.**

**Not Voting: 2.**

**Absent: 8.**

**The motion for Passage the Second Time, is Sustained.**

## PRESENTATION OF ORDINANCES

### COUNCILMAN FARMER and COUNCILMAN PAOLINO:

An Ordinance in Amendment of Chapter 1981-10 of the Ordinances of the City of Providence, Approved March 18, 1981, Entitled "An Ordinance to Provide for the Providence Review Commission."

Referred to Committee on Finance, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

### COUNCILMAN XAVIER and COUNCILMAN FLYNN (By Request):

An Ordinance in Amendment of and In Addition to Chapter 1977-5 of the Ordinances of the City of Providence Approved February 14, 1977 and Entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for Downtown Providence Renewal" for the Additional Cost of Kennedy Plaza Project, Revised Conceptual Plan and Management Provisions.

Referred to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN GLAVIN.

The motion to Refer is Sustained.

## PRESENTATION OF RESOLUTIONS

### COUNCILWOMAN FARGNOLI (By Request):

Resolution Requesting the Chief Electrical Inspector to Order the Installation of a Street Light on Pole No. 6, located along 57 Metropolitan Road.

Resolved, That the Chief Electrical Inspector is requested to cause the installation of a street light on Pole No. 6, located along 57 Metropolitan Road.

Read and Passed, on motion of COUNCIL-

### MAN JOHNSON, seconded by COUNCILMEN FLYNN and O'CONNOR.

The motion for Passage is Sustained.

### COUNCILMAN MANSOLILLO:

Resolution proclaiming September 10, 1982 as United Way Day in Providence.

Whereas, The United Way of Southeastern New

England is a community organization dedicated to improving the quality of life for area residents, and

*Whereas*, The United Way funds support several hundred human service programs covering needs in health services, recreational services, family services, educational services and counseling services, and

*Whereas*, More than 27,000 volunteers donate their time, effort and expertise to the United Way activities for determining community needs, raising funds and allocating monies on a priority basis of greatest need, and

*Whereas*, More than 500,000 members of this community use United Way services, and

*Whereas*, Current government funding has mandated more responsibility for the volunteer sector in meeting community human service needs,

*Now, Therefore, Be It Resolved*, That September 10, 1982 shall be proclaimed United Way Day in Providence and shall be celebrated with the public running of the Fifth Annual Great Race around Kennedy Plaza at 12:00 Noon, this race being an event that exemplifies the United Way Philosophy of "people helping people" through the use of human powered vehicles. Participants will put forth their human effort with pushed, pulled or pedalled vehicles to symbolize the effort needed for human need in this community.

**Read and Passed, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN GLAVIN.**

**The motion for Passage is Sustained.**

**COUNCILMAN PEARLMAN and COUNCILMAN FARMER (By Request):**

Resolution Requesting the City Council to Consider the Providence Water Supply Board Budget as an Entity separate from the City Department's Budgets.

*Whereas*, Chapter 335 P.L. 1980 (approved 5/19/80), Section 39-1-2 General Laws of Rhode Island, 1956, was amended so as to specifically provide that the Providence Water Supply Board is a "public utility" within the meaning of that section, and

*Whereas*, The meaning of that section places the Providence Water Supply Board under the jurisdiction of the Rhode Island Public Utilities Commission, and

*Whereas*, The Providence Water Supply Board submitted a request to the Rhode Island Public Utilities Commission for an increase in the rate schedule to generate sufficient income to operate the system, and

*Whereas*, The Rhode Island Public Utilities Commission in its Report and Order of June 18, 1981 allowed an increase in the water rates sufficient to generate a total accrued revenue requirement of \$10,345,181, and

*Whereas*, The Rhode Island Public Utilities Commission has acted expeditiously in deciding on the request for a rate increase filed by the Providence Water Supply Board, and

*Whereas*, Given the Water Supply Board status as a public utility, it is within the authority of the Rhode Island Public Utilities Commission to define the financial relationship between the Water Supply Board and the City of Providence, and

*Whereas*, The Public Utilities Commission adheres to the view that and "arms length" relationship between the Water Supply Board

and the City of Providence "must be absolutely and scrupulously maintained", and

*Whereas*, The Public Utilities Commission has expressly conditioned the increase in rates in the Report and Order of June 18, 1981 on the establishment by the City of a "practice providing for independence and segregation of all revenues received by the Board", and "mandates that Board revenues and disbursements be separately accounted for through an 'enterprise fund' "

*Now, Therefore, Be It Resolved*, That the Providence Water Supply Board shall submit estimates of anticipated receipts and anticipated expenditures which shall be considered separately from the receipts and expenditures of the City of Providence General Fund and that financial transactions of the Providence Water Supply Board shall be conducted through an

"Enterprise Fund" with services provided by the City to the Water Supply Board properly accounted for and paid for by receipts from sales of water,

*Be It Further Resolved*, That the Providence Water Supply Board shall establish practices and procedures for operating that are consistent with the requirements of a regulated utility, with full cognizance for the responsibilities of the owner of the system, the City of Providence.

*Referred to Committee on Finance*, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMEN GLAVIN and O'CONNOR.

The motion to Refer is Sustained.

## REPORTS FROM COMMITTEE

### COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

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

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Two Hundred Thirty-Five Thousand Dollars (\$235,000.00) from Various Departments to Waste Collection, Item 1.

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Appropriating an Additional Eight Hundred Thousand Dollars (\$800,000.00) to the Public Welfare Department, Item 232.

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Two Hundred Seventeen Thousand (\$217,000.00) Dollars Within the Public Welfare Department to Various Items.

An Ordinance in Amendment of Chapter 1981-41, Effective July 20, 1981, Entitled: "An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Chapter 1981-13, Effective March 23, 1981."

An Ordinance to Authorize the Issue of Eight Million Seven Hundred Seventy-Eight Thousand Dollars (\$8,778,000.00) Public Improvement Bonds for Slum Clearance Redevelopment Purposes Pursuant to Chapter 220 of the Public Laws of 1968.

An Ordinance to Authorize the Issue of Two Million, Seven Hundred Fifteen Thousand, Five Hundred Ninety-Four Dollars (\$2,715,594.00) Public Improvement Bonds for Slum Clearance and Redevelopment Purposes Pursuant to Chapter 306 of the Public Laws of 1979.

An Ordinance to Authorize the Issue of One Million, Two Hundred Fifty-Three Thousand, Three Hundred Seven Dollars (\$1,253,307.00) Public Improvement Bonds for School, Moderni-

zation and Construction Purposes Pursuant to Chapter 90 of the Public Laws of 1974.

An Ordinance to Authorize the Issue of Four Million, Seven Hundred Sixty-Eight Thousand, Sixty-Six Dollars (\$4,768,066.00) Public Improvement Bonds for Repairing, Rehabilitating and Dredging Berth 3 of the City Port Facilities Pursuant to Chapter 3 of the Public Laws of 1980.

An Ordinance to Authorize the Issue of Four Million, Nine Hundred Eighty-Five Thousand, Thirty Three Dollars (\$4,985,033.00) Public Improvement Bonds for Operation, Maintenance, Repair, Rehabilitation and Modernizing of the Field's Point Sewage Treatment Plant and Sewer Sludge Incinerator Purposes Pursuant to Chapter 4 of the Public Laws of 1980.

An Ordinance Amending Section 18 of Chapter 1981-40 Entitled, "An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees in Certain Classes in the City Departments, Effective July 20, 1981, Relative to the Fire Department.

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39 Effective July 20, 1981, by Transferring the Sum of Seven Hundred Seventy-Four Thousand, Five Hundred Dollars (\$774,500.00) from Various Departments to 1-02-11 Anticipated Appropriation Reserve.



Severally Read and Collectively Passed, the First Time, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN GLAVIN by the following Roll Call Vote:

Ayes: Council President Lynch and Councilman Almagno, Councilwoman Brassil, Councilmen Brennan, Cirelli, Cola, Dillon, Councilwoman Fagnoli, Councilmen Farmer, Flynn, Glavin, Griffin, Johnson, Mansolillo, O'Connor, Pearlman, Petrosinelli, Salvatore and Stravato—19.

Absent: Councilmen Boyle, Easton, Moise, Paolino, Pennine, Snowden and Xavier—7.

COUNCILMAN BRENNAN desires to be recorded as voting "No" relative to the following: "An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Two Hundred Thirty-Five Thousand Dollars (\$235,000.00) from Various Departments to Waste Collection, Item 1"; "An Ordinance Amending the Appropriation Ordinance Chapter 1981-39 Effective July 20, 1981 by Appropriating an Additional Eight Hundred Thousand Dollars (\$800,000.00) to the Public Welfare Department, Item 232"; and "An Ordinance Amending the Appropriation Ordinance Chapter 1981-39, Effective July 20, 1981 by Transferring the Sum of Two Hundred Seventeen Thousand Dollars (\$217,000.00) within the Public Welfare Department to Various Items".

Recapitulation of Vote:

Ayes: 18.

Noes: 1.

Absent: 7.

COUNCILMAN O'CONNOR desires to be recorded as "Not Voting" relative to "An Ordinance Amending the Appropriation

Ordinance Chapter 1981-39, Effective July 20, 1981, by Transferring the Sum of Seven Hundred Seventy-Four Thousand, Five Hundred Dollars (\$774,500.00) from Various Departments to 1-02-11 Anticipated Appropriation Reserve".

Recapitulation of Vote:

Ayes: 18.

Not Voting: 1.

Absent: 7.

The Motion for Passage the First Time is Sustained.

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

*Resolved*, That the following gifts of the following sums of money, to the Board of Park Commissioners, in trust, the income thereof to be applied, under the provisions of Chapter 367 of the Public Laws, January Session 1861, to the preservation and care of the following specified burial lots in said ground be and the same are hereby respectively accepted.

Severally Passed, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN GLAVIN by the following Roll Call Vote:

Ayes: Council President Lynch and Councilmen Almagno, Boyle, Councilwoman Brassil, Councilmen Brennan, Cirelli, Cola, Dillon, Councilwoman Fagnoli, Councilmen Farmer, Flynn, Glavin, Griffin, Johnson, Mansolillo, O'Connor, Pearlman,

Petrosinelli, Salvatore, Snowden and Stravato—21.

The motion for Passage is Sustained.

Absent: Councilmen Easton, Moise, Paolino, Pennine, and Xavier—5.

**The following is Transmitted with  
Recommendation of Adoption as Amended:**

Resolution Requesting the Members of the City Council to Authorize Payment of Legal Fees to be Incurred by Councilmen Harry A. Johnson and Thomas F. O'Connor, Jr., as a Result of the Recent Court Suit Relative to the Redistricting of the Ward Boundaries of the City of Providence, as Amended.

*Whereas*, Certain Members of the City Council have been sued while performing their duties as representatives of the City of Providence,

*Now, Therefore, Be It Resolved*, That the Members of the City Council hereby authorize payment of legal fees to be incurred by Councilmen Harry A. Johnson and Thomas F. O'Connor, Jr. as a result of the recent Court Suit relative to the Redistricting of the Ward Boundaries of the City of Providence, in accordance with Section 2.8 of the Charter of the City of Providence.

**Read and Passed, on motion of COUN-**

**CILMAN FLYNN**, seconded by **COUNCILMAN DILLON**, by the following Roll Call Vote:

**Ayes:** Council President Lynch and Councilmen Almagno, Boyle, Councilwoman Brassil, Councilmen Brennan, Cirelli, Cola, Dillon, Councilwoman Fagnoli, Councilmen Farmer, Flynn, Glavin, Griffin, Pearlman, Petrosinelli, Salvatore, Snowden and Stravato—18.

**Not Voting:** Councilmen Johnson, Mansolillo and O'Connor—3.

**Absent:** Councilmen Easton, Moise, Paolino, Pennine and Xavier—5.

The motion for Passage is Sustained.

The following was in City Council February 4, 1982, Read and Passed, the First Time and Referred Back to Committee on Finance, and is Transmitted with Recommendation of Passage the Second Time:

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39 Effective July 20, 1981, by Transferring the Sum of Ninety Thousand Dollars (\$90,000.00) from Public Works-Highway, Item 1, to Public Works Highway, Item 2.

*Section 1.* Chapter 1981-39 of the Ordinances of the City of Providence entitled: "An Ordinance Making an Appropriation of One Hundred Forty-Nine Million, Eight Hundred Sixty-Two Thousand, One Hundred Twenty-Two Dollars, Nine Cents (\$149,862,122.09) for the Fiscal Year Ending June 30, 1982", effective July 20, 1981, as amended, is hereby amended by transferring the Sum of Ninety Thousand Dollars (\$90,000.00) from Public Works — Highway, Item 1, to Public Works — Highway, Item 2.

*Sec. 2.* This Ordinance shall take effect upon its Passage.

Read and Passed, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMEN FLYNN and GLAVIN, by the following Roll Call Vote:

**Ayes:** Council President Lynch and Councilmen Almagno, Boyle, Councilwoman Brassil, Councilmen Cirelli, Cola, Dillon, Councilwoman Fagnoli, Councilmen Farmer, Flynn, Glavin, Griffin, Johnson, Mansolillo, O'Connor, Pearlman, Petrosinelli, Salvatore, Snowden and Stravato—20.

**Noes:** Councilman Brennan—1.

**Absent:** Councilmen Easton, Moise, Paolino, Pennine and Xavier—5.

The motion for Passage is Sustained.

## FROM THE CLERK'S DESK

**Petitions for Compensation for Injuries and Damages and Refunds for Overpayment of Parking Fines, viz:**

Amica Mutual Ins. Co., as subrogee of Joyce W. Fairchild

Judy Cicilline

Joseph Ferri

Veronica Mancini

Helen E. Maxwell

Kevin J. McDonough

M. E. Meehan

Harlan A. Vermes

Donald D. Upham

Severally Referred to Committee on  
Claims and Pending Suits, on motion of

COUNCILMAN JOHNSON, seconded by  
COUNCILMAN GLAVIN.

The motion to Refer is Sustained.

## PRESENTATION OF RESOLUTIONS

*"In Memoriam"*

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

Resolutions Extending the Sympathy of the  
Members of the City Council to the Families of  
the Following Decedents:

*Resolved*, That the Sympathy of the Members  
of the City Council is hereby extended to the  
Families of the following:

Neda P. Logowitz

Anthony E. Salerno

William J. Lynch, Sr.

Michael Iuppa-Yuppa

Kathleen V. McNeil

Peter L. Garofalo

Stowell B. Montgomery

Rezin W. Snowden

Severally Read and Collectively Passed,  
on motion of COUNCILMAN JOHNSON,  
seconded by COUNCILMAN GLAVIN.

The motion for Passage is Sustained.

## MATTERS NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN JOHNSON, seconded by COUNCILMEN FLYNN and GLAVIN, it is voted to Suspend Rule 16 of the Rules of the City Council in Order to Allow the Introduction of the following Matters Not Appearing on the Printed Docket.

## APPOINTMENTS BY THE PRESIDENT OF THE CITY COUNCIL

Communication dated June 2, 1982, informing the City Clerk of His Appointments to the Special Committee on the Observance of the 206th Anniversary of the Declaration of Independence, 1982, by the United States of America, July 4, 1982.

Councilman Edward W. Xavier  
Councilwoman Carolyn F. Brassil  
Councilman Laurence K. Flynn  
Councilman Thomas C. Boyle, and  
Councilman Anthony P. Pennine

June 2, 1982

Councilman Xavier, being the first named member, shall have the authority to call the first meeting for the purpose of organization.

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

Very truly yours,

Robert F. Lynch  
Council President

I am this day naming the following members to the Special Committee on the Observance of the 206th Anniversary of the Declaration of Independence, 1982 by the United States of America, July 4, 1982.

Received.

## REPORT FROM COMMITTEE

### COUNCILMAN HARRY A. JOHNSON, Chairman COMMITTEE ON CITY PROPERTY

Transmits the following with Recommendation the Same be Severally Adopted:

Resolution Rescinding Resolution No. 469, Approved August 15, 1981, Authorizing the Sale of the Valley View Housing Complex to Downing Associates, Inc.

woman Brassil, Councilmen Brennan, Cirelli, Cola, Dillon, Easton, Farmer, Griffin, Mansolillo, O'Connor, Snowden and Stravato—13.

Noes: Council President Lynch, Councilman Boyle, Councilwoman Fagnoli, Councilmen Flynn, Johnson, Paolino, Petrosinelli, Salvatore—8.

Absent: Councilmen Glavin, Moise, Pearlman, Pennine and Xavier—5.

Resolution Authorizing His Honor the Mayor to Execute a Deed of Conveyance to Downing Associates, Inc., of the Valley View Housing Complex, for the Sum of Two Million, Six Hundred Fifty-Three Thousand, Three Hundred Twenty-Eight Dollars (\$2,653,328.00) Upon the Condition the Building be Sold as Condominiums Only.

COUNCILWOMAN BRASSIL and COUNCILMAN EASTON desire to be recorded as voting "No" relative to "Resolution Rescinding Resolution No. 469, Approved August 15, 1981, Authorizing the Sale of the Valley View Housing Complex to Downing Associates, Inc." and "Resolution Requesting His Honor, Mayor Vincent A. Cianci, Jr., Not to Sign the Bill of Sale as it Refers to the Valley View Housing Complex, as the original Conditions of Sale have Not been Met."

Resolution Requesting His Honor, Mayor Vincent A. Cianci, Jr., Not to Sign the Bill of Sale as it Refers to the Valley View Housing Complex, as the Original Conditions of Sale have Not been Met.

#### Recapitulation of Vote:

Severally Referred Back to Committee on City Property, on motion of COUNCILMAN MANSOLILLO, seconded by COUNCILMEN O'Connor and STRAVATO, by the following Roll Call Vote:

Ayes: 11.

Noes: 10.

Absent: 5.

Ayes: Councilmen Almagno, Council-

The motion to Refer is Sustained.

On motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN FLYNN, it is voted to Suspend Rule 2 of the Rules of the City Council in order to Allow the City Council to Meet on a Day Other than Provided in Said Rule 2.

## ADJOURNMENT

There being no further business, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN FLYNN, the City Council adjourns at 10:30 o'clock P.M. (E.D.T.) to meet again on THURSDAY, JUNE 24, 1982 at 8:00 o'clock P.M. (E.D.T.)

*Michael R. Clement*

*First Deputy City Clerk*

June 3]

2074

[1982

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