

CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 9 City Council Regular Meeting, Tuesday, April 22, 2003, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

IN CITY COUNCIL

JOHN J. LOMBARDI

SEP 18 2003

APPROVED:

*Michael R. Clement* CLERK

ROLL CALL

Present: Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hasset, Igliazzi, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwoman Williams—13.

Absent: Councilman Jackson and Councilwoman Young—2.

Also Present: Bruce D. Todesco, Deputy City Solicitor, Michael R. Clement, City Clerk, Claire E. Bestwick, First Deputy City Clerk, Sheri A. Petronio, Assistant Clerk.

## INVOCATION

The Invocation is given by COUNCILMAN  
JOHN J. IGLIOZZI.

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

COUNCILMAN MIGUEL C. LUNA 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 April 10, 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 in January 2007, and respectfully submits the same for approval. (Mr. Schecter will fill an existing vacancy on the commission.)

Communication dated April 10, 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 re-appointing Michael Van Leesten of 11 Belair Avenue, Providence, Rhode Island 02906, as a Member of the Salary Review Commission for a term to expire in January 2007, and respectfully submits the same for approval.

Communication dated April 10, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 203 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Lydia Rivera of 115 Cass Street, Providence,

Rhode Island 02905, as a Member of the Board of Canvassers for a term to expire on the first Monday in March 2009, and respectfully submits the same for approval. (Ms. Rivera will replace Mark Lomazzo, whose term has expired.)

Communication dated March 25, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1102 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Joan Badway of 65 Sharon Street, Providence, Rhode Island 02908, as a Member of the Board of Licenses for a term to expire in January 2006, and respectfully submits the same for approval. (Ms. Badway will fill the expired term of Alan Costantino.)

Communication dated March 25, 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 re-appointing Bishop Robert Farrow of 157 Ophelia 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.

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

**COUNCIL PRESIDENT LOMBARDI Receives and Refers the Several Communications to the Committee on Finance.**

**The motion to Receive and Refer is Sustained.**

## ORDINANCES SECOND READING

**The following Ordinances were in City Council April 3, 2003, Read and Passed the First Time and are severally returned for Passage the Second Time:**

An Ordinance in Amendment of Chapter 27 of the Ordinances of the City of Providence entitled: "The City of Providence Zoning Ordinance" Approved June 27, 1994, as Amended (Creation of Conservation District).

*Be it Ordained by the City of Providence:*

*Section 1.* Chapter 27 of the Ordinances of the City of Providence, entitled "The City of Providence Zoning Ordinance" approved June 27, 1994, as Amended, is hereby amended by changing the following text in Articles 1, 3, 4 and 10, and Appendix A (the text to be removed is crossed out; the new text is underlined):

*101.6 — Open Space, and Public Space and Conservation Zoning Districts:*

*OS — Open Space District* — This zone is to insure that open space areas, conservation areas and outdoor recreation areas are preserved in the city. This district includes parks, wetlands, flood plains, conservation areas and areas that cannot be developed.

*PS — Public Space Areas* — This zone is to insure that open space areas and areas for public buildings and facilities are preserved in the City. This district includes park and recreation areas, public buildings and schools.

*CD — Conservation District* — This zone is to insure that city-owned conservation areas are preserved.

Add a column to Table of Use Regulations in Section 303 for the CD classification and add: "Use Code 36.1 — Conservation Area" and a "Y" under the new column CD. No other use would be permitted.

**Add: "Section 424 — Regulations for Conservation Districts"**

Conservation Districts shall be maintained pursuant to a management plan for the district approved by the Board of Park Commissioners. The management plan shall be consistent with the following regulations:

*424.1 — Permitted Uses in Conservation Districts:*

A) Passive enjoyment of the woodlands, rivers, streams, ponds and foot trails.

B) Protection and maintenance, including restoration as needed, of the natural woodlands for the safety and enjoyment of the residents of the City.

C) Maintenance and restoration of the foot trails that run through the woodlands and scenic views from the foot trails.

D) Maintenance and restoration of the vegetation, with occasional thinning and appropriate additional planting, and protection of the banks of rivers, streams, ponds and coastal areas to prevent erosion.

E) Limited dredging of rivers, ponds and coastal areas for restoration purposes.

F) Maintenance and restoration of streams, rivers, ponds and wetlands.

G) Protection and encouragement of wildlife natural to the area.

H) Placement and maintenance of benches and trash receptacles for the enjoyment and health of the users of the urban forest.

I) Fishing (unless otherwise prohibited).

J) Such other uses as are consistent therewith.

*424.1 — Uses Not Permitted in Conservation Districts:*

A) Placement or construction of any buildings or structures, including fenced enclosures for domestic or other animals, or other improvements of any kind that are unrelated to the preservation and maintenance of the urban forest.

B) Development of the urban forest in any manner other than to restore or maintain the foot trails, woodlands, rivers, ponds and coastal areas.

C) All vehicles, including motorcycles, motorized bicycles, snowmobiles, all-terrain vehicles, except police, emergency and maintenance vehicles.

D) Ditching, draining, diking, filling, excavating, dredging, mining or drilling, removal of topsoil, sand, gravel, rock, minerals, or other materials, or any building or roads or change in the topography of the land in any manner, except to restore or maintain the health of the woodlands, foot trails, rivers, streams, ponds and coastal areas.

E) Removal, destruction, or cutting of trees or plants, except as necessary for maintenance or required to construct foot trails pursuant to a management plan.

F) Use of fertilizers, spraying with biocides and introduction of non-native plants and animals, except as may be authorized by a management plan.

G) Dumping or storing of ashes, trash, garbage, wastes, refuse, debris or other materials, and the changing of the topography through the placement of solid or other substances or materials such as land fill or dredging spoils, except to restore or maintain the health of the woodlands or rivers, streams or ponds in accordance with a management plan.

H) Activities on areas adjoining the district that will adversely affect the woodlands, rivers, streams, ponds and wetlands, including erosion or siltation of the same."

#### Article X — Definitions

Add: 1000.155 — Conservation Area: An area consisting of woodlands, rivers, streams, ponds, wetlands, floodplains and other sensitive natural areas that shall be preserved in its natural scenic and ecological condition.

#### Appendix A

Add: "36.1 Conservation Area — See Definition at 1000.155".

*Section 2.* Chapter 27 of the Ordinances of the City of Providence, entitled "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended, is further amended by changing the zoning district designation of certain lots of certain Zoning District Maps of the Official Zoning Maps as follows and as shown on the accompanying map(s):

Map 41, Lots 14 (except for the developed playground at the corner of Angell and Paterson Streets, a rectangle measuring 200 feet east of this corner along Angell Street and 275 feet south of this corner along Paterson Street), 142, 143 and 234, from OS to CD.

Map 40, Lot 293, from OS to CD.

**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, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwoman Williams—13.**

**Nays: None.**

**Absent: Councilman Jackson and Councilwoman Young—2.**

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

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An Ordinance in Amendment of Chapter 27 of the Ordinances of the City of Providence entitled "The City of Providence Zoning Ordinance" Approved June 27, 1994, as Amended (Historic Trees).

*Be it Ordained by the City of Providence:*

Section 1. The following section shall be added to the Providence Zoning Ordinance:

*Section 425 — Landscaping and Tree Preservation:* Open space within lots and outdoor parking areas shall be landscaped with trees, groundcover and shrubs to enhance the environmental and aesthetic quality of the City and to reduce the visual impact of parking areas from the public right-of-way and from adjoining properties. This article regulates the quantity and location of landscaping on all lots in all Zoning Districts except for the D-1 Zoning District, which has separate landscaping provisions in Section 502.2.

*425.1 — Quantity of Trees Required:* Sufficient trees shall be planted on a lot so that the square footage of vegetative canopy of such trees, when mature, equals a certain percentage of the square footage of the lot. This required percentage varies by Zoning District and is listed in Section 425.1 A). The total canopy coverage for a lot is the sum of the canopy, at maturity, of the individual trees located on the lot. The square footage of canopy cover varies according to tree species and is shown in the table in Section 425.1 B). Street trees located in the public right-of-way directly adjacent to the property line of the lot may be counted toward the canopy coverage for the lot. For developments that encompass more than one lot, the percentage shall be calculated for the total canopy for the total area of all of the lots. Where existing conditions or other provisions of this Ordinance make it impracticable to meet the canopy coverage requirement on or adjacent to the site, the applicant shall plant sufficient trees to make up the shortfall in public rights-of-way within ¼ mile of the lot(s), with the location to be determined by the City Forester for the City of Providence.

A) Quantity of Trees by Canopy Coverage: The percentage of canopy coverage required for each zone is listed as follows:

- 1) R, PS, OS, CD and W-1 Zones: 25% of the square footage of the lot.
- 2) D-1 Zone: See Section 502.2 for landscaping requirements.
- 3) All Other Zones: 15% of the square footage of the lot.

B) Canopy Coverage by Tree Size: The City Forester shall maintain a list of trees species and the expected size of the canopy for each species, at maturity, when planted in Providence. Trees shall be classified as small, medium or large and the canopy coverage for each is as follows:

<i>Tree Size</i>	<i>Canopy Size (sq. ft.)</i>
Large	1,000
Medium	700
Small	300

*425.2 — Location of Trees and Landscaping for Parking Areas — Five or More Vehicles:* The following requirements are for principal or accessory use parking areas for five or more vehicles, regardless of zone. Any trees planted pursuant to this Section shall be included in the quantity required for Section 425.1.

A) *Parking Areas Abutting Public Rights of Way:* For parking areas that abut public rights of way, there shall be a planted strip, at least five feet wide, along the entire length of the border between the parking area and the right of way. At least one tree shall be planted in this strip for every 20 linear feet of frontage. These trees shall be large, medium or small trees, as classified in Section 801.2. The planted strip shall include grass, perennial plantings, or a combination of both, and may also include annual plantings.

B) *Internal Planting in Parking Areas:* Where trees are planted in the interior of parking areas, they shall be located within islands that are curbed to prevent damage from automobiles.

C) *Parking Areas Abutting Lots in R Zones:* Where a parking area in any zone adjoins a lot in an R Zone, the parking area shall be screened by a solid wall, a uniformly painted tight board fence, or a hedge of compact evergreens or other suitable plantings. Such screen shall be at least four feet in height, and shall be erected and maintained between the entire border of such parking area and the property in the R Zone.

425.3 *Land Adjacent to Water Bodies:* Where a water body exists on or adjacent to a lot or development, there shall be a vegetated buffer, at least 20 feet wide, adjacent to the entire length of the water body. This buffer shall include trees and plant material that will filter stormwater runoff and help to improve the quality of the water body. No parking or buildings are permitted within this buffer. However, a walking path or bicycle path may be included within this buffer.

425.4 — *Maintenance:* All landscaped areas shall be maintained. This shall include replacement of dead or damaged plant material; the furnishing and installation of mulch; weeding; mowing of grass; cleaning of litter; or any other action deemed necessary by the Director to insure that the requirements of this section are met. Failure to maintain a landscape area shall be deemed in violation of this ordinance.

425.5 — *Non-conformance:* Lots or developments that contain less than the canopy coverage required by Section 425.1 A) on the date of enactment of this Article shall be considered legal but non-conforming to the dimensional requirements of this Section.

A) *Reduction of Canopy Cover for Non-conforming Lots or Developments:* For lots or developments that are non-conforming as defined in this Section, improvements to the property that cost less than 50% of the assessed value of the property and that reduce the canopy cover shall require either replacement in-kind of the canopy lost or a dimensional variance. Improvements to the property that cost more than 50% of the assessed value of the property and that reduce the canopy cover shall require either full compliance with the canopy coverage requirements of Section 425.1 A) or a dimensional variance.

B) *Reduction of Canopy Cover for Conforming Lots or Developments:* For lots or developments that conform to the dimensional requirements of this Article, any action that reduces the canopy cover below the percentage required by Section 425.1 A) shall be considered a dimensional nonconformance and shall require either replacement in-kind of the canopy lost or a dimensional variance.

425.6 — *Removal of Significant Trees:* No significant Tree, as defined in Section 1100.156 shall be removed without the prior permission of the City Forester for the City of Providence.

A) *Application:* Any person wishing to remove a Significant Tree shall file a request to do so with the City Forester.

B) *Required Findings for Approval:* In order to grant permission to remove a significant tree the City Forester must make one or more of the following findings within seven days of receipt of the application:

1) The tree is in poor health or diseased with an expected life span less than two years as determined by a licensed arborist, landscape architect, or professional forester.

2) The removal of the tree is unavoidable because the tree poses a danger to human safety, health and welfare.

C) *Required Findings for Denial:* In order to deny permission to remove a significant tree the City Forester must make none of the findings in Section 425.6 A) and one or more of the following findings within seven days of receipt of the application:

1) The tree to be removed is of a species listed on the Rhode Island list of endangered species or trees of special concern.

2) The tree removal will have significant negative effects upon erosion potential and drainage patterns in the vicinity.

3) The tree removal will have significant negative effects upon public health, safety, and welfare.

D) *Replacement of Canopy:* Any person who removes a significant tree shall be required to replace the square footage of canopy lost due to the removal.

425.7 — *Tree Pit Design:* Trees shall be planted according to the standards adopted by the Providence City Forester.

425.8 — *Tree Size at Planting:* At planting, trees shall be at least two inches in caliper.

425.9 — *Tree Pruning:* Nothing in this Article shall be construed to prevent tree pruning to promote the health of a tree or for public safety purposes.

*Section 2:* Eliminate Sections 505.2 B), 506.3 D), 506.6 C), 507.3 D) 2, 507.6 C), 705.6, and 705.7.

*Section 3:* Modify Section 502.2 D) as follows:

*Landcaping — Lot Frontage:* Landscaping shall be provided between parking lots and any adjacent public street, walk or right of way, shall be approved by the DRC and shall be maintained in accordance with Section 425.4.

*Section 4:* Add to Definitions in Article X:

1100.156 *Significant Tree:* Any tree that measures 32 inches or more in diameter at 4½ feet above the ground.

*Section 5:* This Ordinance shall take effect upon passage.

**COUNCILWOMAN WILLIAMS moves to Amend the Ordinance in Section 425.6 B and C to change “seven” days to “thirty” days, seconded by COUNCILMAN BUTLER.**

**The motion to Amend is Sustained.**

**Read and Passed the Second Time, as Amended, 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, Igliazzi, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwoman Williams—13.

**Nays:** None.

**Absent:** Councilman Jackson and Councilwoman Young—2.

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

An Ordinance in amendment of Chapter 27 of the Ordinances of the City of Providence entitled: "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended. (Technical Amendments)

*Be it ordained by the City of Providence:*

Section 1. Chapter 27 of the Ordinances of the City of Providence, entitled "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended, is hereby amended by changing the following text in Articles 2, 3, 7, 8, and 10 (the text to be removed is crossed out; the new text is underlined):

A. In Article 2:

201.7 — *Intensification*: A nonconforming use of a building, structure or land shall not be intensified in any manner. Intensification shall include, but not be limited to, increasing hours of operation, increasing the number of dwelling units, increasing the number of parking spaces, or increasing the seating capacity of a place of assembly. However, this section shall not prohibit the reconfiguration of existing dwelling units within a building or structure so long as such reconfiguration complies with the requirements of Section 201.6.

B. In Article 3:

304.1 — *Footnotes for Dimensional Regulations — Residential Districts*

1. Height may be increased to three stories not to exceed ~~forty~~ (40) feet provided each required side yard is increased one foot for each three (3) feet in height above two stories

or 30 feet, whichever requires the greatest increase.

2. Each side yard must be increased by one (1) foot for every three (3) feet in height over the second story or over 30 feet, whichever requires the greatest increase.

3. A lot of less than 12,000 square feet and more than 9,999 square feet may be divided into lots containing not less than 5,000 square feet each and having a width of not less than 50 feet each, ~~and one dwelling and having a width of not less than 50 feet each,~~ and one dwelling unit may be erected on each lot. If a lot contains more than 12,000 square feet and if after division into as many as 6,000 square feet lots as possible, there remains a lot of 5,000 square feet or more, one dwelling unit may be erected on such remaining lot provided the same has a width of 50 feet.

4. A rear yard may be reduced to not less than ~~twenty percent~~(20%) of the lot depth, provided the front yard is extended so that the combined total of the front and rear yards is not less than ~~forty percent~~ (40%) of the lot depth.

5. Minimum of one Side Yard may be reduced to 4 feet if lot width is 45 feet or less.

6. Lot coverage on a corner lot may be increased an additional 5% of the lot area.

7. In -ground or above -ground pools shall not be considered when calculating overall lot coverage requirements stipulated in this code.

*Section 305 — Dimensional Regulations — Commercial, Industrial and Institutional I-1 and I-2 Districts:*

	C-1, 2, 4	M-1	M-2	I-1, 2
Maximum Height	45 feet 3 stories	75 feet <sup>1</sup> 6 stories	90 feet <sup>1</sup> 7 stories	35 feet <u>Varies</u> <sup>2</sup> 2 stories
Minimum Lot Area	None <sup>3</sup>	None <sup>3</sup>	None <sup>3</sup>	N/A
Minimum Lot Area Per Dwelling Unit	1,200 sq. ft.	1,200 sq. ft.	N/A	N/A
Minimum Lot Area Per Rooming Unit	400 sq. ft.	None	N/A	N/A
Minimum Front Yard	<del>12' from face of curb</del> <sup>2, 4</sup> 0 feet <sup>4, 10</sup>	0 feet <sup>2, 4, 5</sup>	0 feet	<del>12' from face of curb</del> <sup>2, 4, 5</sup> 0 feet <sup>2, 4, 5</sup>
Minimum Side Yard	0 feet <sup>2, 7, 9</sup>	0 feet <sup>2, 7, 9</sup>	0 feet <sup>7</sup>	0 feet <sup>5</sup>
Minimum Rear Yard	0 feet <sup>2, 8, 9</sup>	0 feet <sup>2, 8, 9</sup>	0 feet <sup>5</sup>	0 feet <sup>5</sup>
Maximum Lot Coverage	None <sup>2</sup>	None <sup>2</sup>	None	None

305.1 — Footnotes for Dimensional Regulations — Commercial, Industrial, Institutional Districts:

1. Maximum height cannot exceed maximum height of any R-Zones which is not overlaid by an Institution Floating Zone within 150 feet of the structure.

2. The allowable height for any building in an Institutional Floating Zone shall be a function of the open space distance between the proposed building and the applicable property and street lines nearby residential zones. The allowable height for the entire building shall be determined in accordance with the most restrictive height calculated in accordance with the following requirements.

a. Building Maximum height shall be ~~limited to thirty (30) feet~~ whenever any part of the institutional building is located on a street line property on the opposite side of the street is in an R-zone and shall increase by one foot for every one foot setback from said street line up to a maximum height of ~~seventy five (75) feet/six (6) stories~~.

b. Building Maximum height shall be limited to ~~forty (40) feet~~ whenever any part of the institutional building is located within thirty (30) feet from the property line of a lot in an R-zone and shall increase by one foot for every additional one foot setback from said property line up to a maximum of seventy five 75 feet/six (6) stories.

c. In all other cases, building height shall not exceed ~~seventy five (75) feet/six (6) stories~~.

d. Setback distance as outlined in a and b above are not required from lots in R-zones that are ~~over-layed~~laid by an I-zone.

3. When a lot is used solely for residential purposes, the ~~dimensional regulations of the R-M zone shall apply~~. minimum lot area shall be 5,000 sq. ft.

4. Where the block frontage is partly in a R-zone which is not overlaid by an Institutional Floating Zone, the front yard requirements of the R-zone shall apply.

5. Where the property on the opposite side of the street is in an R-zone which is not

overlaid by an Institutional Floating Zone, the front yard requirements of the R-zone shall apply.

6. Where the lot abuts a lot in an R-zone which is not overlaid by an Institutional Floating Zone, there shall be a minimum yard of 30 feet.

7. Where the side yard of the a lot abuts a lot in an R-zone which is not overlaid by an Institutional Floating Zone, there shall be a side yard of not less than 4 four feet for each story of 12 feet in height, but such yard shall not be less than six 6 feet.

8. Where the rear yard of a lot abuts upon a lot in an R-zone which is not overlaid by an Institutional Floating Zone, there shall be a rear yard of not less than twenty percent (20%)

of the lot depth, maximum required need not exceed 20 feet.

9. In C and M zones, where dwelling units are included in any building, such dwelling units shall not be less than six (6) feet from an interior lot line. Reserved

10. In the C-1 and C-2 zones, building lines at street level shall be coincident with the lot line without setback and main entrances shall be oriented to face the street. On a lot with curved lot frontage, the building may be built to the chord or the tangent, whichever applies. Building fronts may incorporate articulations not to exceed two feet in depth. Such articulations shall not encompass more than 30% of the total building front.

Section 306 — Dimensional Regulations — Downtown Districts:

	D-1 and I-3	D-2
Maximum Height [Ord. 1995-8]	Varies with Subzone <sup>1, 5</sup>	90 ft./7 stories
Minimum Lot Area Per Dwelling Unit	250 sq. ft.	250 sq. ft.
Minimum Lot Area Per Rooming Unit	None <sup>5</sup>	
Minimum Front Yard	0 ft. <sup>2</sup>	0 ft. <sup>2, 4</sup>
Minimum Side Yard <sup>2</sup>	0 ft.	0 ft.
Minimum Rear Yard <sup>2</sup>	0 ft.	0 ft.

306.1 — Footnotes for Dimensional Regulations — Downtown Districts:

1. Maximum Height in the D-1 and I-3 Zones: The maximum height in the D-1 zone will be determined as follows:

D-1 45 equals a maximum height of 45 feet

D-1 75 equals a maximum height of 75 feet

D-1 100 equals a maximum height of 100 feet

D-1 150 equals a maximum height of 150 feet

D-1 200 equals a maximum height of 200 feet

D-1 300 equals a maximum height of 300 feet

The maximum height in the I-3 Zone shall be the same as the underlying D-1 Zone.

2. Building lines at street level shall be coincident with the lot line without setback. On a lot with curved lot frontage, the building may be built to the chord or the tangent, whichever applies. Building fronts may incorporate articulations not to exceed two feet in depth. Such articulations shall not encompass more than 30% of the total building front.

3. ~~Where dwelling units are included in any building, such dwelling units shall not be less than six (6) feet from any interior lot line.~~ Reserved

4. Where the property on the opposite side of the street is in an R-Zone, the front yard requirement of the R Zone shall apply.

5. Except if a Bonus has been granted in accordance with Section 502.7 [Ord. 1995-8]

*Section 307 — Dimensional Regulations — Waterfront Districts:*

	W-1	W-2	W-3
Maximum Height	45 ft./3 stories	75 ft./6 stories	90 ft./7 stories
Minimum Lot Area	5,000 sq. ft.	5,000 sq. ft.	N/A
Minimum Lot Area Per Dwelling Unit	1,200 sq. ft. per dwelling	600 sq. ft. per dwelling	N/A
Minimum Lot Area Per Rooming Unit	400 sq. ft.	None	N/A
Minimum Lot Width and Frontage	50 ft.	50 ft.	0 ft.
Minimum Front Yard	12' from face of curb 0 ft. <sup>2, 4</sup>	0 ft.	0 ft.
Minimum Side Yard <sup>3</sup>	6 ft. <sup>4</sup>	0 ft. <sup>1</sup>	0 ft. <sup>1</sup>
Minimum Rear Yard	25% of Lot Depth — 25% Maximum	0 ft. <sup>15</sup>	0 ft. <sup>1</sup>
Maximum Lot Coverage	40%	N/A	N/A

*307.1 — Footnotes for Dimensional Regulations — Waterfront Districts:*

1. ~~In W-zones, where dwelling units are included in any building, such dwelling units shall not be less than six (6) feet from any lot line.~~ Reserved.

2. Where the block frontage is partly in an R-zone, the front yard requirements of the R-zone shall apply.

3. Where the side yard of the lot abuts upon a lot in a R-zone, there shall be a side yard of not less than four 4 ft. for each story or 12 feet in height but such yard shall not be less than six 6 feet.

4. No structure shall be erected within 20 feet of the inland edge of the coastal feature except for docks and other similar facilities in connection with a permitted port facility or marina.

5. Where the rear yard of a lot abuts upon a lot in an R-zone, there shall be a rear yard of not less than ~~twenty percent~~ (20%) of the lot depth, maximum required need not exceed 20 feet.

C. In Article 7:

704.2 — *Paving Limitations*: Paving on lots in R Zones shall be limited to the following:

A) The front yard may be paved only be used for a driveway to access a garage or parking area located in the side or rear yard. A driveway used for access to a single car garage, side yard parking area, or rear yard parking area of four cars or less, may be no more than 15 feet wide. A driveway used to access a two-car garage or larger, or a parking area for more than four cars, located in a side or rear yard may be no more than 25 feet wide. Nothing herein shall prohibit a circular driveway or parking area in the front yard provided there is no other driveway located in the front yard, there is no other parking area located on the lot, and the paved area occupies no more than 33% of the area of the front yard. Driveway curb cuts shall be subject to the regulations of the Department of Public Works and the Traffic Engineer and must be approved by the Traffic Engineer and Director of Public Works.

B) Only one side yard shall be permitted to be paved ~~for parking~~.

C) Only 50% of the rear yard area shall be permitted to be paved ~~for parking~~.

704.3 — *Parking on Non Paved Areas*: Parking shall not be permitted on non paved portions of the lot.

D. In Article 8:

*Section 801 — Duties of the Director*: It shall be the duty of the Director to interpret and

enforce the provisions of this Ordinance in the manner and form and with the powers provided in the laws of the State and in the Charter of Ordinances of the City. The minimum qualifications for the Director are the same as those required of the Director of Inspections and Standards in the Charter. Upon a written request for information or clarification of this ordinance, the Director shall issue a zoning certificate or provide information to the requesting party within ~~fifteen~~ (15) days of receipt of the written request. In the event that no written response is provided within that time, the requesting party shall have the right to appeal to the Board for determination.

801.1 — Modification:

A) The Director may issue modifications from the literal dimensional requirements of this Ordinance in the instance of the construction, alteration, or structural modification of a structure. A modification shall not exceed five percent of any of the dimensional requirements specified in this Ordinance. A modification does not permit moving of lot lines. Within ten days of the receipt of a request for a modification, the Director shall make a decision as to the suitability of the requested modification based on the following determinations:

(1) The modification requested is reasonably necessary for the full enjoyment of the permitted use;

(2) If the modification is granted, neighboring property will neither be substantially injured nor its appropriate use substantially impaired;

(3) The modification requested is in harmony with the purposes and intent of the Comprehensive Plan and Zoning Ordinance; and

(4) The modification requested does not require a variance of a flood hazard requirement.

B) Upon an affirmative determination, the Director shall notify, by registered or certified mail, all property owners abutting the property which is the subject of the modification request, and shall indicate the street address of the subject property in the notice, and shall publish in a newspaper of general circulation within the city or town that the modification will be granted unless written objection is received within 30 days of the public notice. If written objection is received within 30 days, the request for a modification shall be denied. In that case the changes requested will be considered a request for a variance and may only be issued by the Zoning Board of Review following the standard procedures for variances. If no written objections are received within 30 days, the Director shall grant the modification. The Director may apply any special conditions to the permit as may, in the opinion of the Director, be required to conform to the intent and purposes of this Ordinance. The Director shall keep public records of all requests for modifications, and of findings, determinations, special conditions, and any objections received. Costs of any notice required under this subsection shall be borne by the applicant requesting the modification.

E. In Article 10:

1000.59 — *Drive In Business*: A business enterprise where goods and services, such as food, beverages or banking services, are sold or transacted outside the confines of a building or portion thereof, ~~often where the patron is~~ in a motor vehicle ~~on the site~~.

Section 2. This Ordinance shall take effect upon 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, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozzi, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwoman Williams—13.

Nays: None.

Absent: Councilman Jackson and Councilwoman Young—2.

The motion for Passage the Second Time is Sustained.

## PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI (By Request):

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

Street between Division Street and Hollywood Road on Easter Sunday, April 20, 2003 between the hours of 8:00 o'clock A.M. to 5:00 o'clock P.M. and on Sunday, May 31, 2003 between the hours of 8:00 o'clock A.M. to 5:00

o'clock P.M., to accommodate the Providence Hmong Church.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Dexter Street between Division Street and Hollywood Road on Easter Sunday, April 20, 2003 between the hours of 8:00 o'clock A.M. to 5:00 o'clock P.M. and on Sunday, May 31, 2003 between the hours of 8:00 o'clock A.M. to 5:00 o'clock P.M., to accommodate the Providence Hmong Church.

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

**The motion for Passage is Sustained.**

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**COUNCIL PRESIDENT LOMBARDI:**

Resolution Submitting the 2003 Rhode Island Comprehensive Economic Strategy (CEDS).

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

**The motion to Refer is Sustained.**

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**COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCIL-**

**MAN LUNA, COUNCILMAN MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMAN WILLIAMS AND COUNCILWOMAN YOUNG:**

Resolution Extending sincere best wishes for a Happy Birthday to Council President John J. Lombardi on April 30, 2003.

*Resolved*, That the Members of the Providence City Council hereby extend their sincere best wishes for a Happy Birthday to Council President John J. Lombardi on April 30, 2003.

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

**COUNCIL PRESIDENT LOMBARDI is recorded as "Not Voting".**

**The motion for Passage is Sustained.**

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**COUNCILMAN ALLEN (By Request):**

Resolution Requesting the City of Providence to cause the transfer of Assessor's Plat 43, Lot 744 (18 Calhoun Avenue) to the Providence Redevelopment Agency.

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

**The motion to Refer is Sustained.**

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**COUNCILMAN APONTE (By Request):**

Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6313), relative to An Act relating to state funding of municipal parks used by non-residents.

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Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 5490), relative to An Act relating to towns and cities — state aid.

\_\_\_\_\_

Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6328), relative to An Act relating to towns and cities — state aid.

\_\_\_\_\_

Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6329), relative to An Act relating to parking surcharges in the Providence Parking District.

\_\_\_\_\_

Resolution endorsing and urging passage by the General Assembly of Senate Bill (2003-S 773), relative to An Act relating to taxation — levy and assessment of local taxes.

\_\_\_\_\_

Resolution endorsing and urging passage by the General Assembly of House Bill (2003-

H 6321), relative to An Act relating to taxation — property subject to taxation.

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Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6327), relative to An Act relating to public property and works — public buildings.

\_\_\_\_\_

Resolution endorsing and urging passage by the General Assembly of Senate Bill (2003-S 512), relative to An Act relating to public property and works — public buildings.

\_\_\_\_\_

Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6325), relative to An Act relating to the Providence Water Supply Board.

\_\_\_\_\_

Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6334), relative to An Act relating to towns and cities — state aid.

\_\_\_\_\_

Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6324), relative to An Act relating to courts and civil procedure — courts.

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Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6326), relative to An Act relating to courts and civil procedure — governmental tort liability.

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Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6330), relative to An Act relating to public utilities and carriers — Rhode Island Public Transit Authority.

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Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6320), relative to An Act relating to probate practice and procedure — collection and management of decedents' estates.

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Resolution endorsing and urging passage by the General Assembly of Senate Bill (2003-S 702), relative to An Act relating to probate practice and procedure — collection and management of decedents' estates.

\_\_\_\_\_

Resolution endorsing and urging passage by the General Assembly of Senate Bill (2003-S 530), relative to An Act relating to state affairs and government.

\_\_\_\_\_

Resolution endorsing and urging passage by the General Assembly of House Bill (2003-

H 6331), relative to An Act relating to state affairs and government.

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Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6332), relative to An Act relating to taxation — urban mill restoration act.

\_\_\_\_\_

Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 6333), relative to An Act relating to remediation of brownfields.

**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 Poe Street from Oxford Street to Pleasure Street on Thursday, May 22, 2003 between the hours of 8:00 o'clock P.M. to 2:00 o'clock A.M., Friday, May 23, 2003 between the hours of 8:00 o'clock P.M. to 2:00 o'clock A.M. and Sunday, May 25, 2003 between the hours of 2:00 o'clock P.M. to 2:00 o'clock A.M. and also illuminate lights, to accomodate Providence's Outdoor Summer Festival at Platforms.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic

along Poe Street from Oxford Street to Pleasure Street on Thursday, May 22, 2003 between the hours of 8:00 o'clock P.M. to 2:00 o'clock A.M., Friday, May 23, 2003 between the hours of 8:00 o'clock P.M. to 2:00 o'clock A.M. and Sunday, May 25, 2003 between the hours of 2:00 o'clock P.M. to 2:00 o'clock A.M. and also illuminate lights, to accommodate Providence's Outdoor Summer Festival at Platforms.

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**COUNCILMAN HASSETT:**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Berkley Street between River Avenue and Lisbon Street on Saturday, May 10, 2003 between the hours of 9:00 o'clock A.M. to 4:00 o'clock P.M., to accommodate a Neighborhood Clean-Up and Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Berkley Street between River Avenue and Lisbon Street on Saturday, May 10, 2003 between the hours of 9:00 o'clock A.M. to 4:00 o'clock P.M., to accommodate a Neighborhood Clean-Up and Block Party.

**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.**

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Resolution Requesting the Traffic Engineer to cause the installation of "no parking to

corner — tow zone" sign at the corner of Holden Street and Promenade Street and all egresses of the Foundry Complex along Promenade Street.

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**COUNCILMAN MANCINI and COUNCILMAN HASSETT:**

Resolution Requesting that section of West Park Street from that point at Bath Street to that point of the dead end be re-named "Selwyn Way".

**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.**

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**COUNCILMAN IGLIOZZI (By Request):**

Resolution Requesting the Director of Public Works to cause the sewers to be baited on Dresser Street, Killingly Street and Wolf Street, located within the Seventh Ward.

*Resolved*, That the Director of Public Works is requested to cause the sewers to be baited on Dresser Street, Killingly Street and Wolf Street, located within the Seventh Ward.

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Resolution Requesting the Director of Public Works to cause the sewers to be baited along Hartford Avenue and Ophelia Street.

*Resolved*, That the Director of Public Works is requested to cause the sewers to be baited along Hartford Avenue and Ophelia Street.

Resolution Requesting the Director of Public Works to cause the sewers to be cleaned along Sunsent Avenue, Myra Street, Boundary Avenue, Verdic Avenue, Horace Street, Stanton Street and Killingly Street.

*Resolved*, That the Director of Public Works is requested to cause the sewers to be cleaned along Sunsent Avenue, Myra Street, Boundary Avenue, Verdic Avenue, Horace Street, Stanton Street and Killingly 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.

**COUNCILMAN BUTLER** states that at this time it gives him great pleasure this evening to bring before the Council a bunch of hard working young women who this year won the Region V CYO Girls Midget Championship for 2003, they finished first place in their division and they were the 2003 Diocese of Providence CYO Basketball tournament Girls Midget Division Runner Ups.

**COUNCILMAN IGLIOZZI:**

Resolution Requesting the abandonment of that paper portion of Milo Street.

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

The motion to Refer is Sustained.

Resolution Requesting a hiring freeze for all city departments to help abate a potential budget gap.

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

The motion to Refer is Sustained.

**COUNCILMAN MANCINI (By Request):**

Resolution Requesting the Forestry Division of the Parks Department to cause the removal of that tree located across from 10 April Court.

*Resolved*, That the Forestry Division of the Parks Department is requested to cause the removal of that tree located across from 10 April Court.

Resolution Requesting the Parks Department to cause the area on April Court surrounding Fagnoli Park to be cleaned.

*Resolved*, That the Parks Department is requested to cause the area on April Court surrounding Fargnoli Park to be cleaned.

**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.**

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Resolution Requesting the Traffic Engineer to cause the installation of a "curve" sign on April Court.

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

**The motion to Refer is Sustained.**

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Resolution Requesting the Department of Public Works Environmental Division to cause that property located at 133 Stansbury Street to be baited.

*Resolved*, That the Department of Public Works Environmental Division is requested to cause that property located at 133 Stansbury Street to be baited.

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**COUNCILWOMAN ROMANO (By Request):**

Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting at 52 and 59 Russo Street in Providence's Fourth Ward to 27,500 lumen.

*Resolved*, That the Chief Electrical Inspector is requested to cause the upgrade of street lighting at 52 and 59 Russo Street in Providence's Fourth Ward to 27,500 lumen.

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Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Hawkins Street from Charles Street to Branch Avenue, and from the corner of Monticello Street and Russo Street, and Russo Street to Greeley Street on Thursday, July 24, 2003 to Sunday, July 27, 2003 between the hours of 4:00 o'clock P.M. to 10:00 o'clock P.M., to accommodate the Saint Ann's Church Feast.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Hawkins Street from Charles Street to Branch Avenue, and from the corner of Monticello Street and Russo Street, and Russo Street to Greeley Street on Thursday, July 24, 2003 to Sunday, July 27, 2003 between the hours of 4:00 o'clock P.M. to 10:00 o'clock P.M., to accommodate the Saint Ann's Church Feast.

**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.**

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**COUNCILMAN SEGAL (By Request):**

Resolution Requesting the creation of a loading/unloading zone at St. Joseph's Church, 92 Hope Street to be enforced on Sundays from 8:00 o'clock A.M. until 1:00 o'clock P.M.

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

The motion to Refer is Sustained.

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Resolution Requesting the Traffic Engineer to paint the crosswalks and stop lines at Ward One's four-way intersections, including, but not limited to, the intersections of: Benefit Street and Power Street, Brook Street and Power Street, Hope Street and Power Street, Ives Street and Pitman Street, Pitman Street and Governor Street, Brook Street and George Street.

*Resolved*, That the Traffic Engineer is requested to paint the crosswalks and stop lines at Ward One's four-way intersections, including, but not limited to, the intersections of: Benefit Street and Power Street, Brook Street and Power Street, Hope Street and Power Street, Ives Street and Pitman Street, Pitman Street and Governor Street, Brook Street and George Street.

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

The motion for Passage is Sustained.

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Resolution Requesting the Traffic Engineer to improve the parking problems on the portions of Hope Street, Thayer Street, and Brook Street that are located in Ward One, via the repainting of yellow curbs at intersections, the replacement of faded "no parking" signs, and the placements of "no parking" signs where they would be appropriate but do not exist at present.

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

The motion to Refer is Sustained.

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Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 5533), relative to An Act relating to public utilities and carriers — renewable energy standard.

Resolution endorsing and urging passage by the General Assembly of Senate Bill (2003-S 268), relative to An Act relating to public utilities and carriers — renewable energy standard.

**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.

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**COUNCILMAN SEGAL, COUNCILMAN DeLUCA, COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN LUNA and COUNCILWOMAN WILLIAMS:**

Resolution Requesting that Brown University make transparent the process by which it shall decide whether or not to arm its campus police force, and that the university involve relevant community groups and city agencies, and hold a public forum on said matter.

*Resolved*, That Brown University is requested to make transparent the process by which it shall decide whether or not to arm its campus police force, and that the university involve relevant community groups and city agencies, and hold a public forum on said matter.

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

**The motion for Passage is Sustained.**

**COUNCIL PRESIDENT LOMBARDI, COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMAN HASSETT, COUNCILMAN IGLIOZZI, COUNCILMAN JACKSON, COUNCILMAN LUNA, COUNCILMAN MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMAN WILLIAMS AND COUNCILWOMAN YOUNG:**

Resolution in Opposition of the practice of predatory lending.

*Whereas*, Predatory lending abuses that take away homeowners' equity and lock borrowers

into high interest rates pervade the subprime mortgage market (as evidenced most recently by predatory lending settlements entered into by two of the very largest subprime lenders), and Fannie Mae estimates that up to half of borrowers in subprime loans should be qualifying for 'A' loans with substantially lower rates and fees, and

*Whereas*, The targeting of subprime loans to people of color, low- and moderate-income families, and senior citizens costs those who can least afford it billions of dollars each year and reverses hard-won progress that has been made on reducing the racial homeownership gaps, and

*Whereas*, Predatory home loans are regularly made in the City of Providence and throughout the State of Rhode Island, and

*Whereas*, Some states and localities have responded to the crisis by protecting their residents with laws that provide critical safeguards on high-cost home loans without cutting off access to credit, preventing most predatory loans from ever being made in the first place, and

*Whereas*, The House and Senate Financial Services Committee in the Rhode Island Legislature have held hearings on the issue of predatory lending, and

*Whereas*, Lenders that make predatory home loans, and their allies in the Republican Congressional leadership, are planning to push a bill, HR 833, through Congress to negate all state and local anti-predatory lending laws without providing any meaningful, new protections for consumers.

*Now, therefore, be it Resolved*, That the Providence City Council calls upon the Rhode Island Legislature to pass legislation that will protect the state's homeowners against predatory lending abuses on high-cost home loans (with a broader, more accurate definition of

high-cost loans than currently exist in HOEPA, the relevant federal law), and

*Be it further Resolved*, That the Providence City Council calls upon the U.S. Congress to reject HR 833 and to respect the authority of state and local elected officials to protect their constituents from predatory home loans that strip away hard-earned home equity, trap borrowers in excessive interest rates, and frequently cause families to lose their homes.

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

The motion for Passage is Sustained.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Meeting Street between Thayer Street and Brook Street on Tuesday, April 29, 2003 between the hours of 7:00 o'clock A.M. to 8:00 o'clock P.M., to accommodate Ben and Jerry's Free Cone Day.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Meeting Street between Thayer Street and Brook Street on Tuesday, April 29, 2003 between the hours of 7:00 o'clock A.M. to 8:00 o'clock P.M., to accommodate Ben and Jerry's Free Cone Day.

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

The motion for Passage is Sustained.

COUNCILWOMAN WILLIAMS (By Request):

## REPORTS FROM COMMITTEES

### COMMITTEE ON STATE LEGISLATION COUNCILMAN LUIS APONTE, Chairman

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

Resolution opposing passage by the General Assembly of Senate Bill (2003-S 103), relative to An Act relating to labor and labor relations — labor relations act, as amended.

*Resolved*, That the Members of the Providence City Council hereby opposes passage by the General Assembly of Senate Bill (2003-S 103), relative to An Act relating to labor and labor relations — labor relations act.

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

**The motion for Passage is Sustained.**

**Transmits the following with recommendation the same be severally Approved:**

Resolution in support of (2003-H 5772) entitled: "An Act relating to businesses and professions — electricians".

*Whereas*, Current law is interpreted to allow municipalities, schools, hospitals, colleges and other non-manufacturing firms or establishments who regularly employ one or more licensed electricians to do maintenance electrical work, but no new installations, and

*Whereas*, Representative Kilmartin has caused to be introduced in the General Assembly 2003-H 5772 entitled "An Act relating to businesses and professions — electricians," which would allow these establishments to do some new installations, and

*Whereas*, The Providence City Council believes that this legislation is in the best interest of the City of Providence.

*Now, therefore, be it Resolved*, That the City of Providence does hereby support 2003-H 5772 entitled, "An Act relating to businesses and professions — electricians," and urges the Providence Delegation to the General Assembly to work diligently for its passage.

*Resolved*, That the Members of the Providence City Council hereby endorse and urge passage by the General Assembly of (2003-H 5751), relating to the City of Providence. (Wheaton Street)

Resolution endorsing and urging passage by the General Assembly of House Bill (2003-H 5753), Authorizing the City of Providence to convey certain property dedicated for park purposes.

*Resolved*, That the Members of the Providence City Council hereby endorse and urge passage by the General Assembly of House Bill (2003-H 5753), 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 401), relative to An Act authorizing the City of Providence to convey certain property dedicated for park purposes.

*Resolved*, That the Members of the Providence City Council hereby endorse and urge 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 House Bill (2003-H 5751), relating to the City of Providence. (Wheaton Street)

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.

*Resolved*, That the Members of the Providence City Council hereby endorse and urge passage by the General Assembly of Senate Bill (2003-S 408), relative to An Act relating to the City of Providence.

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 Accreditation Commission.

*Resolved*, That the City Council endorses and urges passage by the General Assembly of (2003-S 458), An Act relating to state affairs and government — the Rhode Island Law Enforcement Accreditation 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.

*Resolved*, That the City Council endorses and urges 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 5919), An Act relating to education — health and safety of pupils.

*Resolved*, That the City Council endorses and urges passage by the General Assembly of (2003-H 5919), An Act relating to education — health and safety of pupils.

Resolution in support of (H-5081) and (S-180):  
Resolution for the Separation of Powers.

*Whereas*, The Voters of Rhode Island, on two separate occasions, have overwhelmingly voted in favor of amending our State Constitution in order to provide more of a balance of power among the three branches of government; and

*Whereas*, Bi-partisan legislation amending our Constitution to effectuate the changes necessary to carry to fruition this desire of the citizens of Rhode Island has been introduced in the House of Representatives (2003-H 5081) and in the Senate (2003-S 180); and

*Whereas*, (2003-H 5081) was co-sponsored by 38 of the 75 state representatives, including 27 Democrats and 11 Republicans, and (2003-S 180) was co-sponsored by all but 3 of the 38 Senators, and these companion bills are fully supported by good government advocacy groups which have worked on the Separation of Powers issue for years.

*Now, therefore, be it Resolved*, That the Providence City Council hereby expresses its full support for the passage of both (2003-H 5081) and (2003-S 180), and urges the House of Representatives and the Senate, respectively, to pass these bills as promptly as possible, and that a copy of this resolution be forwarded to Representative Bruce Long and Senator Teresa Paiva Weed and to each city and town in the State of Rhode Island.

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.

**COMMITTEE ON PUBLIC WORKS  
COUNCILMAN TERRENCE M. HASSETT, Chairman**

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

Resolution Requesting Narragansett Electric Company and Verizon to remove all of the old electrical poles within the City of Providence that are tied to the new electrical poles due to public safety reasons.

*Resolved*, That Narragansett Electric Company and Verizon are requested to remove all of the old electrical poles within the City of

Providence that are tied to the new electrical poles due to public safety reasons.

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

The motion for Passage is Sustained.

Transmits the following with recommendation the same be severally Approved:

Resolution Requesting the Traffic Engineer to cause the installation of a "no parking anytime" sign across from 89 Sisson Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of a "no parking anytime" sign across from 89 Sisson Street.

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

*Resolved*, That the Traffic Engineer is requested 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.

*Resolved*, That the Traffic Engineer is requested 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.

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

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

Resolution Requesting the Traffic Engineer to post three-way and four-way "stop" signs at the intersection of Point Street and West Clifford Street.

*Resolved*, That the Traffic Engineer is requested to post three-way and four-way "stop" signs at the intersection of Point Street and West Clifford Street.

Resolution Requesting the Traffic Engineer to cause the installation of three-way "stop" signs at the intersection of Pine Street and Stewart Street, due to the numerous accidents at said location.

*Resolved*, That the Traffic Engineer is requested to cause the installation of three-way "stop" signs at the intersection of Pine Street and Stewart Street, due to the numerous accidents at said location.

Resolution Requesting the Traffic Engineer to cause the installation of three-way "Stop" signs at the corner of Courtland Street and Carpenter Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of three-way "Stop" signs at the corner of Courtland Street and Carpenter Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "four-way" stop sign at the intersection of Fair Street and Hazael Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of a "four-way" stop sign at the intersection of Fair Street and Hazael Street.

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

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

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

*Resolved*, That the Traffic Engineer is requested to cause the installation of a "stop" sign on Orchard Avenue and Wayland Avenue.

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Resolution Requesting the Traffic Engineer to cause the installation of a "handicapped" sign in front of 63 Hope Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of a "handicapped" sign in front of 63 Hope Street.

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Resolution Requesting the Traffic Engineer to cause the installation of "no dumping" signs along Button Hole Drive.

*Resolved*, That the Traffic Engineer is requested to cause the installation of "no dumping" signs along Button Hole Drive.

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Resolution Requesting the Traffic Engineer to cause the installation of a handicapped sign in front of 55 Hazael Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of a handicapped sign in front of 55 Hazael Street.

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Resolution Requesting the Traffic Engineer to cause the installation of "slow children" signs along Keene Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of "slow children" signs along Keene Street.

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Resolution Requesting the Traffic Engineer to cause the installation of "25 miles per hour" speed limit signs along Prospect Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of "25 miles per hour" speed limit signs along Prospect Street.

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Resolution Requesting the Traffic Engineer to cause the installation of two "children crossing" signs along View Street, one at the entrance of River Avenue and one at Pleasant Valley Parkway.

*Resolved*, That the Traffic Engineer is requested to cause the installation of two "children crossing" signs along View Street, one at the entrance of River Avenue and one at Pleasant Valley Parkway.

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Resolution Requesting the Traffic Engineer to cause the installation of "25 MPH" signs along Putnam Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of "25 MPH" signs along Putnam Street.

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Resolution Requesting the Traffic Engineer to cause the installation of a "children" sign in the vicinity of Saint Patrick's School within the proximity of 72 Jewett Street.

*Resolved*, That the Traffic Engineer is requested to cause the installation of a "children" sign in the vicinity of Saint Patrick's School within the proximity of 72 Jewett Street.

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Resolution Requesting the Traffic Engineer to cause the installation of a zebra striped pedestrian crosswalk at the location of the Brown Street Playground.

*Resolved*, That the Traffic Engineer is requested to cause the installation of a zebra striped pedestrian crosswalk at the location of the Brown Street Playground.

Resolution Requesting the Traffic Engineer to cause the installation of a zebra striped pedestrian crosswalks where Morris Avenue and Sessions Street meet.

*Resolved*, That the Traffic Engineer is requested to cause the installation of a zebra striped pedestrian crosswalks where Morris Avenue and Sessions Street meet.

**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.**

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**Transmits the following with recommendation the same be Denied:**

Petition of J & B Associates, 50 Clifford Street, Providence, Rhode Island, to abandon the dead end portion of that road which was formerly part of Eddy Street, located between Lots 307 and 363 on Assessor's Plat 20 and bordered on the south side by an embankment for westbound traffic on Route 195 and on the north side, bordered by Clifford Street.

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

**The motion for Denial is Sustained.**

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**COMMITTEE ON FINANCE**  
**COUNCILMAN KEVIN M. JACKSON, Chairman**

Transmits the following with recommenda-  
tion the same be severally Adopted, as  
amended:

An Ordinance in accordance with Chapter 21, Section 19 of the Code of Ordinances of the City of Providence entitled: "Capital Equipment Budget", as amended.

**COUNCILMAN DeLUCA** moves to amend the Ordinance by deleting "Public Property, Decorative Street Lights \$768,000.00", seconded by **COUNCILWOMAN WILLIAMS**.

The motion to Amend is Sustained.

**COUNCILMAN HASSETT** moves to amend the Ordinance by adding to the Ordinance entitled "Capital Improvement Budget", inserting under the department "Providence Community Action Program", inserting item description "two fifteen passenger vans and insert as the requested amount \$50,000", making the total \$2,501,000.00, seconded by **COUNCILMAN BUTLER**.

The motion to Amend is Sustained.

Read and Passed the First Time, as amended, 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, Luna, Mancini, Councilwomen Romano and Williams—11.

**Nays:** Councilman Igliazzi—1.

**Absent:** Councilmen Jackson, Segal and Councilwoman Young—3.

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

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An Ordinance in amendment of Chapter 2002-27, approved August 29, 2002, of the Ordinances of the City of Providence making an appropriation of five hundred fifteen million four hundred fifty two thousand twenty seven dollars (\$515,452,027) for the Fiscal Year Ended June 30, 2003, as amended. (PERA)

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

**Ayes:** Council President Lombardi, Councilmen Allen, Aponte, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Luna, Councilwomen Romano and Williams—9.

**Nays:** Councilmen Butler, Igliazzi and Mancini—3.

**Absent:** Councilmen Jackson, Segal and Councilwoman Young—3.

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

**Transmits the following with recommendation the same be severally Adopted:**

An Ordinance making an appropriation of two hundred sixty-nine million four hundred fifteen thousand nine hundred ninety-three dollars (\$269,415,993) for the support of the Providence School Department for the fiscal year ending June 30, 2003, and repealing Ordinance Chapter 2001-50, approved October 29, 2001.

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An Ordinance establishing a Compensation Plan for the Providence School Department and repealing Ordinance Chapter 2001-51, approved October 29, 2001.

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An Ordinance establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the Providence School Department and repealing Ordinance Chapter 2001-34, approved October 29, 2001.

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An Ordinance in amendment of Chapter 2002-28, approved August 29, 2002, establishing a

Classification Plan for the City of Providence, as amended. (MBE/WBE) (PERA)

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

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

**Ayes:** Council President Lombardi, Councilmen Allen, Aponte, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Luna, Councilwomen Romano and Williams—9.

**Nays:** Councilmen Butler, Igliozzi and Mancini—3.

**Absent:** Councilmen Jackson, Segal and Councilwoman Young—3.

The motion for Passage the First Time is Sustained.

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## PERSONAL EXPRESSION

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

First of all I would like to say that on the issue the topic of course is my proposed resolution that was forwarded to the Finance Committee. I want to say about the finance situation, first of all there is some good news for the City's finances and we should all be congratulated in this aspect. Per last years budget, excuse me, we should also congratulate the Chair of the Finance Committee, the Finance Committee, the Internal Auditor, the Finance Director and his staff because we all took the appropriate initiatives to further cut the School Department and address overtime issues just to name a couple. In fact, per the KPMG Independent Auditor Report, the City's net assets increased by 10.6 million dollars, the Water Supply Board increased in net assets of 11.3 million. Also, there is a budgetary surplus of approximately 11.2 million dollars. This represents the City's 22nd consecutive budget surplus and increased accumulative fund balance to approximately 18.5 million. Also, we need to note good work at the Tax Collector's Office who has been doing a spectacular job for collection rates for the past three months and also the no waiving of interest policy that was instilled by Finance Director Prignano who has benefited us all. Although the past year has been very tumultuous the City Council and the Administration has been able to maintain the City's excellent bond rating and has kept down interest rates but as usual we have a impending budget gap to contend with and the exact figure remains to be tallied. Kudos to the present administration for acknowledging the gap and implementing several stop gap measures now such as re-vamping the two lists of \$300,000.00, review of purchasing which is an additional savings of \$400,000.00 and proposing several novel ideas

like City sponsorship agreements with corporations and even a City Soda but to error on the side of caution, we should look to other cities and towns which have faced these types of financial concerns and one of the most important steps that they all enacted was a hiring freeze except for non-essential personnel. In fact, just a few years ago the Town of Johnston faced similar issues and in less than fifty days it will retire its debt and will be running a surplus and once again the Town of Johnston will be on solid financial ground. Congratulations to the people of Johnston, it's Mayor and the City Council and it's civic leaders. Please note that one of the most important actions Johnston did was a hiring freeze, it just made sense. In fact, tonight before the City Council we are receiving an additional job request, for example the Board of canvassers and the Board of Licenses, totaling approximately \$60,000.00 that the City at this time could hold off paying until we get our financial situation into a better light. Also, since Mr. Aitchison has been reinstated in his position until of course the Board of License Administrator issue is resolved by the courts some sixty days from now the City's other hire who is in that position, although quite competent probably should do the honorable thing and step down from City service until this issue is resolved and not accept a transfer to another higher paying position of \$60,000.00 plus benefits. A position that may be in the budget and it was in the budget but wasn't filled and that is approximately \$120,000.00 just for three positions simply that we could hold off on. Also, our own City Council Internal Auditor has made several suggestions including a hiring freeze which further supports the necessity of this action. Also, I'm sure this extremely pro-active administration which will embrace this request as a positive financial action. Therefore, when this request goes to the Finance Committee I urge my colleagues to take action to lessen the

load for the taxpayer and help close the budget gap but all of us in the City Government work together to make Providence a better place, to

raise a family, create businesses and continue to make Providence a City we can all be proud of. Thank you Mr. President.

## REPORTS FROM COMMITTEE

### COMMITTEE ON FINANCE

#### COUNCILMAN KEVIN M. JACKSON, Chairman

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

Resolution Requesting to cancel or abate in whole the taxes assessed upon Assessor's Plat 53, Lot 196 (1137 Broad Street), for the Fiscal Year 2002 and any interest accrued.

*Resolved*, To cancel or abate in whole the taxes assessed upon Assessor's Plat 53, Lot 196 (1137 Broad Street), for the Fiscal Year 2002 and any interest accrued.

Resolution Requesting to cancel or abate in whole the taxes assessed upon Assessor's Plat 53, Lot 197 (12 Corinth Street), for the Fiscal Year 2002 and any interest accrued.

*Resolved*, To cancel or abate in whole the taxes assessed upon Assessor's Plat 53, Lot 197 (12 Corinth Street), for the Fiscal Year 2002 and any interest accrued.

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

COUNCILMAN DeLUCA moves to Refer the foregoing Resolutions Back to the Committee on Finance, seconded by COUNCILMAN ALLEN, by the following Roll Call Vote:

**Ayes:** Councilmen Allen, Butler, DeLuca, Councilwoman DiRuzzo and Councilmen Iglizozzi—5.

**Nays:** Council President Lombardi, Councilmen Aponte, Hassett, Luna, Mancini, Councilwomen Romano and Williams—7.

**Absent:** Councilmen Jackson, Segal and Councilwoman Young—3.

The motion to Refer Back Fails.

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

**Ayes: Council President Lombardi, Councilman Aponte, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Luna, Mancini, Councilwomen Romano and Williams—9.**

**Nays: Councilmen Allen, Butler and DeLuca—3.**

**Absent: Councilmen Jackson, Segal and Councilwoman Young—3.**

**The motion for Passage is Sustained.**

Communication from His Honor the Mayor 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 47 Blackstone Boulevard, Providence, Rhode Island 02906, as a member of the Providence Public Building Authority for a term to expire in July 2008, and respectfully submits the same for approval.

**Received.**

**Transmits the following with recommendation the same be severally Approved:**

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.

*Whereas,* The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that subject parcel was subject to Eminent Domain proceedings by the Providence Redevelopment Agency, and:

*Whereas,* The Providence Redevelopment Agency did authorize Eminent Domain proceedings of:

Address	Plat	Lot	Taxes
120 Aleppo Street	63	574	\$3,043.52

*Now, therefore, be it Resolved,* That the City Council does hereby cancel or abate, in whole, the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Law Section 44-7-23, 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.

*Whereas,* The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that subject parcel was subject to Eminent Domain

proceedings by the Providence Redevelopment Agency, and:

Whereas, The Providence Redevelopment Agency did authorize Eminent Domain proceedings of:

Address	Plat	Lot	Taxes
13 Steere Street	63	293	\$6,735.32

Now, therefore, be it Resolved, That the City Council does hereby cancel or abate, in whole, the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Law Section 44-7-23, 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.

Whereas, The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that subject parcel was subject to Eminent Domain proceedings by the Providence Redevelopment Agency, and:

Whereas, The Providence Redevelopment Agency did authorize Eminent Domain proceedings of:

Address	Plat	Lot	Taxes
160 Douglas Avenue	68	57	\$3,462.31

Now, therefore, be it Resolved, That the City Council does hereby cancel or abate, in whole, the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Law Section 44-7-23, 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.

Whereas, The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that subject parcel was subject to Eminent Domain proceedings by the Providence Redevelopment Agency, and:

Whereas, The Providence Redevelopment Agency did authorize Eminent Domain proceedings of:

Address	Plat	Lot	Taxes
162 Douglas Avenue	68	58	\$6,288.38

Now, therefore, be it Resolved, That the City Council does hereby cancel or abate, in whole, the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Law Section 44-7-23, 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.

Whereas, The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that subject parcel was subject to Eminent Domain proceedings by the Providence Redevelopment Agency, and:

Whereas, The Providence Redevelopment Agency did authorize Eminent Domain proceedings of:

Address	Plat	Lot	Taxes
168 Douglas Avenue	68	59	\$2,081.49

Now, therefore, be it Resolved, That the City Council does hereby cancel or abate, in whole, the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Law Section 44-7-23, 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.

Whereas, The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that

subject parcel was subject to Eminent Domain proceedings by the Providence Redevelopment Agency, and:

Whereas, The Providence Redevelopment Agency did authorize Eminent Domain proceedings of:

Address	Plat	Lot	Taxes
211 Douglas Avenue	68	84	\$2,041.66

Now, therefore, be it Resolved, That the City Council does hereby cancel or abate, in whole, the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Law Section 44-7-23, 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.

Whereas, The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that subject parcel was subject to Eminent Domain proceedings by the Providence Redevelopment Agency, and:

Whereas, The Providence Redevelopment Agency did authorize Eminent Domain proceedings of:

Address	Plat	Lot	Taxes
217 Douglas Avenue	68	85	\$2,041.66

Now, therefore, be it Resolved, That the City Council does hereby cancel or abate, in whole, the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Law Section 44-7-23, 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.

Whereas, The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that subject parcel was subject to Eminent Domain proceedings by the Providence Redevelopment Agency, and:

Whereas, The Providence Redevelopment Agency did authorize Eminent Domain proceedings of:

Address	Plat	Lot	Taxes
219 Douglas Avenue	68	86	\$2,041.66

Now, therefore, be it Resolved, That the City Council does hereby cancel or abate, in whole, the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Law Section 44-7-23, 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.

Whereas, The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that subject parcel was subject to Eminent Domain proceedings by the Providence Redevelopment Agency, and:

Whereas, The Providence Redevelopment Agency did authorize Eminent Domain proceedings of:

Address	Plat	Lot	Taxes
223 Douglas Avenue	68	87	\$2,041.66

Now, therefore, be it Resolved, That the City Council does hereby cancel or abate, in whole, the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Law Section 44-7-23, or any taxes accrued while in PRA ownership.

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).

Resolved, To transfer tax title and 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).

Resolution Requesting to cancel or abate in whole, the taxes assessed upon Assessor's Plat 23, Lot 537 (164 Pearl Street), for 2001 taxes, in the amount of two thousand fifty nine dollars and sixty cents (\$2,059.60), and any interest that may be accrued.

*Resolved*, To cancel or abate in whole, the taxes assessed upon Assessor's Plat 23, Lot 537 (164 Pearl Street), for 2001 taxes, in the amount of two thousand fifty nine dollars and sixty cents (\$2,059.60), and any interest that may be accrued.

**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 Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Luna, Mancini, Councilwomen Romano and Williams—12.

**Nays:** None.

**Absent:** Councilmen Jackson, Segal and Councilwoman Young—3.

**The motion for Passage is Sustained.**

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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).

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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)

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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.

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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)

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

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

**The motion for Approval is Sustained.**

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**Transmits the following with recommendation the same be severally Denied:**

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)

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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.

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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).

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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.

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

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

**The motion for Denial is Sustained.**

## COMMUNICATIONS AND REPORTS

Communication from Mayor David N. Cicilino, dated April 10, 2003, Informing the Honorable Members of the City Council that Jennifer Cole-Steele, currently serving on the City Plan Commission for a term to expire in January 2008, (pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, as amended), will replace Mr. George Calcagni whose term has expired. Ms. Cole-Steele will serve as a member of the City Plan Commission with experience in environmental sciences.

Communication from Councilman Ronald W. Allen, dated April 7, 2003, Informing the City Clerk that he is this day appointing Mr. Robin Evans of 49 Woodmont Street, Providence, Rhode Island 02907 to the Providence External Review Authority. (PERA)

Communication from Councilman Peter S. Mancini, dated April 7, 2003, Informing the City Clerk that he is this day appointing Ms. Susan DeRita of 100 Isabella Avenue, Providence, Rhode Island 02908 to the Providence External Review Authority. (PERA)

Communication from Christine Roundtree, Executive Director, Providence Human Relations Commission, dated April 7, 2003, Informing the City Clerk she is this day designating Ms. Donna Fishman of 38 Top of the Mark, Jamestown, Rhode Island 02835, as her appoint-

ment to the Providence External Review Authority. (PERA)

Communication from Councilwoman Carol A. Romano, dated April 7, 2003, Informing the City Clerk that she is this day appointing Alessandro Montannari of 31 Foch Avenue, Providence, Rhode Island 02904 to the Providence External Review Authority. (PERA)

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

**Severally Received.**

Communication from Peter V. Lacouture, Nixon Peabody, LLP, dated April 9, 2003, submitting a notice of intent application and supporting report on behalf of Narragansett Electric Company with the Energy Facility Siting Board in connection with the relocation of the E-183 115kV Transmission Line Relocation Project.

**COUNCIL PRESIDENT LOMBARDI Receives the Communication and Jointly Refers the Same to the Committee on Public Works and the Committee on City Property.**

**The motion to Receive and Refer is Sustained.**

Communication from Karen S.D. Grande, Tillinghast, Licht, Perkins, Smith & Cohen, LLP, dated April 1, 2003, relative to the

Providence Redevelopment Agency Certificates of Participation (Port of Providence Lease).

Received.

## FROM THE CLERK'S DESK

Petition from James Sisson, Construction Manager, Brown University, Department of Facilities Management, requesting an easement to install and maintain private utilities within the public right-of-way under the sidewalk at proposed locations. (Thayer Street)

**COUNCIL PRESIDENT LOMBARDI Joint Refers the Petition to the Committee on Public Works and the Committee on City Property.**

**The motion to Refer is Sustained.**

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

Denise Coleman

Guy H. DiTommaso

Erin Emlock

Susan McNulty (Fred L. Mason, Jr., Esquire)

Dawn Harwan

Elizabeth Tomar p.p.a Deborah A. Bonham

Linda Vachon (John C. Manni, Esquire)

Marion Price

John L. Sabetta

Quincy Mutual Fire Insurance Company a/  
s/o Inge Lolli

Christopher Lourenco

Regine Julien (Jeffrey D. Sowa, Esquire)

Christopher R. Waite

Brian Albert Mattis

Anna Barnes

Jan Feldman

Janice E. Blais

Walter A. Brown

Ebony Waite

Christine A. Boc

Harold A. Joannidi

Sonja L. Deyoe (Sean P. Feeney, Esquire)

Mao L. Vue  
 Theresa Tarawali (George A. Pliakas,  
 Esquire)  
 Erin L. Blackman  
 Dawn Nardolillo  
 Patricia S. Baumgardner (Brian R. Cunha,  
 Esquire)  
 Melissa Rodenbaugh  
 Mark B. Magnus  
 Sidney Goodman (Andrew J. McKay, Esquire)  
 Kevin M. Durnin  
 Verizon

Teresa Gaul  
 Kevin J. Gainor  
 John Purpura  
 Tameka Bethea  
 Matthew T. Brannigan  
 Irene A. Lafaille  
 Catherine L. Howell  
 Robert A. Allen

**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:

Courtney Gazerro, St. Augustine Girls Basket-  
 ball, in recognition of being Region 5 CYO Girls  
 Midget Champions 2003, First Place League  
 Champions and 2003 Diocese of Providence  
 CYO Basketball Tournament Girls Midget  
 Division Runner up.

Meaghan Reilly, St. Augustine Girls Basket-  
 ball, in recognition of being Region 5 CYO Girls  
 Midget Champions 2003, First Place League  
 Champions and 2003 Diocese of Providence  
 CYO Basketball Tournament Girls Midget  
 Division Runner up.

Jaclyn Baribault, St. Augustine Girls Basket-  
 ball, in recognition of being Region 5 CYO Girls  
 Midget Champions 2003, First Place League  
 Champions and 2003 Diocese of Providence  
 CYO Basketball Tournament Girls Midget  
 Division Runner up.

Rachel Mancini, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

Breanna Lepore, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

Laura Bastia, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

Kayleigh Clements, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

Devlin Clement, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

Jackie Bert, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

Brittany Bianco, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence

CYO Basketball Tournament Girls Midget Division Runner up.

Katie Degnan, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

Grace Avakian, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

Grace Flaherty, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

Hugh Clements, Head Coach, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

Everett Bianco, Assistant Coach, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

Julie Mancini, Assistant Coach, St. Augustine Girls Basketball, in recognition of being Region 5 CYO Girls Midget Champions 2003, First Place League Champions and 2003 Diocese of Providence CYO Basketball Tournament Girls Midget Division Runner up.

**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:*

Alfred T. Ferrara

Francesca “Frances” Iozzi

Peter S. Sfameni

Josephine M. “Jessie” Fratus

Joseph Amalfitano

Silvia Rossi

Angelo J. Ricci

Mary A. Casciano

Raymond A. Badway

Bruce R. DiRaimo

Americo “Bill” Florio

Josephine DeRobbio

Lorraine L. Bagley

Geraldine F. Clift

Jesse R. Lopez

Casimir Gaidimas

Kenneth W. Oliveira, Sr.

Patricia A. Tabella

**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.**

## ADJOURNMENT

There being no further business, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 8:30 P.M. (E.D.T.).

*Michael R. Clement*

City Clerk





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