

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 50 City Council Regular Meeting, Thursday, December 4, 1980, 8:00 P.M. (E.S.T.).

IN CITY COUNCIL

DEC 18 1980

APPROVED:

PRESIDING *Rose M. Mendonca* CLERK

COUNCIL PRESIDENT

RALPH FARGNOLI

ROLL CALL

Present: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cirelli, Dillon, Easton, Farmer, Flynn, Glavin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Snowden and Stravato—22.

Absent: Councilmen Cola, Griffin, Salvatore and Xavier—4.

INVOCATION

The Invocation is given by COUNCILMAN MALCOLM FARMER III.

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

COUNCILMAN CHARLES R. MANSO-LILLO 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 RECORD

The Journal of Proceedings No. 49 of the Regular Meeting of the City Council held November 20, 1980 and Posted December 2, 1980 on that Bulletin Board located on the Ground Floor Level of City Hall, is Approved as Printed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

VETO BY HIS HONOR THE MAYOR

Communication dated November 25, 1980 informing the City Council of his Disapproval and Veto of that Resolution Calling for the execution of leases with P & P Development Corporation for land and building on Weybosset Street, that formerly housed the Weybosset Street Comfort Station, because of its ambiguity in prescribing the number of years and the rental fee for this piece of property and that while he endorses the concept, clarification of the terms and rental fee must be more explicit.

November 25, 1980

The Honorable Council of
the City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

I hereby veto and disapprove that Resolution

calling for the execution of leases with the P and P Development Corporation for land and building on Weybosset Street that formerly housed the Weybosset Street Comfort Station. I take this action of disapproval of this resolution because of its ambiguity in prescribing the number of years and the rental fee for this piece of property. While I wholeheartedly endorse the concept, I believe that clarification of the terms of years and rental fee must be more explicit.

Respectfully yours,

VINCENT A. CIANCI, JR.
Mayor of Providence

Received.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT FARGNOLI (By Request):

Resolution Requesting the Acting Public Service Engineer to order the installation of High Pressure Sodium Vapor Lights on Pole No. 1 and the Adjacent Pole, located along Old Road.

Resolved, That the Acting Public Service Engineer is requested to order the installation of High Pressure Sodium Vapor Lights on Pole No. 1 and the Adjacent Pole, located along Old Road.

COUNCILWOMAN BRASSIL (By Request):

Resolution Requesting the CETA Administrator order Security Guards to patrol the Fox Point Manor, located at 575 Wickenden Street, Providence, between the hours of Midnight and 8:00 o'clock A.M.

Resolved, That the Administrator of the Comprehensive Employment Training Act is hereby requested to order Security Guards to Patrol the Fox Point Manor, located at 575 Wickenden Street, between the hours of Midnight and 8:00 o'clock A.M.

COUNCILMAN CIRELLI (By Request):

Resolution Requesting the Acting Public Service Engineer to order the installation of a Pole and High Pressure Sodium Vapor Light at Leander and Ridgeway Streets, along the Hillcrest Apartments.

Resolved, That the Acting Public Service Engineer is Requested to Order the Installation of a Pole and High Pressure Sodium Vapor Light at Leander and Ridgeway Streets, along the Hillcrest Apartments.

COUNCILMAN EASTON:

Resolution Requesting the Acting Director of Public Works to insure that routes are rotated in each area of the City due to the temporary shortage of crews, to collect garbage and the high backlog of garbage in certain areas.

Resolved, That the Acting Director of Public Works is Requested to insure routes are rotated in each area of the City, due to the temporary shortage of crews, to collect garbage and the high backlog of garbage in certain areas to provide some frequency of collection in each area of the City.

COUNCILMAN FARMER:

Resolution Requesting the Committee on Finance of the City Council to commence a search for a qualified Internal Auditor.

Whereas, Sound financial management is critical to cost effective delivery of City services and Resolution of the City's financial problems, and

Whereas, The City Council has a major responsibility to assist in providing such management, and

Whereas, Internal audits of City Departments and financial operations by a qualified professional should be a fundamental part of the City's capacity to ensure such sound financial management, and

Whereas, Such position should be filled on a nonpartisan basis.

Now, Therefore, Be It Resolved,

1. That the Committee on Finance of the City Council is hereby requested to commence a search for a qualified Internal Auditor.

2. That the Committee on Finance request such of the major accounting firms in the City as the Committee shall select to provide a representative of each such firm to volunteer his or her service as a member of a screening committee comprised of such representatives and members of the Committee on Finance to undertake such search and assist said Committee in evaluating the professional qualifications of candidates for the position of Internal Auditor.

3. That the Internal Auditor for the City be, at a minimum, a certified public accountant with at least five years' experience in finance, operational auditing or equivalent training or experience in order to provide continuity upon the effective date of the Providence Home Rule Charter of 1980.

4. That the Finance Committee prepare and submit to this Council, such Ordinances as may be necessary to establish such office and provide compensation for the Internal Auditor sufficient to attract candidates having such qualifications.

COUNCILMAN FARMER (By Request):

Resolution Requesting the Acting Public Service Engineer to Order the Installation of a Street Light on that certain pole on the easterly side of Glen Drive, Providence, opposite 22 Glen Drive.

Resolved, That the Acting Public Service Engineer is hereby requested to Order the Installation of a Street Light on that certain pole on the Easterly side of Glen Drive, Providence, opposite 22 Glen Drive.

Resolution Requesting the Director of Public Works to cause the Pot Holes in Clark's Lane, located off Thayer Street, between Keene Street and Barnes Street, to be Patched.

Resolved, That the Director of Public Works is requested to cause the pot holes in Clark's Lane located off Thayer Street, between Keene Street and Barnes Street, to be patched.

Severally Read and Collectively Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion for Passage is Sustained.

COUNCILMAN FLYNN:

Resolution Requesting the Mayor to invite the members of the City Council's Committee on Finance and the Committee on City Property, to attend all meetings held with the newly created Narragansett Bay Water Quality Management District Commission, regarding their acquisition of the Providence Sewer Treatment Plant and other incidental City Property.

Referred to Committee on Finance, on motion of COUNCILMAN ADDISON, seconded by COUNCILMEN FLYNN and MANSOLILLO.

The motion to Refer is Sustained.

COUNCILMAN JOHNSON (By Request):

Resolution Authorizing His Honor the Mayor to Execute a Lease with P & P Development Corporation, 33 French Street, Pawtucket, Rhode Island 02860, of that land and building known as the Weybosset Street Comfort Station for a period of twenty (20) years and rescinding Resolution No. 269, approved May 3, 1980 and Resolution No. 514, approved August 5, 1980.

Resolved, That Resolution No. 269, approved May 3, 1980 and Resolution No. 514, approved August 15, 1980, are hereby rescinded, and

Be It Further Resolved, That His Honor the Mayor be and he is hereby authorized to execute a lease with P & P Development Corporation, 33 French Street, Pawtucket, Rhode Island 02860, of that land and building known as the Weybosset Street Comfort Station and further designated as Lot 171 on City Assessor's Plat 20, for a period of twenty (20) Years, at a rental of Ten Dollars (\$10.00) per month until opening of the restaurant; two Hundred Fifty Dollars (\$250.00) per month for the first Three (3) Months after opening of the restaurant; Five Hundred Dollars (\$500.00) per month for the next Three (3) Years, after opening the Restaurant; and for the remainder of the first Ten (10) Year period, the rental shall be Five Hundred Dollars (\$500.00) per month plus the National Cost of Living Increase as reported on an annual calendar year basis, provided however, that in each of the remaining years of the first Ten (10) Year period, the rental

will reflect the prior years National Cost of Living Increase as reported on an annual calendar year basis; provided further however, that Three (3) Months prior to the expiration of the first Ten (10) Year Period, the lessee and the City of Providence shall negotiate the rental price and conditions for the next Five (5) Year period; provided further that Three (3) Months prior to the expiration of the aforementioned Five (5) Year Period, the lessee and the City of Providence shall negotiate the rental and conditions for the last Five (5) Year Period of the lease.

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

Ayes: Council President Fargnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cirelli, Easton, Farmer, Flynn, Glavin, Johnson, Lynch, Mansolillo, O'Connor, Paolino, Pen-nine, Petrosinelli, Snowden and Stravato—19.

Absent: Councilmen Cola, Dillon, Griffin, Moise, Pearlman, Salvatore and Xavier—7.

The motion for Passage is Sustained.

COUNCILMAN MOISE:

Resolution requesting the Committee on Finance to investigate the operation of the Dog Pound and obtain an Accountability of their Income.

Resolution Requesting the Committee on Finance to Undertake a Study as to the feasibility of Imposing a Use Tax on Educational Facilities, Churches and Trucks.

Resolution Requesting the Committee on Finance to Undertake a Study of Imposing a Tax Fee upon Lessors of Properties at the Port of Providence if their Lease Payment is Less than the appraised valuations of the Properties, by the City Assessor or an appraiser.

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

The motion to Refer is Sustained.

COUNCILMAN JOHNSON and COUNCILMAN LYNCH:

Resolution Requesting a Watchman be Reinstated at the City Hall during Weekends and Holidays.

Whereas, Public Buildings are protected by a Watchman, to be on duty at all times, and

Whereas, A building left vacant is susceptible to robberies and fires, and

Whereas, City Hall has records dating back centuries which can be destroyed by fire,

Now, Therefore, Be It Resolved, That a watchman be reinstated at City Hall during Weekends and Holidays.

COUNCILMAN PAOLINO and COUNCILMAN EASTON:

Resolution Requesting the City Council Committee on Employee Relations to intercede in the apparent stalemate between the City's Administration and the City's Municipal Union.

Whereas, The City of Providence is faced with its most serious labor problem in many years, and

Whereas, For more than one month, the City Administration and Local 1033, representing the municipal workers, have been at odds over proposed layoffs, and

Whereas, This apparent stalemate raises the serious possibility of a job action by members of the Union, and

Whereas, Any job action by the Union would cause the disruption and/or cessation of City Service, and

Whereas, The present season of the year always poses the threat of harsh and inclement weather, and

Whereas, Any job action by the Local occurring during the winter months would cause the cessation of essential municipal services, such as sanitation, water supply and highway maintenance, and

Whereas, Such disruptions would seriously and grievously jeopardize the health, safety and welfare of the citizens of Providence, and

Whereas, This dispute is of special concern to the Committee on Employees Relations, and

Whereas, There could be no more propitious time for said Committee to fulfill its mandated obligations,

Now, Therefore, Be It Resolved, That the City Council requests that the Committee on Employee Relations extend its offices to the parties engaged in this labor dispute and that both the City Administration and Local 1033 avail themselves of the good offices and services of the Committee, and

Be It Further Resolved, That the City Council calls upon both parties to enter into negotiations

so that this matter can be resolved, and the work of the municipal government continue uninterrupted.

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

The motion for Passage is Sustained.

COUNCILMAN SNOWDEN (By Request):

Resolution Authorizing His Honor the Mayor or any other Appropriate City Official to Accept the Reconveyance by Karroo Land Co., Inc. of Lots 380, 388, 393 and 640, on City Assessor's Plat 45, in consideration of Repayment of the Amount Paid therefore, in order to correct the original erroneous Conveyance of said Lots.

Resolution Authorizing His Honor the Mayor or any other Appropriate City Official to Accept the Reconveyance by Columbus Mortgage and Loan Corp., of Rhode Island of Lot 390 on City Assessor's Plat 45, in consideration of Repayment of the Amount Paid therefore, in order to correct the original erroneous Conveyance of said Lots.

Severally Referred to Committee on City Property, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

COUNCILMAN XAVIER:

Resolution Requesting the Providence Redevelopment Agency to acquire that land known as the Bond Bread Site, so-called, bounded by Brook, Williams and John Streets, to allow that area to be used for Neighborhood Purposes.

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

The motion to Refer is Sustained.

REPORT FROM COMMITTEE

COUNCILMAN DAVID G. DILLON, Chairman COMMITTEE ON CLAIMS AND PENDING SUITS

Transmits the following with Recommendation the Same be Severally Approved for Cancellation:

Certificates from the City Assessor (36-H, 38-H and 41-H) Recommending the Same be Severally Cancelled, Pursuant to the Provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, 1956, as Amended.

Severally Approved, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN, by the following Roll Call Vote:

Ayes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle,

Councilwoman Brassil, Councilmen Cirelli, Easton, Farmer, Flynn, Glavin, Johnson, Lynch, Mansolillo, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Snowden and Stravato—20.

Absent: Councilmen Cola, Dillon, Griffin, Moise, Salvatore and Xavier—6.

The motion to Approve is Sustained.

REPORTS

FROM THE PROVIDENCE CIVIC CENTER AUTHORITY: FROM THE CITY PLAN COMMISSION:

Financial Statements and Supplementary Information for the Fiscal Year ended June 30, 1980.

Received.

Capital Improvement Program for 1980-1986.

Received.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz;

William H. Barene

Government Employees' Insurance Company as Subrogee of Augustine Monnah

Michael Hall

Mrs. Elizabeth Karol

Sharon Mendes p.p.a. Anthony Mendes

Kenneth E. O'Brien

Jose A. Placido

Robert Powel

Severally Referred to Committee on Claims and Pending Suits, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

“In Congratulations”

COUNCIL PRESIDENT FARGNOLI and the MEMBERS OF THE CITY COUNCIL:

Eighth Graders Conducted under the Auspices of the Catholic School Office of the Roman Catholic Diocese of Providence.

Resolutions Extending Congratulations to the the following:

Rogelio and Cynthia Yearwood in recognition of the Birth of their Son, Xenio, born November 3, 1980.

Gilbert H. McLaughlin, Upon His Promotion to the Rank of Assistant Chief of the Providence Fire Department.

Severally Read and Collectively Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN.

Mr. and Mrs. Antonio Bellucci, in Recognition of the Occasion of Their Sixtieth Wedding Anniversary.

The motion for Passage is Sustained.

Carl A. Picerno, Jr., in Recognition of Winning First Place in the Annual Spelling Bee for the

PRESENTATION OF RESOLUTIONS

“In Memoriam”

COUNCILMAN PRESIDENT FARGNOLI and the MEMBERS of the CITY COUNCIL:

Joseph S. Curran

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

Josephine Ancona

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

Cornelia E. Wilkins

Rebecca M. Smith

Rose Goldenberg

Mabel G. Hill

Carlo A. Trofo

Cecil B. Horton

Nicola A. Iacovacci

James A. Cusick

Sylvia W. Gurwitz

Soo In Kim

Mary A. Wiggins

Domenica Mosca

Roderick J. Mason

Joseph Farber

Abraham Adler

Joseph Borzaro

Clara G. Toscano

Kathryn Nash

Flora Zingale

Stanley A. Dickervitz

William F. Kelly

Donald J. Ribeiro

Mabel G. Hill

Pauline A. Varin

Walter H. Croft

John Caliri

**Read and Passed, by a Unanimous Rising
Vote, on motion of COUNCILMAN ADDI-
SON, seconded by COUNCILMAN FLYNN.**

The motion for Passage is Sustained.

MATTERS NOT APPEARING ON THE PRINTED DOCKET

**On motion of COUNCILMAN ADDISON,
seconded by COUNCILMAN FLYNN, it is
Voted to Suspend Rule 16 of the Rules of the
City Council in Order to Allow the Introduc-
tion of the following Matters Not Appearing
on the Printed Docket.**

PRESENTATION OF RESOLUTION

COUNCILMAN JOHNSON:

Resolution Requesting the City Solicitor to Appear before the Governor to request the Governor to call out the National Guard for any *One Time* Garbage Pick-Up in the City of Providence.

Read and Passed, on motion of COUNCILMAN ADDISON, seconded by COUNCILMEN PEARLMAN, SNOWDEN and FLYNN.

REPORT FROM COMMITTEE

COUNCILMAN HARRY A. JOHNSON, Chairman COMMITTEE ON CITY PROPERTY

Transmits the following with Recommendation, the Same be Adopted:

Resolution Authorizing His Honor the Mayor with the Recommendation of the Committee on City Property of the City Council, to accept from the Providence Conservative Synagogue of Providence, Rhode Island, that Certain Lot or Parcel of Land with All Buildings and Improvements thereon, located at 155 Niagara Street, Laid Out and Delineated as Lots 563 and 132 on Assessor's Plat 52, otherwise known as the Temple Beth-Israel.

Resolved, That His Honor the Mayor is authorized with the recommendation of the Committee on City Property of the City Council to accept from the Providence Conservative Synagogue of Providence, Rhode Island, that certain lot or parcel of land with all buildings and improvements thereon, located at 155 Niagara Street, in the City and County of Providence, and the State of Rhode Island, laid out and delineated as lots 563 and 132 on Assessor's Plat 52,

otherwise known as the Temple Beth-Israel, and bounded and described as follows:

Commencing at a point, said point being the intersection of the northwesterly line of Atlantic Avenue and the southwesterly line of Niagara Street, said point being the southeasterly corner of the parcel, herein described;

Thence running northwesterly bounded northeasterly by said Niagara Street, Two Hundred Feet (200') more or less, to the southeasterly line of Lexington Avenue;

Thence turning an interior angle of Ninety Degrees (90°) and running southwesterly, bounded northwesterly by said Lexington Avenue, one hundred feet (100') more or less, to the land, now or formerly of Margaret Boyajian;

Thence turning an interior angle of Ninety

Degrees (90°) and running southeasterly, bounded southwesterly by said Boyajian land, one hundred feet (100') more or less, to a point;

Thence turning an interior angle of Two Hundred Seventy Degrees (270°) and running southwesterly, bounded northwesterly by said Boyajian land and the land, now or formerly of Edward T. Donilon, one hundred feet (100') more or less, to the land, now or formerly of Richard V. and Barbara S. Chambers;

Thence turning an interior angle of Ninety Degrees (90°) and running southeasterly, bounded southwesterly by said Chambers land, one hundred feet (100') more or less, to the northwesterly line of Atlantic Avenue;

Thence turning an interior angle of Ninety Degrees (90°) and running northeasterly, bounded southeasterly by said Atlantic Avenue, two hundred feet (200') more or less, to the point and place of beginning.

The last described course forms an interior angle of Ninety Degrees (90°) with the first described course.

The above described parcel contains, approximately, 30,000 square feet.

Said land and buildings are to be accepted from the Providence Conservative Synagogue of Providence, Rhode Island for use as a multi-purpose community center for the Elmwood Neighborhood. Said acceptance of property will be purchased solely with funds from the Community Development Block Grant Program approved by the U. S. Department of Housing and Urban Development in the amount of Two Hundred Twenty-Five Thousand Dollars (\$225,000.00).

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

Ayes: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cirelli, Easton, Farmer, Flynn, Glavin, Johnson, Lynch, Mansolillo, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Snowden and Stravato—20.

Absent: Councilmen Cola, Dillon, Griffin, Moise, Salvatore and Xavier—6.

The motion for Passage is Sustained.

COUNCILMAN MANSOLILLO moves for Reconsideration of that "Resolution Requesting the City Solicitor to Appeal before the Governor to request the Governor to call out the National Guard for and Emergency One Time Garbage Pick-Up in the City of Providence."

This motion being seconded by COUNCILMAN GLAVIN is put to Vote and Passed.

COUNCILMAN O'CONNOR desires to be recorded as Voting "No".

COUNCILMAN JOHNSON submits the following Amendment to the Resolution:

"Resolution Requesting His Honor the Mayor to declare a State of Emergency and request the Governor to call out the National Guard for an Emergency One Time Garbage Pick-Up in the City of Providence."

Resolved, That His Honor the Mayor is hereby requested to declare a State of Emergency and request the Governor to call out the National Guard for an Emergency One Time Pick-Up in the City of Providence.

RECESS

COUNCIL PRESIDENT FARGNOLI declares the Council Stand at Ease at 9:55 o'clock P.M. (E.S.T.).

RECONVENTION

COUNCIL PRESIDENT FARGNOLI Re-convenes the Council at 10:00 o'clock P.M. (E.S.T.) and Directs the Clerk to Call the Roll to Ascertain if there is a Quorum Present:

Present: Council President Fargnoli and Councilmen Addison, Almagno, Boyle,

Councilwoman Brassil, Councilmen Cirelli, Dillon, Easton, Flynn, Glavin, Johnson, Lynch, Mansolillo, Moise, Paolino, Pennine, Petrosinelli and Stravato—18.

Absent: Councilmen Cola, Farmer, Griffin, O'Connor, Pearlman, Salvatore, Snowden and Xavier—8.

The Resolution is thereupon Read and Passed as Amended, on motion of COUNCILMAN JOHNSON, seconded by COUNCILMAN STRAVATO.

The motion for Passage as Amended is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN FLYNN, the City Council adjourns at 10:05 o'clock P.M. (E.S.T.) to meet again on THURSDAY, DECEMBER 18, 1980 at 8:00 o'clock P.M. (E.S.T.).

Rose M. Mendonca

City Clerk