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# CITY OF PROVIDENCE RHODE ISLAND



## CITY COUNCIL

# JOURNAL OF PROCEEDINGS

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No. 77 City Council Regular Meeting, Thursday, October 4, 2001, 7:30 o'clock P.M. (E.D.T.)

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PRESIDING

COUNCIL PRESIDENT

JOHN J. LOMBARDI

ROLL CALL

**Present:** Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozzi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—15.

**Absent:** None.

**Also Present:** Michael R. Clement, City Clerk, Barbara A. Poirier, First Deputy City Clerk, Charles R. Mansolillo, City Solicitor and Ralph Guglielmino, City Sergeant.

IN CITY COUNCIL  
JAN 17 2002

1481

APPROVED:

*Michael R. Clement* CLERK

## INVOCATION

The Invocation is given by LYMAN J. WILLIAMS.

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

COUNCILMAN RONALD ALLEN leads the members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

## APPOINTMENT BY HIS HONOR THE MAYOR

Communication dated September 13, 2001, Informing the Honorable Members of the City Council that in accordance with Article III, Section 3.03-3.06(a) and 3.08(a), he is hereby, in his capacity as Mayor of the City of Providence, this day appointing Councilman Terrence M. Hassett of 47 Raymond Street, Providence, RI

02908, as a member of the Public Sector of the Board of Directors of the Providence Community Action Program, Inc., for a term to expire in January, 2003.

Received.

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## NOMINATION OF CERTAIN CITY OFFICERS

### JUDGE OF THE PROBATE COURT.

COUNCILMAN BUTLER nominates JOHN E. MARTINELLI, ESQUIRE, as Judge of the Probate Court.

COUNCILMAN CLARKIN, COUNCILWOMAN WILLIAMS, COUNCILWOMAN YOUNG and COUNCILMAN HASSETT second this nomination.

COUNCIL PRESIDENT LOMBARDI calls for further nominations, and there being none, directs the Clerk to Cast One Ballot for the Nomination of JOHN E. MARTINELLI, ESQUIRE, for Judge of the Probate Court.

The Clerk casts on ballot as directed.

COUNCIL PRESIDENT LOMBARDI Refers the Nomination to the Committee on Finance.

The motion to Refer is Sustained.

### CLERK OF THE PROBATE COURT.

COUNCILMAN BUTLER nominates FRANK LOMBARDI, ESQUIRE as Clerk of the Probate Court.

COUNCILWOMAN WILLIAMS seconds this nomination.

COUNCIL PRESIDENT LOMBARDI calls for further nominations, and there being none, directs the Clerk to Cast One Ballot for the Nomination of FRANK LOMBARDI, ESQUIRE, for Clerk of the Probate Court.

The Clerk casts on ballot as directed.

COUNCIL PRESIDENT LOMBARDI Refers the Nomination to the Committee on Finance.

The motion to Refer is Sustained.

## ORDINANCE SECOND READING

The following Ordinance was in City Council June 7, 2001, Read and Passed the First Time and Referred Back to the Committee on Finance on June 21, 2001, and is returned for Passage the Second Time, as amended:

An Ordinance appropriating fifty million dollars (\$50,000,000) and authorizing the issuance of fifty million dollars (\$50,000,000) in bonds for neighborhood and capital improvements, as amended.

*Be it ordained by the City of Providence:*

**Section 1.** The sum of \$50,000,000 is hereby appropriated for "The Neighborhood and Capital Improvements". The details of the neighborhood improvement projects in Subsection A will be approved by the City Council prior to the issuance of the bonds. The categories to be funded and the amounts to be funded are as follows:

**A. Neighborhood Improvement Projects —**  
*In the amount of \$33 Million. Expenditures to be determined by individual Council Member.*

Ward	Amount to be Expended
Ward One	\$2.2 million
Ward Two	\$2.2 million
Ward Three	\$2.2 million
Ward Four	\$2.2 million
Ward Five	\$2.2 million

Ward Six	\$2.2 million
Ward Seven	\$2.2 million
Ward Eight	\$2.2 million
Ward Nine	\$2.2 million
Ward Ten	\$2.2 million
Ward Eleven	\$2.2 million
Ward Twelve	\$2.2 million
Ward Thirteen	\$2.2 million
Ward Fourteen	\$2.2 million
Ward Fifteen	\$2.2 million
Total:	\$33 million

In the event that the Trustee of the prior fifty million dollar (\$50,000,000.00) bond certifies that any ward spent more than \$2.2 million dollars in that bond issuance, the above amount or amounts shall be reduced or adjusted to reflect the overage and the funds left over from these allocations shall be applied to interest payments of this bond.

**B. Special Projects —** *In the amount of \$12,975,000.*

1. *Lead-free and code-compliance housing — \$4.0 million*

Funds will be used to remove lead and renovate housing.

Additional funding being sought from the state.

More than 25% of the city's children have high lead levels.

All funds for lead free and code compliant housing shall be spent consistent with the policies of PHNC.

2. *Roger Williams Botanical Center — \$1.5 million*

Will be matched with \$13.5 million from other parties.

A major attraction for school children and tourists.

More than 100,000 visitors expected in the first year.

3. *South Providence Business Incubator — \$300,000*

A rundown factory will be extensively renovated.

New building will be an environment showplace.

Office space will be provided for new businesses.

Goal is to "grow" new employers for neighborhood.

Funding also provided by state, federal, business sources.

4. *New Home for Black Repertory Theater — \$300,000*

Two Broad Street locations are being considered.

5. *Redevelop American Tourister site in North-End — \$1 million*

An important gateway to our city with business and job-growth potential.

6. *New Cities Studies — \$1 million*

Seeks to redevelop the Allens Avenue waterfront.

Also, the Promenade mill district behind the mall.

Could create tens of thousands of jobs and tens of millions in taxes.

7. *India Point redevelopment — \$250,000*

Will prepare the park to receive cruise ships this summer.

Also, funds-planning effort to increase park activity.

8. *Relocate Traveler's Aid and YMCA — \$2 million*

Permits YMCA to build a major new facility to serve the South Side and the West End of the City. This money will allow improvements to be done to the Broad Street Location so as to provide a proper gateway to that side of the city.

9. *Woonasquatucket Greenway — \$1 million*

Provides sufficient funds to complete project started in the last bond issue. The funds will also provide a scenic path running from Olneyville through Providence to the Johnston line.

10. *Mashpaug Path — \$125,000*

Walking path near Gorham property.

11. *Neighborhood Shopping Areas: Renewal Project — \$2.2 million*

5 to 7 shopping areas will be selected.

City will invest in public improvements (lighting, sidewalk, trees, etc.)

Business on streets will be given priority to PEDC loans.

12. *Rodent Control Program — \$100,000*

13. *Citywide Infrastructure (signs) — \$100,000*

*Total: \$12,975,000*

B. *Issuance Cost and Capitalized Interest — In the amount of \$4,025,000.*

*Section 2.* To meet this appropriation, the City Treasurer, with the approval of the Mayor and the City Council, is authorized to issue bonds in the principal amount of \$50,000,000, pursuant to Chapter 116 of the Rhode Island Public Laws of 2000.

*Section 3.* The estimated maximum cost of the capital project is \$50,000,000.

*Section 4.* The expected period of usefulness of the project is hereby determined to be at least 25 years.

*Section 5.* The net debt of the City after the issuance of the bonds hereby authorized will not be more than one hundred two million seven hundred thirty-five thousand dollars (\$102,735,000), and the bonds hereby authorized will be within all debt and other limitations prescribed by the constitution and laws of the State of Rhode Island.

*Section 6.* The City Council of the City of Providence, Rhode Island, recognizes that the following question was submitted to the electors of the City of Providence at that General Election held on Tuesday, November 7, 2000: "Authorizing the City of Providence to issue bonds and notes in an amount not exceeding \$50,000,000 for the purpose of redevelopment and/or capital improvements."

*Section 7.* This Ordinance shall take effect upon its passage.

Read and Passed the Second Time, as amended, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—14.

Nays: Councilman DeLuca—1.

Absent: None.

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

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## **PRESENTATION OF ORDINANCES**

### **COUNCILMAN HASSETT:**

An Ordinance establishing a Tax Stabilization Plan for Kinsley Harris, LLC on behalf of Jefferson at Providence Place.

**COUNCIL PRESIDENT LOMBARDI  
Refers the Ordinance to the Committee on  
Finance.**

**The motion to Refer is Sustained.**

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### **COUNCILWOMAN NOLAN:**

An Ordinance amending the City of Providence Zoning Ordinance Chapter 1994-24, No. 365, approved June 27, 1994, as amended, to add language to Section 419.2 — Home Occupation.

**COUNCIL PRESIDENT LOMBARDI  
Refers the Ordinance to the Committee on  
Ordinances.**

**The motion to Refer is Sustained.**

## **PRESENTATION OF RESOLUTIONS**

### **COUNCIL PRESIDENT LOMBARDI (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Union

Street from Westminster Street to Washington Street on Saturday, September 22, 2001, between the hours of 12:00 o'clock Noon to 12:00 o'clock M, to accommodate the Concert for America.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Union Street from Westminster Street to Washington Street on Saturday, September 22, 2001, between the hours of 12:00 o'clock Noon to 12:00 o'clock M, to accommodate the Concert for America.

**Read and Passed**, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

**The motion for Passage is Sustained.**

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**COUNCIL PRESIDENT LOMBARDI:**

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 33, Lot 406, (135-137 Ridge Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of eight hundred eighty one dollars and eighty seven cents (\$881.87).

**COUNCIL PRESIDENT LOMBARDI** Refers the Resolution to the Committee on Finance.

**The motion to Refer is Sustained.**

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**COUNCIL PRESIDENT LOMBARDI, COUNCILWOMAN YOUNG, COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMAN HASSETT, COUNCIL-**

**MAN IGLIOZZI, COUNCILMAN JACKSON, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILWOMAN ROMANO and COUNCILWOMAN WILLIAMS:**

Resolution Extending Sincere Congratulations to the Providence Public Library for receiving the prestigious National Award for Library Service for Outstanding Service to the Community.

*Resolved*, That the Providence City Council hereby extends Sincere Congratulations to the Providence Public Library for receiving the prestigious National Award for Library Service for Outstanding Service to the Community. The Institute for Museum and Library Services gives this award, which is a Federal Agency responsible for libraries and museums. This is only the second time the award has been given out.

**Read and Passed**, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

**The motion for Passage is Sustained.**

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**COUNCILMAN ALLEN, COUNCIL PRESIDENT LOMBARDI, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILWOMAN ROMANO, COUNCILWOMAN WILLIAMS and COUNCILWOMAN YOUNG:**



Resolution Extending Sincere Congratulations and Sincere Appreciation to the Members of the Providence Fire Department who risked their health and safety at "Ground Zero"

*Whereas*, The horrific events of September 11, 2001 created a catastrophic disaster area unlike any previously known in New York City, and

*Whereas*, Hundreds of firefighters, police officers and rescue workers lost their lives in the line of duty, and

*Whereas*, Several members of the Providence Fire Department were deployed to assist in the rescue efforts, and

*Whereas*, These firefighters placed themselves in harms way, working at Ground Zero — the site of the building collapse — for one week, surrounded by unstable buildings, smoldering fires above and below grounds, and breathing in heavy fumes from burning industrial material.

*Now, therefore, be it Resolved*, That, the Members of the Providence City Council do hereby resolves that:

*Section 1.* The courage and acts of selflessness exhibited by the members of the Providence Fire Department, as listed below, are worthy of recognition, and that these men and women who put their own lives at great risk to save others are worthy of the highest honor.

Lieutenant Michael Bates

Battalion Chief Michael Blackburn

Lieutenant Gregory Crawford

Lieutenant James Creighton

Firefighter Lisa Krapf

Firefighter Paul Doughty

Firefighter Michael Hillier

Firefighter Anthony Lancelotti

Firefighter Michael Morgan

Firefighter Kevin Connors, who was activated by the United States Coast Guard to support sea activities between New York and New Jersey during the search and rescue mission.

*Section 2.* That upon passage, Providence Fire Chief James F. Rattigan, and the above mentioned members of the Providence Fire Department receive a copy of this resolution.

**Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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Resolution Extending congratulations and sincere appreciation to the members of the Providence Police Department who have supported rescue workers at "Ground Zero".

*Whereas*, The horrific events of September 11, 2001 created a catastrophic disaster area unlike any previously known in the United States, and

*Whereas*, Hundreds of firefighters, police officers and rescue workers lost their lives in the line of duty, and

*Whereas*, Many other hundreds of rescue workers have toiled every day since the attacks and have endured exhaustion, dust, fume and smoke inhalation, and mental and physical fatigue, and

*Whereas*, Police personnel from the Providence Police Department have supported these rescue workers and the relief effort through the provision of basic needs, and

*Whereas*, Providence Patrolman Paul O'Rourke was stationed since day one at the Salvation Army Canteen — situated less than 1,000 feet from the World Trade Center — to provide respite to hungry and weary relief workers, and

*Whereas*, Providence Patrolmen Jason DeCesare, Charles Matraccia and Gary Slater organized a collection drive and made two trips to New York City to distribute donated supplies to the rescue workers.

*Now, therefore, be it Resolved*, That the Members of the Providence City Council do hereby resolve that:

*Section 1:* The acts of selflessness and generosity of spirit exhibited by the members of the Providence Police Department, as listed above, are worthy of the highest gratitude and recognition.

*Section 2:* Upon passage, Colonel Richard T. Sullivan, Providence Police Chief, Commissioner John J. Partington and the above mentioned members of the Providence Police Department receive a copy of this resolution.

**Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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**COUNCILMAN APONTE (By Request):**

Resolution Requesting the Traffic Engineer to prohibit both pedestrian and vehicular traffic on those portions of Seaview Drive and Harborside Boulevard.

**COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Public Works.**

**The motion to Refer is Sustained.**

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**COUNCILMAN CLARKIN:**

Resolution Requesting the Chief Electrical Inspector to cause the replacement of the decorative light located at 425 Benefit Street at the corner of Sheldon Street.

*Resolved*, That the Chief Electrical Inspector is requested to cause the replacement of the decorative light located at 425 Benefit Street at the corner of Sheldon Street.

**Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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Resolution Requesting the Traffic Engineer to cause Traverse Street from Sheldon Street to Wickenden Street to be designated as a "one-way" street going south.

**COUNCIL PRESIDENT LOMBARDI**  
Refers the Resolution to the Committee on  
Public Works.

The motion to Refer is Sustained.

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**COUNCILMAN DeLUCA (By Request):**

Resolution Requesting the Providence Redevel-  
opment Agency to cause the transfer of the  
property located on Assessor's Plat 63, Lot  
105 (26 Hannah Street) to the abutting  
property owner.

**COUNCIL PRESIDENT LOMBARDI**  
Refers the Resolution to the Committee on  
Urban Redevelopment, Renewal and  
Planning.

The motion to Refer is Sustained.

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Resolution Requesting the Traffic Engineer to  
cause the installation of "speed limit" signs  
along Edgemere Avenue.

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Resolution Requesting the Traffic Engineer to  
cause the installation of "stop" signs along  
both ends of Edgemere Avenue.

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Resolution Requesting the Traffic Engineer to  
cause the installation of "slow children"  
signs at 52 Edgemere Avenue.

**COUNCILMAN ALLEN** moves to dip-  
sense with the reading of the foregoing  
matters.

**COUNCIL PRESIDENT LOMBARDI**  
Severally Refers the Resolutions to the  
Committee on Public Works.

The motion to Refer is Sustained.

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Resolution Requesting the Traffic Engineer to  
cause the installation of a speed hump at 52  
Edgemere Avenue.

*Resolved*, That the Traffic Engineer is  
requested to cause the installation of a speed  
hump at 52 Edgemere Avenue.

**Read and Passed**, on motion of COUN-  
CILMAN ALLEN, seconded by COUNCIL-  
WOMAN WILLIAMS.

The motion for Passage is Sustained.

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Resolution Requesting the Committee on City  
Property to consider accepting the vacant lots  
from the owners who wish to convey the  
properties located at Assessor's Plat 80, Lot  
105 (14 Bullock Avenue) and Assessor's Plat  
80, Lot 106 (10 Bullock Avenue) to the City  
of Providence.

**COUNCIL PRESIDENT LOMBARDI**  
Refers the Resolution to the Committee on  
City Property.

The motion to Refer is Sustained.

Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting along Karen Court to 27,500 lumen.

*Resolved*, That the Chief Electrical Inspector is requested to cause the upgrade of street lighting along Karen Court to 27,500 lumen.

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**COUNCILMAN DeLUCA and COUNCIL PRESIDENT LOMBARDI (By Request):**

Resolution Requesting the Commissioner of Public Safety to study and resolve problems associated with police response times and method of response.

*Resolved*, That the Commissioner of Public Safety is requested to study and resolve problems associated with police response times and method of response.

**COUNCILMAN ALLEN moves to dispense with the reading of the foregoing matters.**

**Collectively Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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Resolution Requesting the City Solicitor to draft an Ordinance to effectively repair or demolish vacant buildings in a timely manner.

**COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Ordinances.**

**The motion to Refer is Sustained.**

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**COUNCILMAN HASSETT (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Thomas Street from Benefit Street to North Main Street, on various dates and times, to accommodate the Providence Art Club Centennial Arts and Crafts Exhibition.

*Resolved*, That the Traffic Engineer is requested to close Thomas Street from Benefit Street to North Main Street for the the Providence Art Club Centennial Arts and Crafts Exhibition event on the dates and times listed below:

Friday, September 28, 2001 from 4:00 p.m. to 7:30 p.m.

Saturday, September 29, 2001 from 4:30 p.m. to 8:30 p.m.

Sunday, September 30, 2001 from 12:30 p.m. to 5:30 p.m.

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Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Common Street from Holden Street to Smith Street, on Saturday, September 29, 2001, between the hours of 9:00 o'clock a.m. to 11:00 o'clock p.m., to accommodate the Annual Octoberfest festivities.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Common Street from Holden Street to Smith

Street, on Saturday, September 29, 2001, between the hours of 9:00 o'clock a.m. to 11:00 o'clock p.m., to accommodate the Annual Octoberfest festivities.

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Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Benefit Street between Halsey Street and Power Street on Thursday, October 18, 2001, between the hours of 6:00 o'clock p.m. to 10:00 o'clock p.m. for a Candlelight Tour.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Benefit Street between Halsey Street and Power Street on Thursday, October 18, 2001, between the hours of 6:00 o'clock p.m. to 10:00 o'clock p.m. for a Candlelight Tour.

COUNCILMAN ALLEN moves to dispense with the reading of the foregoing matters.

Collectively Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

*The motion for Passage is Sustained.*

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COUNCILWOMAN NOLAN (By Request):

Resolution Requesting the Department of Planning and Development to acquire the properties located on Assessor's Plat 59, Lot 434 (137 Carr Street) and Assessor's Plat 59, Lot 48 (21 Cyr Street) by eminent domain for the development of affordable housing.

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning.

*The motion to Refer is Sustained.*

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Resolution Requesting the Director of Public Works to cause the cleaning of the storm drains along Sumter Street and Emerson Street and along Lenox Avenue and Emerson Street.

*Resolved*, That the Director of Public Works is requested to cause the cleaning of the storm drains along Sumter Street and Emerson Street and along Lenox Avenue and Emerson Street.

Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

*The motion for Passage is Sustained.*

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Resolution Requesting the Traffic Engineer to cause the installation of "three-way stop" signs at the corner of Calla Street and Bernard Street.

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Public Works.

*The motion to Refer is Sustained.*

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Resolution Requesting the Chief Electrical Inspector to cause the installation of a street light on Pole Number 21, located on Congress Avenue and Broad Street.

*Resolved*, That the Chief Electrical Inspector is requested to cause the installation of a street light on Pole Number 21, located on Congress Avenue and Broad Street.

**Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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Resolution Requesting the transfer of various properties owned by HUD to the Providence Redevelopment Agency.

**COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning.**

**The motion to Refer is Sustained.**

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**COUNCILWOMAN WILLIAMS (By Request):**

Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting to 27,500 lumen, and to also cause the installation of flood lights along River Road, Loring Avenue, Irving Avenue and Angell Street and also along all light poles that surround Blackstone Park with the lighting to face the wooded area.

*Resolved*, That the Chief Electrical Inspector is requested to cause the upgrade of street lighting to 27,500 lumen, and to also cause the installation of flood lights along River Road, Loring Avenue, Irving Avenue and Angell Street and also along all light poles that surround Blackstone Park with the lighting to face the wooded area.

**Read and Passed, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

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## REPORTS FROM COMMITTEE

### COUNCILMAN KEVIN JACKSON, Chairman COMMITTEE ON FINANCE

Transmits the following with recommendation the same be Adopted:

An Ordinance to authorize the issuance of general obligation refunding bonds of the City of Providence to refund the outstanding portion

of \$35,150,000 general obligation bonds dated January 15, 1993: due January 15, 1994 to 2013, inclusive.

Transmits the following with recommendation the same be severally Adopted, as amended:

An Ordinance in amendment of Chapter 2000-25, approved August 9, 2000, of the Ordinances of the City of Providence making an appropriation of four hundred eighty five million, seven hundred seventy two thousand, eight hundred sixty dollars (\$485,772,860) for the fiscal year ending June 30, 2002, as amended.

COUNCILMAN IGLIOZZI moves to amend the Ordinance to restore the \$250,000.00 to the Law Department budget to fund the cost of outside legal counsel, expert witnesses, claims investigators, stenographic reporting fees, constable services, court filing fees and court transcripts. This amendment would deduct \$125,000.00 from the services item in the Personnel Department and \$125,000.00 from the Council Contingency Fund and add \$250,000 to the service item in the Law Department.

COUNCILMAN ALLEN seconds this motion.

The motion to Amend in Sustained.

An Ordinance establishing a Compensation Plan for the City of Providence and repealing Ordinance Chapter 2000-26, approved August 9, 2000, as amended.

An Ordinance establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in certain classes in the City Departments and repealing Ordinance Chapter 2000-21, approved August 9, 2000, as amended.

**COUNCILMAN ALLEN** moves to dispense with the reading of the foregoing matters.

Collectively Passed the First Time, as amended, on motion of **COUNCILMAN ALLEN**, seconded by **COUNCILWOMAN WILLIAMS**, by the following Roll Call Vote:

**Ayes:** Council President Lombardi, Councilmen Allen, Aponte, Butler, Clarkin, Councilwoman DiRuzzo, Councilmen

Hassett, Igliazzi, Jackson, Mancini, Councilwomen Nolan, Romano and Williams—13.

**Nays:** Councilman DeLuca and Councilwoman Young—2.

**Absent:** None.

The motion for Passage the First Time, as amended, is Sustained.

## COMMUNICATIONS AND REPORTS

Certificates from the City Assessor (Nos. 1F and 2F) 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, as amended.

**COUNCIL PRESIDENT LOMBARDI** Severally Refers the Certificates to the Committee on Claims and Pending Suits.

The motion to Refer is Sustained.

## PERSONAL EXPRESSION

**COUNCILMAN JACKSON** requests the privilege of the floor to speak on a point of personal expression and states:

"I rise tonight on a point of personal expression on a sad note. As many of you know, the past week has been difficult for me because,



again, another young man in the City of Providence lost his life for useless violence within my community. I want to thank my colleagues who have spoken to me and supported me through those trying times, but as I reflect back on it, one of the things that has really touched me is that I truly feel totally powerless in trying to come up with solutions to this barbaric violence that has ripped our city for years. Not just this case, but for years. I know that each one of us has tried to do individual things within our communities, and we, as a council as a whole, have had meetings, and have tried to do things to try to address this type of action, but for whatever reason, because of the sociological, the psychological and the political issues that are far beyond our reach, those solutions just have not really helped within the city, and in a sense, I sometimes feel that we have to accept some of the blame ourselves, or like I said, I just totally feel powerless in regard to addressing this issue. Just food for thought . . . and this was just in

passing the other day when I met two of my colleagues on the sidewalk . . . I think they were running out from doing things at lunchtime and I was running in trying to do things at lunchtime, as we all try to do because that is our free time during the day . . . all the summits, all the things we have done . . . we brought professionals in to try to tell us how to address these issues . . . and Councilman Allen and Councilwoman Young were the two colleagues that were out there day, and one of the things that we may have forgotten, and to no one's fault, is that we need to bring these young men in to speak to them and find out what their concerns and their issues are. It is just another attempt. It is something that, we, as a city, need to do and need to address. Again, that may not be the solution either, but the things we tried, I don't know if I'm the only one who feels powerless, but I do truly feel powerless because we just cannot stop this barbaric violence that has ripped our city. Thank you."

## FROM THE CLERK'S DESK

Petition from Anthony F. Rosciti, Vice President, Parkside Utility Construction Corporation requesting permission for an easement, if needed to install approximately 2,000 lineal feet of conduit to connect the Communications Building to the new Providence Police Station.

Petition of Anthony Rosciti, Vice President of Parkside Utility Construction Corporation, requesting permission for an easement to install conduit for NEESON, a division of Narragansett Electric at various locations.

**COUNCIL PRESIDENT LOMBARDI Severally and Jointly Refers the Petitions to the Committee on Public Works and the Committee on City Property.**

**The motion to Refer is Sustained.**

Petition of John F. Palmieri, Executive Director, Providence Redevelopment Agency, requesting approval for an abandonment of Holbrook Street, a portion of Crescent Street, Lawton Street, Crins Street and a portion of Downing Street to allow for redevelopment of the Gorham site.

**COUNCIL PRESIDENT LOMBARDI Refers the Petition to the Committee on Public Works.**

**The motion to Refer is Sustained.**

**Petitions for Compensation for Injuries and Damages, viz:**

Mario Rodriguez (Charles J. Vucci, Esquire)

Jason Ray Wolfe

Antonio G. Silva

Daurice Moore p.p.a. Lydia McBride (Terence E. Livingston, Esquire)

Joanna J. Ennise

Lisa Hawkins (Robert A. D'Amico, II, Esquire)

Cynthia Gallant

Ashley Thornton (Mark B. Morse, Esquire)

RNB Supply, Inc.

Renee Morris

Edwin Osei

Jeffrey Silva (V. Edward Formisano, Esquire)

**COUNCIL PRESIDENT LOMBARDI Severally Refers the Petitions to the Committee on Claims and Pending Suits.**

**The motion to Refer is Sustained.**

## PRESENTATION OF CITATIONS

*"In Congratulations"*

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

Citations Extending Congratulations.

*Resolved*, That the Members of the City Council extend their sincere congratulations to the following:

Wayne Montague, in recognition of his years of dedication and service to his community as a teacher, administrator and community leader.

Rosa F. Rocha, in recognition of being named Mother of the Year.

Oling Jackson, in recognition of her many years of dedicated community service.

Brook Batteau and Katie Hennessey, in recognition of the celebration of the birth of their daughter, Alloutte Hennessey.

Nellie Jones, in recognition of being selected by her co-workers as Staff Person of the Year and very deserving of this award.

Philip Keefe, in recognition of the celebration of his promotion to Supervisor of Child Protective Services.

James H. Dodd, in recognition of the celebration of his retirement after forty six years of dedicated law enforcement service to the people of the City of Providence and the people of the State of Rhode Island.

*Severally Read and Collectively Passed*, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.

*The motion for Passage is Sustained.*

## PRESENTATION OF RESOLUTIONS

### *"In Memorium"*

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

*Resolutions Extending Sympathy.*

*Resolved*, That the Members of the City Council extend their sincere sympathy to the families of the following:

Susan F. Napolitano

Victor A. Spirito

Helen G. Hubert

Walter A. Read, Jr.

Josephine Malinowski

Joseph R. Barron

Edward F. Connors

Cheryl A. Jamiel

Walter R. Iacobbo

Margaret O'Neil

Severally Read and Collectively Passed,  
by a Unanimous Rising Vote, on motion of  
COUNCILMAN ALLEN, seconded by  
COUNCILWOMAN WILLIAMS.

Angelina Granieri

Bernardo Gemma, Sr.

The motion for Passage is Sustained.

Dennis R. Paiva

## MATTER NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, it is voted to Suspend Rule 16B of the Rules of the City Council in order to allow the introduction of the following matter not appearing on the Printed Docket.

## REPORT FROM COMMITTEE

COUNCILMAN KEVIN JACKSON, Chairman  
COMMITTEE ON FINANCE

Transmits the following with recommendation the same be Approved, as amended:

Resolution Requesting His Honor, the Mayor, to execute, on behalf of the City a guaranty of the obligations of the Providence Redevelopment Agency as Landlord under that certain ground lease between the Providence Redevelopment Agency as Landlord and Mashpaug Associates, LLC as Tenant dated as of July 12, 2001.

*Whereas*, The Providence Redevelopment Agency (PRA) is fee title owner of 37.37 acre parcel located at the intersection of Downing Street and Adelaide Avenue and listed at Plat 51, Lot 170 in the Tax Assessor's office in the City of Providence (hereinafter referred to as the "Gorham Site"); and

*Whereas*, The Gorham Site, prior to the PRA taking title to the property, was utilized for the manufacturing of fine silver goods; and

*Whereas*, An Environmental site assessment conducted at the Gorham Site revealed the presence of contaminants in the soil and water that require remediation; and

*Whereas*, Textron, Inc. ("Textron"), a prior owner of the Gorham Site, entered into an Agreement ("Remediation Agreement") on January 10, 1994, (authorized by Resolution of the City Council) with the City of Providence ("City"), whereby Textron, at its sole cost and expense, has agreed to implement and carryout the remediation of all surface and subsurface soil and water contamination at the Gorham Site; and

*Whereas*, Under the Remediation Agreement, Textron has indemnified the City of Providence, and holds harmless, the City of Providence from causes of action arising from its obligations in carrying out the activities pursuant to the Remediation Agreement; and

*Whereas*, The PRA has entered into a "Ground Lease" with Mashpaug Associates, LLC ("Mashpaug"), whereby Mashpaug has agreed to lease a portion of the Gorham Site from the PRA; and

*Whereas*, As a condition of the Ground Lease, Mashpaug has requested that the City indemnify Mashpaug from any and all causes of action that may arise out of, or in connection with, any hazardous materials located at the Gorham Site.

*Now, therefore, be it Resolved*, that:

1. The City of Providence hereby indemnifies and holds harmless Mashpaug Associates, LLC, its sutenants, their employees, agents, officers, directors, lenders (and their successors and/or assigns), customers and invitees, from and against any claims, demands, penalties, fines, liabilities, settelements, damages, costs or expenses (including, without limit, attorney fees, investigation and laboratory fees, court costs, and litigation expenses) of whatever kind or nature, known or unknown, contingent or otherwise, arising out of or in any way related to (a) the presence, disposal, release, or threatened relase of any hazardous materials which are on, from, or affecting the soil, water, vegetation, buildings, personal property, persons, animals, or otherwise; (b) any personal injury or property damage arising out of or related to such hazardous materials; (c) any lawsuit brought or threatened, settlement reached, or government order relating to such hazardous materials and/or (d) any violation of laws, orders, regulations, requirements, or demands of government authorities, which are based upon or in any way related to such hazardous materials.

2. The Mayor of the City of Providence is hereby authorized to execute on behalf of the City of Providence, an Indemnification Agreement with Mashpāug Associates, LLC, in accordance with this Resolution.

3. This Resolution shall become effective upon passage.

**Read and Passed, as amended, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage, as amended, is Sustained.**

## ADJOURNMENT

There being no further business, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:15 o'clock P.M. (E.D.T.) to meet again on THURSDAY, OCTOBER 18, 2001 at 7:30 o'clock P.M. (E.D.T.).

*Richard R. Clement*

City Clerk



