

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 6 City Council Regular Meeting, Thursday, March 20, 2003, 7:30 o'clock P.M. (E.S.T.)

PRESIDING

COUNCIL PRESIDENT

JOHN J. LOMBARDI

IN CITY COUNCIL

SEP 4 2003

APPROVED:

ROLL CALL

Present: Council President Lombardi,
Councilmen Allen, Aponte, DeLuca, Coun-
cilwoman DiRuzzo, Councilmen Hassett, Ig-
lizzio, Jackson, Luna, Councilwoman
Romano, Councilman Segal, Councilwomen
Williams and Young—13.

Absent: Councilmen Butler and Mancini—
2.

Also Present: Ralph Guglielmino, City
Sergeant, Bruce Todesco, Deputy City
Solicitor, Michael R. Clement, City Clerk,
Claire E. Bestwick, First Deputy City Clerk
and Jennifer L. Emidy, Assistant Clerk.

INVOCATION

The Invocation is given by COUNCIL-
WOMAN JOSEPHINE DiRUZZO.

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

COUNCILMAN TERRENCE M. HASSETT
leads the members of the City Council and
the Assemblage in the Pledge of Allegiance
to the Flag of the United States of America.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated March 3, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1010 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Eulogio Acevedo of 69 Woodman Street, Providence, Rhode Island 02907, as a Member of the Housing Board of Review for a term to expire in January, 2008, and respectfully submits the same for approval. (Mr. Acevedo will fill the expired term of Mr. Sal Solomon).

Communication dated March 3, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and

1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Mary Kay Harris of 44 Superior Street, Providence, Rhode Island 02907, as a Member of the Human Relations Commission for a term to expire in January 2006, and respectfully submits the same for approval. (Mary Kay Harris will fill the expired to of Mr. Juan Pichardo who has resigned)

Communication dated March 3, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 415 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing

Merrill Sherman of 24 Channing Street, Providence, Rhode Island 02906, as a Member of the Salary Review Commission for a term to expire January 2007, and respectfully submits the same for approval. (Ms. Sherman will fill the expired term of Ms. Sarah Dowling)

Communication dated March 3, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 415 of the Providence Home Rule Charter of 1980, as amended, he is this day reappointing Michael Van Leesten of 11 Belair Avenue, Providence, Rhode Island 02906, as a Member of the Salary Review Commission for a term to expire January 2007, and respectfully submits the same for approval.

Communication dated March 7, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 415 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing David Schecter of 131 Woodbury Street, Providence, Rhode Island 02903, as a Member of the Salary Review Commission for a term to expire January 2007, and respectfully submits the same for approval. (Mr. Schecter will fill an existing vacancy on the commission).

Communication dated March 5, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Andrew Cortes of 107 Messer Street, Providence, Rhode Island 02909, as a designee on the City Plan Commission for a term to expire in

January 2008, and respectfully submits the same for approval. (Mr. Cortes will fill the expired term of Mr. Robert L. Ricci)

Communication dated March 5, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, as amended, he is this day reappointing George Calcagni of 32 Loring Avenue, Providence, Rhode Island 02908, as a Member of the City Plan Commission for a term to expire in January 2008, and respectfully submits the same for approval.

Communication dated March 10, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1011 of the Providence Home Rule Charter of 1980, as amended, he is this day reappointing F. Steele Blackall, III of 113 Williams Street, Providence, Rhode Island 02906, to the Building Board of Review for a term to expire in January 2008, and respectfully submits the same for approval.

Communication dated March 10, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Molly Soum of 125 Pocasset Avenue, Providence, Rhode Island 02909, as a Member of the Human Relations Commission for a term to expire in January 2006, and respectfully submits the same for approval. (Ms. Soum will fill the expired term of Mr. Gary St. Peter who has resigned)

Communication dated March 5, 2003, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, as amended, and Public Law Chapter 45-50, Sections 1 through 31, passed in 1987, he is this day reappointing Lloyd Granoff of 470 Blackstone Boulevard, Providence, Rhode Island 02906, as a Member of the Providence Public Building Authority for a term to expire in July 2006, and respectfully submits the same for approval.

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

COUNCIL PRESIDENT LOMBARDI Severally Receives the Communications and Refers the Same to the Committee on Finance.

The motion to Receive and Refer is Sustained.

APPOINTMENTS BY THE PRESIDENT OF THE CITY COUNCIL

Communication from Council President John J. Lombardi, dated February 21, 2003, appointing Councilman David A. Segal and Councilman Patrick K. Butler to the Commission to Study Conditional On Street Parking by Application and Permit.

Communication from Council President John J. Lombardi, dated March 14, 2003, appointing Steven Salk of 205 President Avenue, Providence, Rhode Island 02906 and Heather Hallack of 52 Barnes Street, Providence, Rhode Island 02906 as members of the Commission to Study Conditional On Street Parking by Application and Permit.

Communication from Council President John J. Lombardi, dated March 13, 2003, appointing five (5) City Council Members: Councilman Terrence M. Hassett, Councilman John J. Igliozi, Councilman David A. Segal, Councilman Patrick K. Butler and Councilwoman Rita M. Williams; one (1) Public Member, Armand E. Batastini, Jr.; one (1) Tax Exempt Member, Louis Fazzano; and one (1) Business Owner, Patrick Griffin, to the Special Commission to Study Tax Exempt Institutions.

Severally Received.

ORDINANCES SECOND READING

The following Ordinances were in City Council March 12, 2003, Read and Passed the First Time and are severally returned for Passage the Second Time:

An Ordinance amending the Appropriation Ordinance submitted to the City Council for approval for the Fiscal Year 2002-2003.

Total Allowed 35

Section 54. *City Council Administration*
Add 1 Administrative Aid/Translator
1 Technology Information Specialist
Total Allowed 9

An Ordinance amending the Compensation Ordinance submitted to the City Council for approval for the Fiscal Year 2002-2003.

Section 58. *Public Property*
Delete 1 Laborer/Custodian
Total Allowed 22

COUNCILMAN APONTE moves to Expunge the foregoing matters, seconded by **COUNCILWOMAN WILLIAMS**.

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

The motion to Expunge is Sustained.

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Luna, Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—14.

An Ordinance amending the Classes of Positions, the maximum number of employees and the number of employees in certain classes in the City Department Ordinance submitted to the City Council for approval for the Fiscal Year 2002-2003.

Nays: None.

Be it ordained by the City of Providence:

Absent: Councilman Mancini—1.

Section 11. *Assessors*
Delete 1 Clerk Assessors Office
Total Allowed 18

The motion for Passage the Second Time is Sustained.

Section 33. *Environmental Management*
Delete 1 Laborer
Total Allowed 25

Section 34. *Highway Department*
Delete 3 Laborer

An Ordinance in Amendment of and in Addition to Chapter 1986-53 of the Ordinances of the City of Providence approved October 23, 1986 and entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan

for the Special Vacant Lot Project" for the Acquisition of Lots 2, 73 and 763 on Plat 23, 2 and 6 Hayward Street, respectively.

Be it Ordained by the City of Providence:

1. That Chapter 1986-53 of the Ordinances of the City of Providence, approved October 23, 1986 and entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Special Vacant Lot Project" as amended by the following: Chapter 1989-26, approved December 11, 1989, Chapter 1997-3, Chapter 1998-1, approved January 16, 1998, Chapter 1998-29, approved June 10, 1998, Chapter 1998-56, approved December 14, 1998, Chapter 2000-15, approved June 23, 2000, Chapter 2000-16, approved June 23, 2000, Chapter 2000-17, approved June 23, 2000, Chapter 2001-5, approved February 12, 2001, Chapter 2001-6, approved February 12, 2001, Chapter 2001-53, approved December 14, 2001, and Chapter 2002-19, approved June 25, 2002, is hereby further amended as follows:

A. Add the following property to page 12 of the Attachment B entitled "A List of Proposed Acquisition and Disposition" as contained and set forth in that certain booklet entitled "Special Vacant Lot Project, Official Redevelopment Plan" which is part of the aforementioned Ordinance.

<i>Plat/Lot</i>	<i>Address</i>
23/002	10 Hayward St.
23/073	2 Hayward St.
23/763	6 Hayward St.

2. That said Chapter 1986-28 of the Ordinance of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

An Ordinance in Amendment of and in Addition to Chapter 1986-53 of the Ordinances of the City of Providence approved October 23, 1986 and entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Special Vacant Lot Project" for the Acquisition of Lots 560 and 555, Plat 63, 2 and 60 Curtis Street, respectively.

Be it Ordained by the City of Providence:

1. That Chapter 1986-53 of the Ordinances of the City of Providence, approved October 23, 1986 and entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Special Vacant Lot Project" as amended by the following: Chapter 1989-26, approved December 11, 1989, Chapter 1997-3, Chapter 1998-1, approved January 16, 1998, Chapter 1998-29, approved June 10, 1998, Chapter 1998-56, approved December 14, 1998, Chapter 2000-15, approved June 23, 2000, Chapter 2000-16, approved June 23, 2000, Chapter 2000-17, approved June 23, 2000, Chapter 2001-5, approved February 12, 2001, Chapter 2001-6, approved February 12, 2001, Chapter 2001-53, approved December 14, 2001, and Chapter 2002-19, approved June 25, 2002, is hereby further amended as follows:

A. Add the following property to page 12 of the Attachment B entitled "A List of Proposed Acquisition and Disposition" as contained and set forth in that certain booklet entitled "Special Vacant Lot Project, Official Redevelopment Plan" which is part of the aforementioned Ordinance.

<i>Plat/Lot</i>	<i>Address</i>
63/560	2 Curtis St.
63/555	60 Curtis St.

2. That said Chapter 1986-28 of the Ordinance of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

An Ordinance in Amendment of and in Addition to Chapter 1986-53 of the Ordinances of the City of Providence approved October 23, 1986 and entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Special Vacant Lot Project" for the Acquisition of Lots 371 and 384, on Plat 62, 39 Julian Street and 31-33 Julian Street, respectively.

Be it Ordained by the City of Providence:

1. That Chapter 1986-53 of the Ordinances of the City of Providence, approved October 23, 1986 and entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Special Vacant Lot Project" as amended by the following: Chapter 1989-26, approved December 11, 1989, Chapter 1997-3, Chapter 1998-1, approved January 16, 1998, Chapter 1998-29, approved June 10, 1998, Chapter 1998-56, approved December 14, 1998, Chapter 2000-15, approved June 23, 2000, Chapter 2000-16, approved June 23, 2000, Chapter 2000-17, approved June 23, 2000, Chapter 2001-5, approved February 12, 2001, Chapter 2001-6,

approved February 12, 2001, Chapter 2001-53, approved December 14, 2001, and Chapter 2002-19, approved June 25, 2002, is hereby further amended as follows:

A. Add the following property to page 12 of the Attachment B entitled "A List of Proposed Acquisition and Disposition" as contained and set forth in that certain booklet entitled "Special Vacant Lot Project, Official Redevelopment Plan" which is part of the aforementioned Ordinance.

<i>Plat/Lot</i>	<i>Address</i>
062/371	39 Julian St.
062/384	31-33 Julian St.

2. That said Chapter 1986-28 of the Ordinance of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

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

Severally Passed the Second Time, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Luna, Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—14.

Nays: None.

The motion for Passage the Second Time
is Sustained.

Absent: Councilman Mancini—1.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI (By Request):

Resolution endorsing and urging passage by the General Assembly of (2003-H 5646) relative to An Act relating to public officers and employees — elections workers.

Resolution in support of a firearm training facility.

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

COUNCIL PRESIDENT LOMBARDI Severally Refers the Resolutions to the Committee on State Legislation.

The motion to Refer is Sustained.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Union Street between Washington Street and Fountain Street on Friday, March 28, 2003 between the hours of 10:00 o'clock A.M. through Monday, March 31, 2003 until 11:00

o'clock A.M., to accommodate a block party for the NCAA Hockey East Regionals being held at the Dunkin' Donuts Center.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Union Street between Washington Street and Fountain Street on Friday, March 28, 2003 between the hours of 10:00 o'clock A.M. through Monday, March 31, 2003 until 11:00 o'clock A.M., to accommodate a block party for the NCAA Hockey East Regionals being held at the Dunkin' Donuts Center.

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

The motion for Passage is Sustained.

COUNCILMAN ALLEN (By Request):

Resolution Instructing and Authorizing the Tax Assessor to obtain an independent appraisal in addition to the requirements of Section 416, Subsection 2 of the Providence Home Rule Charter of 1980 entitled: "Prior to the sale of any city property the Tax Assessor shall appraise and determine the current market value thereof" to place a value of any major

city asset at least 30 days prior to the sale. (For the purpose of the resolution a major city asset will be defined as any asset with a value of \$750,000.00 or more)

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

The motion to Refer is Sustained.

**COUNCILMAN APONTE and COUNCIL-
WOMAN YOUNG (By Request):**

Resolution Requesting the Narragansett Electric Company to cause the installation of five new floodlights on pole no. 2 on Gordon Avenue and pole nos. 10, 11 and 12 on Reynolds Avenue.

Resolved, That the Narragansett Electric Company is requested to cause the installation of five new floodlights on pole no. 2 on Gordon Avenue and pole nos. 10, 11 and 12 on Reynolds Avenue.

**Read and Passed, on motion of COUN-
CILMAN APONTE, seconded by COUN-
CILWOMAN WILLIAMS.**

The motion for Passage is Sustained.

**COUNCILMAN APONTE and COUNCIL-
MAN HASSETT (By Request):**

Resolution Requesting to cancel or abate in whole, the taxes assessed upon Assessor's Plat 63, Lot 574 (120 Aleppo Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of three thousand forty three dollars and fifty two

cents (\$3,043.52), or any taxes accrued while in PRA ownership.

Resolution Requesting to cancel or abate in whole, the taxes assessed upon Assessor's Plat 63, Lot 293 (13 Steere Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of six thousand seven hundred thirty five dollars and thirty two cents (\$6,735.32), or any taxes accrued while in PRA ownership.

Resolution Requesting to cancel or abate in whole, the taxes assessed upon Assessor's Plat 68, Lot 57 (160 Douglas Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of three thousand four hundred sixty two dollars and thirty one cents (\$3,462.31), or any taxes accrued while in PRA ownership.

Resolution Requesting to cancel or abate in whole, the taxes assessed upon Assessor's Plat 68, Lot 58 (162 Douglas Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of six thousand two hundred eighty eight dollars and thirty eight cents (\$6,288.38), or any taxes accrued while in PRA ownership.

Resolution Requesting to cancel or abate in whole, the taxes assessed upon Assessor's Plat 68, Lot 59 (168 Douglas Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of two

thousand eighty one dollars and forty nine cents (\$2,081.49), or any taxes accrued while in PRA ownership.

Resolution Requesting to cancel or abate in whole, the taxes assessed upon Assessor's Plat 68, Lot 84 (211 Douglas Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of two thousand forty one dollars and sixty six cents (\$2,041.66), or any taxes accrued while in PRA ownership.

Resolution Requesting to cancel or abate in whole, the taxes assessed upon Assessor's Plat 68, Lot 85 (217 Douglas Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of two thousand forty one dollars and sixty six cents (\$2,041.66), or any taxes accrued while in PRA ownership.

Resolution Requesting to cancel or abate in whole, the taxes assessed upon Assessor's Plat 68, Lot 86 (219 Douglas Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of two thousand forty one dollars and sixty six cents (\$2,041.66), or any taxes accrued while in PRA ownership.

Resolution Requesting to cancel or abate in whole, the taxes assessed upon Assessor's Plat 68, Lot 87 (223 Douglas Avenue), in

accordance with Rhode Island General Law Section 44-7-23, in the amount of two thousand forty one dollars and sixty six cents (\$2,041.66), or any taxes accrued while in PRA ownership.

COUNCILMAN APONTE (By Request):

Resolution Requesting the transfer of tax title and to cause the abatement of real estate taxes assessed upon Assessor's Plat 48, Lot 332 (76 Ocean Street), in the amount of thirteen thousand eight hundred eighty dollars and forty one cents (\$13,880.41).

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

COUNCIL PRESIDENT LOMBARDI Severally Refers the Resolutions to the Committee on Finance.

The motion to Refer is Sustained.

COUNCILMAN DeLUCA:

Resolution Requesting Mayor David N. Cicilline to appoint a Budget Review Task Force that shall identify budget reductions and consolidation of departments and work force.

Resolved, That the Mayor David N. Cicilline is requested to appoint a Budget Review Task Force that shall identify budget reductions and consolidation of departments and work force.

Resolution Requesting the Internal Auditor and the Personnel Director to review the Classification Ordinance and identify those employees who are members of a collective bargaining unit but do not qualify for membership. (Specific exclusions and definition of a municipal employee, Rhode Island General Laws 1956, Chapter 9.4 of Title 28)

Resolved, That the Internal Auditor and the Personnel Director are requested to review the Classification Ordinance and identify those employees who are members of a collective bargaining unit but do not qualify for membership. (Specific exclusions and definition of a municipal employee, Rhode Island General Laws 1956, Chapter 9.4 of Title 28)

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

Severally Passed, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Sustained.

COUNCILMAN HASSETT, COUNCILMAN BUTLER and COUNCILMAN IGLIOZZI:

Resolution Establishing a moratorium for a period of six (6) months commencing on April 3, 2003, on any and all action by any city department, board, commission, agency or other recognized city entity, associated with approvals required for all building construction and expansion upon any tax exempt institution within the City of Providence, except where otherwise provided.

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

The motion to Refer is Sustained.

COUNCILMAN SEGAL (By Request):

Resolution Requesting to cancel or abate all taxes assessed upon Assessor's Plat 13, Lot 179 (159 Waterman Street — Nature Conservancy), in the amount of twenty two thousand one hundred thirteen dollars and eighty-eight cents (\$22,113.88).

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

The motion to Refer is Sustained.

COUNCILMAN SEGAL, COUNCILMAN LUNA and COUNCILWOMAN YOUNG:

Resolution to defend the Bill of Rights.

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

The motion to Refer is Sustained.

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "stop" sign on Orchard Avenue and Wayland Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of "no parking" signs on the north side of Elton Street.

Resolution Requesting the Traffic Engineer to cause the installation of "no parking" signs from the driveway of 429 Lloyd Avenue to the corner of 127 Elmgrove Avenue and cause the curb to be painted yellow.

COUNCILMAN APONTE moves to dispense 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.

Resolution Requesting the Narragansett Electric Company to cause the light to be lowered on pole no. 3 in front of 16 Pratt Street and pole no. 6 in front of 44 Pratt Street and also cause the elimination of the light on pole no. 7 in front of 44 Pratt Street.

Resolved, That the Narragansett Electric Company is requested to cause the light to be lowered on pole no. 3 in front of 16 Pratt Street and pole no. 6 in front of 44 Pratt Street and also cause the elimination of the light on pole no. 7 in front of 44 Pratt Street.

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

The motion for Passage is Sustained.

COUNCILWOMAN WILLIAMS:

Resolution endorsing and urging passage by the General Assembly of Senate Bill (2003-S 401), relative to An Act authorizing the City of Providence to convey certain property dedicated for park purposes.

Resolution endorsing and urging passage by the General Assembly of Senate Bill (2003-S 408), relative to An Act relating to the City of Providence.

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

COUNCIL PRESIDENT LOMBARDI Severally Refers the Resolutions to the Committee on State Legislation.

The motion to Refer is Sustained.

REPORTS FROM COMMITTEES

COMMITTEE ON PUBLIC WORKS COUNCILMAN TERRENCE M. HASSETT, Chairman

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

Resolution Requesting the Traffic Engineer to cause the installation of "four-way stop" signs at the intersection of Sycamore Street and Hudson Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "four-way stop" signs at the intersection of Sycamore Street and Hudson Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "yield" sign on Justice Street where it meets Fallon Avenue and Pleasant Valley Parkway.

Resolved, That the Traffic Engineer is requested to cause the installation of a "yield" sign on Justice Street where it meets Fallon Avenue and Pleasant Valley Parkway.

Resolution Requesting the Director of Public Works to review a Pavement Preservation Program utilizing the Micro-surfacing Process.

Whereas, Micro-surfacing was created in Germany in the 1960's for use on the Autobahn and has been used throughout Europe.

Australia, and the United States of America including New York, Connecticut and Massachusetts; and

Whereas, Micro-surfacing is a polymer modified cold mix paving system that is an economical way to seal and extend the surface life of both urban and rural roads; and

Whereas, Micro-surfacing's quick traffic application allows roads to be reopened to traffic within hours and has the capacity to average 6.6 lane miles per day per surfacing application;

Whereas, Micro-surfacing is an environmentally safe process that emits no pollutants; and

Whereas, Micro-surfacing is a pavement preservation process that takes hours to apply, is economically cost efficient and environmentally safe and the future of the City of Providence's maintenance of their road system is Micro-surfacing.

Now, therefore, be it Resolved, That the Director of Public Works is requested to review a Pavement Preservation Program in the City of Providence utilizing the Micro-surfacing process and advance a report to the Public Works Committee.

Transmits the following with recommendation the same be severally Approved:

Resolution Requesting the Traffic Engineer to cause the installation of "no parking 6:00 o'clock p.m. to 7:00 o'clock a.m." signs in front of 203 Cole Avenue between the "no parking to corner" sign and the driveway.

Resolved, That the Traffic Engineer is requested to cause the installation of "no parking 6:00 o'clock p.m. to 7:00 o'clock a.m." signs in front of 203 Cole Avenue between the "no parking to corner" sign and the driveway.

Resolution Requesting the Traffic Engineer to cause the installation of "no parking until 7:30 o'clock A.M." signs on Lloyd Avenue between Weymouth Street and the main gate of Moses Brown School on Lloyd Avenue on both sides of the street.

Resolved, That the Traffic Engineer is requested to cause the installation of "no parking until 7:30 o'clock A.M." signs on Lloyd Avenue between Weymouth Street and the main gate of Moses Brown School on Lloyd Avenue on both sides of the street.

Resolution Requesting the Traffic Engineer to cause the installation of "no parking stripes" on the curb at the new Lloyd Avenue entrance to Moses Brown property.

Resolved, That the Traffic Engineer is requested to cause the installation of "no parking stripes" on the curb at the new Lloyd Avenue entrance to Moses Brown property.

Resolution Requesting the Traffic Engineer to cause the installation of "no overnight parking" signs on the dead end portion of Hooker Street between Basswood Avenue and Rhode Island College.

Resolved, That the Traffic Engineer is requested to cause the installation of "no overnight parking" signs on the dead end portion of Hooker Street between Basswood Avenue and Rhode Island College.

Resolution Requesting the Traffic Engineer to cause the replacement of the "no parking" sign located at 542 River Avenue.

Resolved, That the Traffic Engineer is requested to cause the replacement of the "no parking" sign located at 542 River Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of "no parking to corner" sign at the intersection of Jenks Street and Pratt Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "no parking to corner" sign at the intersection of Jenks Street and Pratt Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "no bus parking allowed on this street" sign on Alumni Avenue between Hope Street and Morris

Avenue and Morris Avenue between Alumni Avenue and Olney Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a "no bus parking allowed on this street" sign on Alumni Avenue between Hope Street and Morris Avenue and Morris Avenue between Alumni Avenue and Olney Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "no parking school days between 7:30 A.M. to 8:15 A.M. and 2:15 P.M. to 3:45 P.M." signs on Sessions Street between Taft Avenue and the handicapped parking sign in front of Temple Emmanuel.

Resolved, That the Traffic Engineer is requested to cause the installation of a "no parking school days between 7:30 A.M. to 8:15 A.M. and 2:15 P.M. to 3:45 P.M." signs on Sessions Street between Taft Avenue and the handicapped parking sign in front of Temple Emmanuel.

Resolution Requesting the Traffic Engineer to cause the installation of "four-way stop" signs at the intersection of Pleasant Valley Parkway and River Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "four-way stop" signs at the intersection of Pleasant Valley Parkway and River Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of a "four-way stop" sign at the intersection of Wayland Avenue and President Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of a "four-way stop" sign at the intersection of Wayland Avenue and President Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of a "stop" sign at Moorland Avenue and Wyndham Avenue on the Moorland Avenue side.

Resolved, That the Traffic Engineer is requested to cause the installation of a "stop" sign at Moorland Avenue and Wyndham Avenue on the Moorland Avenue side.

Resolution Requesting the Traffic Engineer to cause the installation of "four-way stop" signs at Halsey Street and Prospect Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "four-way stop" signs at Halsey Street and Prospect Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "stop" sign on Yale Avenue and Lynch Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a "stop" sign on Yale Avenue and Lynch Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "stop" sign on Beaufort Street and Lynch Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a "stop" sign on Beaufort Street and Lynch Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "stop" sign at the corner of Dodge and Bridgham Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a "stop" sign at the corner of Dodge and Bridgham Street.

Resolution Requesting the Traffic Engineer to cause the installation of "four-way stop" signs at Pearl Street and Providence Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "four-way stop" signs at Pearl Street and Providence Street.

Resolution Requesting the Traffic Engineer to cause the installation of "four-way stop" signs at the intersection of Pleasant Valley Parkway, Nelson Street and Moorland Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "four-way stop" signs at the intersection of Pleasant Valley Parkway, Nelson Street and Moorland Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of "four-way stop"

signs at the intersection of Prospect Street and Bowen Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "four-way stop" signs at the intersection of Prospect Street and Bowen Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "stop" sign at the intersection of Sunbury Street and Durham Street in Providence's Ward 14.

Resolved, That the Traffic Engineer is requested to cause the installation of a "stop" sign at the intersection of Sunbury Street and Durham Street in Providence's Ward 14.

Resolution Requesting the Traffic Engineer to cause the installation of a "stop" sign on Jenks Street in a westerly direction where it meets Pratt Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a "stop" sign on Jenks Street in a westerly direction where it meets Pratt Street.

Resolution Requesting the Traffic Engineer to cause Wayland Avenue at Pitman Street to be designated as a "two-way" street.

Resolved, That the Traffic Engineer is requested to cause Wayland Avenue at Pitman Street to be designated as a "two-way" street.

Resolution Requesting the Traffic Engineer to cause East George Street at Gano Street to be designated a "two-way" street.

Resolved, That the Traffic Engineer is requested to cause East George Street at Gano Street to be designated a "two-way" street.

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

Severally Passed, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.

The motion for Passage is Sustained.

Resolution Granting the abandonment of a portion of Manchester Place.

Resolved, Decreed and Ordered:

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064711 dated March 11, 2002."

VIZ: Manchester Place (portion of), as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. The State of Rhode Island (D.O.T.) has acquired the relevant abutting realty from the original Petitioner and are substituted as the Petitioner herein.

2. No monies shall be required since the realty is to be used for the relocation of Interstate I-195.

3. The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

4. The City of Providence shall retain for itself, its heirs, successors and assigns, and the Providence Water Supply Board, full sewer easements on Manchester Place which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation. Additionally, Petitioner shall construct no structures across said Manchester Place.

5. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commission dated February 21, 2002, a copy of which is attached hereto as Exhibit "B".

6. Additionally, this abandonment is conditioned upon the following:

(a) This realty transferred hereby shall be utilized for the relocation of I-195 and no other purposes;

(b) The State of Rhode Island and the Department of Transportation shall adhere to the language contained in the Record of Decision and the Environmental Impact Study (copies

attached hereto as Exhibits "C" and "D," respectively);

(c) The State of Rhode Island and the Department of Transportation shall use all reasonable efforts to identify any parcels earlier acquired from the City of Providence for the initial construction of I-195, inform the City of the results of these efforts so that the City make an informed decision with respect to reacquiring the same.

(d) By undertaking any act arising from this Resolution and any subsequent agreement, the Department of Transportation and the State of Rhode Island agree that all documents submitted and testimony made to various municipal boards, agencies and committees are, by reference hereto, binding upon the parties as if the same were set out in full.

7. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment, for nominal consideration, a portion of Manchester Place.

Resolved, Decreed and Ordered:

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064671 dated September 28, 2001."

VIZ: Manchester Place (portion of), as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. No monies shall be required since the realty is to be used for the relocation of Interstate I-195.

2. The City of Providence shall retain for itself, its heirs, successors and assigns, or in the alternative, the Petitioner shall convey an easement acceptable to the City of Providence and the Providence Water Supply Board in and on Manchester Place which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said

facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

4. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commission dated October 17, 2001, a copy of which is attached hereto as Exhibit "B".

5. Additionally, this abandonment is conditioned upon the following:

(a) This realty transferred hereby shall be utilized for the relocation of I-195 and no other purposes;

(b) The State of Rhode Island and the Department of Transportation shall adhere to the language contained in the Record of Decision and the Environmental Impact Study (copies attached hereto as Exhibits "C" and "D," respectively);

(c) The State of Rhode Island and the Department of Transportation shall use all reasonable efforts to identify any parcels earlier acquired from the City of Providence for the initial construction of I-195, inform the City of the results of these efforts so that the City make an informed decision with respect to reacquiring the same.

(d) By undertaking any act arising from this Resolution and any subsequent agreement, the Department of Transportation and the State of Rhode Island agree that all documents submitted and testimony made to various municipal boards, agencies and committees are, by reference hereto, binding upon the parties as if the same were set out in full.

6. Petitioner shall comply with all conditions contained herein not later than sixty (60) days

from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment, for nominal consideration, a portion of Traverse Street.

Resolved, Decreed and Ordered:

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064677 dated October 9, 2001."

VIZ: Traverse Street (portion of), as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters E-F-G-H-E, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. No monies shall be required since the realty is to be used for the relocation of Interstate I-195.

2. The City of Providence shall retain for itself, its heirs, successors and assigns a full sewer easement in and on on Traverse Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The City of Providence shall retain for itself, its heirs, successors and assigns and the Providence Water Supply Board, a full water service easement in and on Traverse Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

4. The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

5. The Petitioner shall convey an easement acceptable to Verizon which will permit retention of its facilities in their existing location,

together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

6. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commission dated October 17, 2001, a copy of which is attached hereto as Exhibit "B".

7. Additionally, this abandonment is conditioned upon the following:

(a) This realty transferred hereby shall be utilized for the relocation of I-195 and no other purposes;

(b) The State of Rhode Island and the Department of Transportation shall adhere to the language contained in the Record of Decision and the Environmental Impact Study (copies attached hereto as Exhibits "C" and "D," respectively);

(c) The State of Rhode Island and the Department of Transportation shall use all reasonable efforts to identify any parcels earlier acquired from the City of Providence for the initial construction of I-195, inform the City of the results of these efforts so that the City make an informed decision with respect to reacquiring the same.

(d) By undertaking any act arising from this Resolution and any subsequent agreement, the Department of Transportation and the State of Rhode Island agree that all documents submitted and testimony made to various municipal boards, agencies and committees are, by reference hereto, binding upon the parties as if the same were set out in full.

8. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment, for nominal consideration, a portion of Clay Street.

Resolved, Decreed and Ordered:

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064672 dated October 1, 2001."

VIZ: Clay Street (portion of), as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. No monies shall be required since the realty is to be used for the relocation of Interstate I-195.

2. The City of Providence shall retain for itself, its heirs, successors and assigns and the Providence Water Supply Board, an easement in and on Clay Street which will permit retention of its sewer and water supply easements in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

4. The Petitioner shall convey an easement acceptable to New England Gas Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

5. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commis-

sion dated October 17, 2001, a copy of which is attached hereto as Exhibit "B".

6. Additionally, this abandonment is conditioned upon the following:

(a) This realty transferred hereby shall be utilized for the relocation of I-195 and no other purposes;

(b) The State of Rhode Island and the Department of Transportation shall adhere to the language contained in the Record of Decision and the Environmental Impact Study (copies attached hereto as Exhibits "C" and "D," respectively);

(c) The State of Rhode Island and the Department of Transportation shall use all reasonable efforts to identify any parcels earlier acquired from the City of Providence for the initial construction of I-195, inform the City of the results of these efforts so that the City make an informed decision with respect to reacquiring the same.

(d) By undertaking any act arising from this Resolution and any subsequent agreement, the Department of Transportation and the State of Rhode Island agree that all documents submitted and testimony made to various municipal boards, agencies and committees are, by reference hereto, binding upon the parties as if the same were set out in full.

7. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment, for nominal consideration, a portion of Crary Street. (westerly of interstate I-95 and northerly of Clay Street)

Resolved, Decreed and Ordered:

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064676 dated October 3, 2001."

VIZ: Crary Street (portion of), as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. No monies shall be required since the realty is to be used for the relocation of Interstate I-195.

2. The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be

determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The Petitioner shall convey an easement acceptable to Providence Gas Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

4. The City of Providence shall retain for itself, its heirs, successors and assigns full sewer easements on Crary Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

5. The City of Providence shall retain for itself, its heirs, successors and assigns and the Providence Water Supply Board, shall retain a full water service easement in and on Crary Street which will permit retention of its sewer and water supply easements in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

6. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commis-

sion dated October 17, 2001, a copy of which is attached hereto as Exhibit "B".

7. Additionally, this abandonment is conditioned upon the following:

(a) This realty transferred hereby shall be utilized for the relocation of I-195 and no other purposes;

(b) The State of Rhode Island and the Department of Transportation shall adhere to the language contained in the Record of Decision and the Environmental Impact Study (copies attached hereto as Exhibits "C" and "D," respectively);

(c) The State of Rhode Island and the Department of Transportation shall use all reasonable efforts to identify any parcels earlier acquired from the City of Providence for the initial construction of I-195, inform the City of the results of these efforts so that the City make an informed decision with respect to reacquiring the same.

(d) By undertaking any act arising from this Resolution and any subsequent agreement, the Department of Transportation and the State of Rhode Island agree that all documents submitted and testimony made to various municipal boards, agencies and committees are, by reference hereto, binding upon the parties as if the same were set out in full.

8. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment, for nominal consideration, a portion of Goff Street.

Resolved, Decreed and Ordered:

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064673 dated October 1, 2001."

VIZ: Goff Street (portion of), as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. No monies shall be required since the realty is to be used for the relocation of Interstate I-195.

2. The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such

facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The Petitioner shall convey an easement acceptable to New England Gas Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

4. The City of Providence shall retain for itself, its heirs, successors and assigns, and the Providence Water Supply Board, shall retain a full water service easement in and on Goff Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

5. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commission dated October 17, 2001, a copy of which is attached hereto as Exhibit "B".

6. Additionally, this abandonment is conditioned upon the following:

(a) This realty transferred hereby shall be utilized for the relocation of I-195 and no other purposes;

(b) The State of Rhode Island and the Department of Transportation shall adhere to the language contained in the Record of Decision

and the Environmental Impact Study (copies attached hereto as Exhibits "C" and "D," respectively);

(c) The State of Rhode Island and the Department of Transportation shall use all reasonable efforts to identify any parcels earlier acquired from the City of Providence for the initial construction of I-195, inform the City of the results of these efforts so that the City make an informed decision with respect to reacquiring the same.

(d) By undertaking any act arising from this Resolution and any subsequent agreement, the Department of Transportation and the State of Rhode Island agree that all documents submitted and testimony made to various municipal boards, agencies and committees are, by reference hereto, binding upon the parties as if the same were set out in full.

7. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment, for nominal consideration, a portion of Brook Street.

Resolved, Decreed and Ordered:

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064677 dated October 9, 2001."

VIZ: Brook Street (portion of), as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. No monies shall be required since the realty is to be used for the relocation of Interstate I-195.

2. The Petitioner shall convey an easement acceptable to the Narragansett Bay Commission which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The Petitioner shall convey an easement acceptable to Providence Gas Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply

with an intended use, the Petitioner shall assume all costs of relocation.

4. The City of Providence shall retain for itself, its heirs, successors and assigns full sewer easements on Brook Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

5. The City of Providence shall retain for itself, its heirs, successors and assigns, and the Providence Water Supply Board, reserves a full water services easement in and on Brook Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

6. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commission dated October 17, 2001, a copy of which is attached hereto as Exhibit "B".

7. Additionally, this abandonment is conditioned upon the following:

(a) This realty transferred hereby shall be utilized for the relocation of I-195 and no other purposes;

(b) The State of Rhode Island and the Department of Transportation shall adhere to the language contained in the Record of Decision and the Environmental Impact Study (copies

attached hereto as Exhibits "C" and "D," respectively);

(c) The State of Rhode Island and the Department of Transportation shall use all reasonable efforts to identify any parcels earlier acquired from the City of Providence for the initial construction of I-195, inform the City of the results of these efforts so that the City make an informed decision with respect to reacquiring the same.

(d) By undertaking any act arising from this Resolution and any subsequent agreement, the Department of Transportation and the State of Rhode Island agree that all documents submitted and testimony made to various municipal boards, agencies and committees are, by reference hereto, binding upon the parties as if the same were set out in full.

8. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment, for nominal consideration, a portion of India Street.

Resolved, Decreed and Ordered:

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064674 dated October 2, 2001."

VIZ: India Street (portion of), as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. No monies shall be required since the realty is to be used for the relocation of Interstate I-195.

2. The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The Petitioner shall convey an easement acceptable to Narragansett Bay Commission which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply

with an intended use, the Petitioner shall assume all costs of relocation.

4. The City of Providence shall retain for itself, its heirs, successors and assigns full sewer easements in and on India Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

5. The City of Providence, for itself, its heirs, successors and assigns, and the Providence Water Supply Board, shall retain a full water service easement in and on India Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

6. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commission dated October 17, 2001, a copy of which is attached hereto as Exhibit "B".

7. Additionally, this abandonment is conditioned upon the following:

(a) This realty transferred hereby shall be utilized for the relocation of I-195 and no other purposes;

(b) The State of Rhode Island and the Department of Transportation shall adhere to the language contained in the Record of Decision and the Environmental Impact Study (copies

attached hereto as Exhibits "C" and "D," respectively);

(c) The State of Rhode Island and the Department of Transportation shall use all reasonable efforts to identify any parcels earlier acquired from the City of Providence for the initial construction of I-195, inform the City of the results of these efforts so that the City make an informed decision with respect to reacquiring the same.

(d) By undertaking any act arising from this Resolution and any subsequent agreement, the Department of Transportation and the State of Rhode Island agree that all documents submitted and testimony made to various municipal boards, agencies and committees are, by reference hereto, binding upon the parties as if the same were set out in full.

8. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment, for nominal consideration, a portion of Tockwotten Street.

Resolved, Decreed and Ordered:

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064675 dated October 3, 2001."

VIZ: Tockwotten Street (portion of), as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-B-C-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. No monies shall be required since the realty is to be used for the relocation of Interstate I-195.

2. The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The Petitioner shall convey an easement acceptable to New England Gas Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply

with an intended use, the Petitioner shall assume all costs of relocation.

4. The Petitioner shall convey an easement acceptable to Verizon Communications which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

5. The City of Providence, for itself, its heirs, successors and assigns, and the Providence Water Supply Board, shall retain a full water service easement in and on Tockwotten Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

6. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commission dated October 17, 2001, a copy of which is attached hereto as Exhibit "B".

7. Additionally, this abandonment is conditioned upon the following:

(a) This realty transferred hereby shall be utilized for the relocation of I-195 and no other purposes;

(b) The State of Rhode Island and the Department of Transportation shall adhere to the language contained in the Record of Decision and the Environmental Impact Study (copies

attached hereto as Exhibits "C" and "D," respectively);

(c) The State of Rhode Island and the Department of Transportation shall use all reasonable efforts to identify any parcels earlier acquired from the City of Providence for the initial construction of I-195, inform the City of the results of these efforts so that the City make an informed decision with respect to reacquiring the same.

(d) By undertaking any act arising from this Resolution and any subsequent agreement, the Department of Transportation and the State of Rhode Island agree that all documents submitted and testimony made to various municipal boards, agencies and committees are, by reference hereto, binding upon the parties as if the same were set out in full.

8. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment, for nominal consideration, a portion of Crary Street. (westerly of Eddy Street)

Resolved, Decreed and Ordered:

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064672 dated October 1, 2001."

VIZ: Crary Street (portion of), as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters A-G-F-E-E-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. No monies shall be required since the realty is to be used for the relocation of Interstate I-195.

2. The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The City of Providence shall retain for itself, its heirs, successors and assigns full sewer easements in and on Crary Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated

in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

4. The City of Providence, for itself, its heirs, successors and assigns, and the Providence Water Supply Board, shall retain a full water service easement in and on Crary Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

5. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commission dated October 17, 2001, a copy of which is attached hereto as Exhibit "B".

6. Additionally, this abandonment is conditioned upon the following:

(a) This realty transferred hereby shall be utilized for the relocation of I-195 and no other purposes;

(b) The State of Rhode Island and the Department of Transportation shall adhere to the language contained in the Record of Decision and the Environmental Impact Study (copies attached hereto as Exhibits "C" and "D," respectively);

(c) The State of Rhode Island and the Department of Transportation shall use all reasonable efforts to identify any parcels earlier acquired from the City of Providence for the initial construction of I-195, inform the City of the results of these efforts so that the City make an informed decision with respect to reacquiring the same.

(d) By undertaking any act arising from this Resolution and any subsequent agreement, the Department of Transportation and the State of Rhode Island agree that all documents submitted and testimony made to various municipal boards, agencies and committees are, by reference hereto, binding upon the parties as if the same were set out in full.

7. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

Resolution Granting the abandonment, for nominal consideration, a portion of Blanding Street.

Resolved, Decreed and Ordered:

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office. Street line Section Plan Number 064676 dated October 3, 2001."

VIZ: Blanding Street (portion of), as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters H-E-D-A, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said abandonment is specifically conditioned precedent upon the following:

1. No monies shall be required since the realty is to be used for the relocation of Interstate I-195.

2. The Petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

3. The Petitioner shall convey an easement acceptable to New England Gas Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

4. The City of Providence shall retain for itself, its heirs, successors and assigns a full water service easement in and on Blanding Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities

need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

5. The City of Providence, for itself, its heirs, successors and assigns, and the Providence Water Supply Board, shall retain a full water service easement in and on Blanding Street which will permit retention of its facilities in their existing location together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the City that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

6. The Petitioner shall meet the conditions to which reference is made in that communication from the Providence City Plan Commission dated October 17, 2001, a copy of which is attached hereto as Exhibit "B".

7. Additionally, this abandonment is conditioned upon the following:

(a) This realty transferred hereby shall be utilized for the relocation of I-195 and no other purposes;

(b) The State of Rhode Island and the Department of Transportation shall adhere to the language contained in the Record of Decision and the Environmental Impact Study (copies attached hereto as Exhibits "C" and "D," respectively);

(c) The State of Rhode Island and the Department of Transportation shall use all reasonable efforts to identify any parcels earlier acquired from the City of Providence for the initial construction of I-195, inform the City of the results of these efforts so that the City make an informed decision with respect to reacquiring the same.

(d) By undertaking any act arising from this Resolution and any subsequent agreement, the Department of Transportation and the State of Rhode Island agree that all documents submitted and testimony made to various municipal boards, agencies and committees are, by reference hereto, binding upon the parties as if the same were set out in full.

8. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

Ordered, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway", and it is further

Ordered, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

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

Severally Passed, on motion of **COUNCILMAN APONTE**, seconded by **COUNCILWOMAN WILLIAMS**, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Aponte, Butler, Councilwoman DiRuzzo, Councilmen Hassett, Jackson, Luna, Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—11.

Nays: Councilmen Allen and DeLuca—2.

The motion for Passage is Sustained.

Absent: Councilmen Igliozi and Mancini—2.

Transmits the following with recommendation the same be Denied:

Resolution Requesting the Traffic Engineer to post the appropriate street signs to allow parking for staff members of the Carl G. Lauro School located on the DePasquale Avenue side of the building.

Read and Denied, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.

The motion for Denial is Sustained.

COMMITTEE ON FINANCE COUNCILMAN KEVIN M. JACKSON, Chairman

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

Resolution Granting an extension of the residency requirement for John Paul Landroche, Providence Firefighter for a period of six months to begin upon his return to work after completing his deployment of the 115th Military Police Unit.

Resolved, That the request for an extension of the residency requirement for John Paul Landroche, Providence Firefighter is hereby granted for a period of six months to begin upon

his return to work after completing his deployment of the 115th Military Police Unit.

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

The motion for Passage is Sustained.

**Transmits the following with recommenda-
tion the same be severally Approved:**

Resolution Requesting to amend Resolution #75, approved February 13, 2002 for the abatement of taxes for Assessor's Plat 6, Lot 141 (140 Cypress Street) for the Mount Hope Learning Center, to include the taxes for the year 2002 in the amount of five thousand four hundred fifty-two dollars and eleven cents (\$5,452.11).

Resolved, That the Resolution #75, approved February 13, 2002 be hereby amended for the abatement of taxes for Assessor's Plat 6, Lot 141 (140 Cypress Street) for the Mount Hope Learning Center, to include the taxes for the year 2002 in the amount of five thousand four hundred fifty-two dollars and eleven cents (\$5,452.11).

Read and Passed, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Council President Lombardi, Councilmen Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Luna, Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—13.

Nays: None.

Absent: Councilmen Allen and Mancini—2.

The motion for Passage is Sustained.

Resolution Authorizing the issuance of refunding certificates and additional certificates of the Port of Providence.

Whereas, The Providence Redevelopment Agency (the "Agency") financed the acquisition by PortProv, Inc. from the City of Providence (the "City") of the City-owned marine terminal and related appurtenant facilities comprising the Port of Providence through the issuance of \$19,700,000 Certificates of Participation (Port of Providence Lease) Series 1994A (the "Prior Obligations"); and

Whereas, The refinancing of the Prior Obligations through the issuance of refunding bonds, certificates or other evidences of indebtedness (the "Refunding Obligations") would permit the Agency to take advantage of the lower interest rates which currently are prevailing; and

Whereas, The Agency is authorized pursuant to Section 45-35-5 of the General Laws of Rhode Island, as amended, to refund the Prior Obligations; and

Whereas, The City has determined that refunding the outstanding Prior Obligations would result in financial benefits to the Agency and the City; and

Whereas, The City, in accordance with its obligations pursuant to the Trust Agreement dated as of September 1, 1994 relating to the Prior Obligations (the "trust Agreement"), has made payments to replenish shortfalls in the Reserve Account (as defined in the Trust Agreement); and

Whereas, The City has paid certain expenses in connection with the operation and maintenance of the Port of Providence; and

Whereas, It has been determined that the Port of Providence would benefit from certain capital improvements, including, but not limited to

dredging, in order to improve the efficiency and facilitate commerce; and

Whereas, The City desires to be reimbursed for said payments and to finance the capital improvements through the issuance of additional bonds, certificates or other evidence of indebtedness in an amount not to exceed \$3,000,000 (the "additional Obligations").

Now, therefore, be it Resolved, that:

1. The City Council hereby authorizes the Mayor to take any and all action and to execute, file, and deliver any and all agreements, indentures, certificates and other documents in such form as he may deem necessary or desirable to further the issuance of the Refunding Obligations and the Additional Obligations.

2. The City's Director of Finance is authorized to execute and deliver a continuing disclosure certificate in connection with the issuance of the Refunding Obligations and the Additional Obligations, in such form as shall be deemed advisable by the City's Director of Finance. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the continuing disclosure certificate, as it may be amended from time to time. Notwithstanding any other provision of this Resolution or the Refunding Obligations and the Additional Obligations, failure of the City to comply with the continuing disclosure certificate shall not be considered an event of default; however, any certificate holder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply

with its obligations under this Resolution and under the continuing disclosure certificate.

3. The City Council, pursuant to Section 45-32-5(3) of the General Laws of Rhode Island, authorizes the Providence Redevelopment Agency to retain a leasehold interest in the buildings, structures or other improvements constituting the Port of Providence until the Refunding Obligations and Additional Obligations are retired.

4. This Resolution shall take effect on passage.

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

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Luna, Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—13.

Nays: None.

Absent: Councilmen DeLuca and Mancini—2.

The motion for Passage is Sustained.

COUNCILMAN DeLUCA Refers the foregoing Resolution Back to the Committee on Finance.

COMMUNICATIONS

Communication from Councilwoman Balbina A. Young, dated March 7, 2003, Informing the Honorable Members of the City Council that she is this day appointing Mary Kay Harris of 44 Superior Street, Providence, Rhode Island 02907 to the Providence External Review Authority. (PERA)

Communication from Councilman David A. Segal, dated March 12, 2003, Informing the Honorable Members of the City Council that he is this day appointing Luz Bravo-Gleicher of 143 Williams Street, Providence, Rhode Island 02906 to the Providence External Review Authority. (PERA)

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

Severally Received.

Communication from Makram H. Megalli, P.E., Director of Public Works, dated March 11, 2003, requesting an extension of the residency requirement for the City of Providence.

COUNCIL PRESIDENT LOMBARDI Receives the Communication and Refers the Same to the Committee on Finance.

The motion to Receive and Refer is Sustained.

Communication from Alex Prignano, Director of Finance, dated February 28, 2003, submitting the 2002 Fiscal Audit prepared by KPMG.

Received.

FROM THE CLERK'S DESK

Petition from Timothy J. Robenhymer, requesting to abandon Enterprise Row.

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:

Maureen DeLoreto

Karl Vucich

Maryann D'Elena

Lorraine Lisi

Jan M. Weiner

Jessica Lescarbeau, Thomas Morales & Jose Ortega (Thomas E. Sparks, Esquire)

Roberto Castellanos (Christopher E. Fay, Esquire)

Frank Aracena (Christopher E. Fay, Esquire)

Robert F. & Lois B. Pickard

John Moccia

Julie Armada

Marvin Mitchell

Robert Singer

Ann L. Lombardo

Marie-Paule Gonon

Mercedes M. Inoa (Dennis H. Ricci, Esquire)

Pedro Matos (Dennis H. Ricci, Esquire)

Kevan Lewis

Thomas E. Evans

Paul Aoun

John D. & Barbara B. Deacon

Richard Keen

Mary C. Lombardo (Thomas R. DeSimone, Esquire)

Mary Granieri

Joseph H. Fonseca

Laurie Phillips

Michael Richardson

Daniel Duclos

Carmen Castro p.p.a. Luis Hernandez (Tanya J. Garrian, 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:

Joseph Le, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Pich Chhoeun, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Dr. Mary Ann Bromley, Ph.D., LICSW, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Howard Phengsomphone, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Latsamy Souvannavong, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Sergeant Tim Patterson, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Venerable Ros Mey, Wat Thormikaram of RI, Inc., in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Meng Taing, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding

contribution and services to the Southeast Asian Community.

Pastor Reth Nhar, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Thonghoun Pathana, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Stephanie McKenna, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Thao Te, Apsara Restaurant, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Cambodian Society of RI, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Ammala Douangsanh, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Kagnaone Som, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Steve Patriarca, Providence Drug and Alcohol Abuse Network, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Neighborhood Health Plan of RI, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Pastor Hue Her, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

May and Gerry Kue, in recognition of being the recipient of the "First Southeast Asian Leadership Annual Award" and for your outstanding contribution and services to the Southeast Asian Community.

Darrell Taylor, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Stanley Boateng, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Ariel Ramirez, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Bassey Akpan, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Adam Perry, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Marcel Jones, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Felix Onyejekwe, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Kevin Menawonu, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Lloyd Campbell, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Julian Boateng, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Jhovanny Ciprian, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Dami Odulami, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Shawna Smith, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Jim Ahearn, Head Coach, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Chris Coleman, Assistant Coach, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Charlie Holiday, Assistant Coach, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Mike Kdonian, Assistant Coach, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Ronald Gilliard, Manager, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Dan Brigs, Manager, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Michael Wright, Manager, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Beatrice Wiggins, Principal, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Ed DiPrete, Athletic Director, Mount Pleasant High School, in recognition of winning the 2002-2003 Division I Boys Basketball State Championship.

Caitlin Feeney, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Colleen Feeney, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Jess Paulson, All Tournament, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Jen Sayles, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Maria Rojas, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Caitlin Charest, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Alyssa Long, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Jocelyn Charest, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Sarah Dwyer, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Tara McCarthy, MVP, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Kate Lynch, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Karen Carty, Manager, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Sean Reddy, Coach, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Deb Reddy, Assistant Coach, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Nick DiFilippo, Assistant Coach, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Greg Johnson, Assistant Coach, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Ted Quigley, Athletic Director, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Dawn Biron, Assistant Athletic Director, LaSalle Academy Lady Rams, in recognition of winning the 2002-2003 Division I Girls Basketball State Championship.

Megan Clement, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Caitlin Murphy, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Alicia Mullen, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Kara Scanlon, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Meaghan Dendy, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Amanda Grafe, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Meghan Long, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Cara Constable, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Stacie-Lee Clark, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Stefanie Marta, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Bethany Pierpaoli, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Nicole DiDomenico, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Molly Sherry, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Kaylyn Hawkes, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Sara Desrochers, Head Coach, LaSalle Academy, in recognition of winning the 2002-2003 Freshman Girls Basketball State Championship.

Severally Read and Collectively Passed, on motion of COUNCILMAN APONTE, 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:

Anthony Badessa

Joseph J. Cola

Tammaro A. "Tommy" Palombo

F. Thomas O'Halloran

Rose M. Corso

Rose Calenda

Anthony Damiani

Alena M. "Helen" Balkus

Jane A. Hawkins

Walter E. Snead

Joan M. Penkala

Jacqueline A. Avedisian

Mary Y. Riel

Richard H. DiLeonardo

Michael Stephen Garcia

Josephine "Joan" Mancini

Marcy C. Partington

Edward T. DiToro

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

The motion for Passage is Sustained.

MATTER NOT APPEARING ON THE PRINTED DOCKET

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

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI,
COUNCILWOMAN WILLIAMS and
COUNCILMAN IGLIOZZI (By Request):

Resolution endorsing and urging passage by the
General Assembly of (2003-H 5956) An Act
relating to education — alternative education
programs.

Resolution endorsing and urging passage by the
General Assembly of (2003-S 458) An Act
relating to state affairs and government —
the Rhode Island Law Enforcement Accred-
itation Commission.

Resolution endorsing and urging passage by the
General Assembly of (2003-S 478) An Act
relating to state affairs and government —
law enforcement standards and training.

Resolution endorsing and urging passage by the
General Assembly of (2003-H 5886) An Act
relating to education.

Resolution endorsing and urging passage by the
General Assembly of (2003-H 5887) An Act
relating to the Rhode Island student invest-
ment initiative.

Resolution endorsing and urging passage by the
General Assembly of (2003-H 5919) An Act
relating to education — health and safety of
pupils.

COUNCIL PRESIDENT LOMBARDI
Severally Refers the Resolutions to the
Committee on State Legislation.

The motion to Refer is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:20 o'clock P.M. (E.S.T.) to meet again on THURSDAY, APRIL 3, 2003 at 7:30 o'clock P.M. (E.S.T.).

Michael R. Clement
City Clerk

