

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 57 City Council Regular Meeting, Thursday, April 6, 1989, 7:30 o'clock P.M. (E.S.T.)

IN CITY COUNCIL
APR 20 1989

PRESIDING

APPROVED:

R. Membrino CLERK

COUNCIL PRESIDENT

NICHOLAS W. EASTON

ROLL CALL

Present: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Glavin, Lombardi, Lopes, Rollins, Stravato and Councilwoman Young—12.

Absent: Councilmen Cola, Farmer and Petrosinelli—3.

INVOCATION

The Invocation is given by COUNCILMAN
DAVID G. DILLON.

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

COUNCILMAN DONALD J. LOPES leads
the Members of the City Council and the
Assemblage in the Pledge of Allegiance to
the Flag of the United States of America.

APPROVAL OF RECORD

The Journal of Proceedings No. 56 of the
Regular Meeting of the City Council held
March 16, 1989 and Posted March 28, 1989
on that Bulletin Board located on the Ground
Floor Level of City Hall, is Approved as
Printed, on motion of COUNCILMAN
GLAVIN, seconded by COUNCILWOMAN
FARGNOLI.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication dated March 9, 1989, Informing the Honorable City Council that Pursuant to Sections 302(b) and 1010 of the Providence Home Rule Charter of 1980, He is this Day Reappointing Dr. Louis Bruno of 741 Smith Street, Providence, as a Member of the Housing Board of Review for a Term to Expire in January of 1994, and Respectfully Submits the Same for Approval.

March 9, 1989

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

Dear Honorable Members:

Pursuant to Sections 302(b) and 1010 of the

Providence Home Rule Charter of 1980, I am this day reappointing Dr. Louis Bruno of 741 Smith Street, Providence, Rhode Island, as a member of the Housing Board of Review for a term expiring in January of 1994, and I respectfully submit same for your approval.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Communication Received and Appointment Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Approval, is Sustained.

SCHEDULE OF BILLS

FROM CITY CONTROLLER:

Street Lighting Bill from Narragansett Electric Company for February, 1989, in the Amount of One Hundred Five Thousand, Seven Hundred Seventy Dollars and Forty Four Cents (\$105,770.44).

Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Coun-

cilman Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Glavin, Lombardi, Lopes, Rollins, Stravato and Councilwoman Young—12.

Noes: None.

Absent: Councilmen Cola, Farmer and Petrosinelli—3.

The motion for Passage, is Sustained.

ORDINANCE SECOND READING

The following Ordinance was in City Council March 16, 1989, Read and Passed the First Time, and Is Returned for Passage the Second Time:

An Ordinance in Amendment of and in Addition to Chapter 1984-22 of the Ordinance of the City of Providence, Approved March 23, 1984 and Entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Promenade Center Renewal Project" for Project Boundary Revision.

Be it ordained by the City of Providence:

1. That Chapter 1984-22 of the Ordinances of the City of Providence, Approved March 23, 1984 and Entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Promenade Center Renewal Project" be and the same is hereby amended as follows:

A. Exhibit A entitled "Description of the Boundaries of the Promenade Center Renewal Project" as contained in that certain booklet entitled, "Promenade Center, Official Redevelopment Plan, 1983" which is a part of the aforementioned ordinance be and the same is hereby deleted and the following substituted therefore:

EXHIBIT A

Description of the Boundaries of the Promenade Center Renewal Project

Beginning at a point, said point being located at the northerly side of Valley Street at the intersection of the westerly side of Raymond Street also known as Thomas J. Waters Memorial Square, in the City of Providence, Rhode Island.

Thence running westerly along said Valley Street to the easterly lot line of Lot 220 as shown on Assessor's Plat 66, dated December 31, 1982;

Thence turning and running northerly along said Lot 220 to the northerly lot line of said Lot 220;

Thence turning and running westerly along the northerly lot line of said Lot 200, Lot 217 and a portion of Lot 216;

Thence turning and running northerly along the easterly lot line of Lot 437;

Thence turning and running westerly along said Lot 437 to the easterly side of Wolcott Street;

Thence turning and running northerly along said Wolcott Street to a corner, said corner being at the extension of the northerly lot line of Lot 160 across Wolcott Street;

Thence turning and running westerly across Wolcott Street and along said northerly line of Lot 160 to the easterly line of Robin Street;

Thence turning and running northerly along said Robin Street to a corner, said corner being at the extension of the northerly lot line of Lot 23 across Robin Street;

Thence turning and running westerly across said Robin Street along the rear lot line of Lot 23, Lot 27, Lot 28 and Lot 29;

Thence turning and running southerly along the westerly line of said Lot 29 to the northerly side of Prescott Street;

Thence turning and running westerly along said Prescott Street to the easterly side of River Avenue;

Thence turning and running northerly along said River Avenue to the extension of the northerly lot line of Lot 889, as shown on Assessor's Plat 65, across River Avenue;

Thence turning and running westerly across River Avenue along the said lot line of Lot 889 to the rear of said Lot 889;

Thence turning and running southerly along said rear lot line of Lot 889 to its intersection with the rear lot line of Lot 152;

Thence turning and running westerly along the northerly lot line of Lots 152, 151, 150, 148, 146, 145 and 143;

Thence turning and running southerly along the westerly lot line of Lot 143 to the northerly lot line of Lot 141;

Thence turning and running westerly along said Lot 141 and across Harold Street to the westerly side of Harold Street;

Thence turning and running southerly along said Harold Street to the northerly side of Aurora Street;

Thence turning and running westerly along said Aurora Street to the westerly side of Rill Street;

Thence turning and running southerly along said Rill Street to the northerly side of Valley Street;

Thence turning and running southwestly along said Valley Street to the extension of southerly lot line of Lot 583 as shown on Assessor's Plat 33 across Valley Street;

Thence turning and running southeasterly across Valley Street along said lot line of Lot 583 to the easterly lot line of said Lot 583;

Thence turning and running northerly along said easterly line of Lot 583 to the rear of Lot 364;

Thence turning and running easterly along the rear lot line of Lot 364, Lot 361 and Lot 366 to the westerly side of the Woonasquatucket River;

Thence turning and running southerly along said Woonasquatucket River to the extension of the southerly lot line of Lot 30, across said Woonasquatucket River;

Thence turning and running easterly across said River and along said lot line of Lot 30 extending across Harris Avenue to the northerly side of the Penn Central Railroad tracks;

Thence turning and running easterly along said railroad tracks to the proposed westerly State taking line for Route 95 on ramp;

Thence turning and running northerly along said State taking line to a point, said point being located at the intersection of said taking line and the southerly line of Kinsley Avenue;

Thence turning and running southeasterly along the southerly line of said Kinsley Avenue to a corner, and the easterly line of Park Street projected southerly;

Thence turning and running northwesterly along the easterly line of Park Street to a corner, said corner being located on the northerly line of Promenade Street;

Thence turning and running northwesterly along the said line of Promenade Street, to a corner, said corner being located on the State taking line for Route 95 ramp;

Thence turning and running northerly along the said State taking line to a point, said point being located at the intersection of said taking line and the extension of the rear lot line of lots located on Brownell Street;

Thence turning and running westerly along the extension to said lot lines and along said lot lines to the easterly line of Holden Street;

Thence turning and running northerly along said Holden Street to its intersection with the northerly side of West Park Street;

Thence turning and running westerly along said West Park Street to the easterly lot line of Lot 160 as shown on Assessor's Plat 67;

Thence turning and running northerly along said Lot 160 to the rear of said lot;

Thence turning and running westerly along the rear lot lines of Lots 160, 478, 479, 488 and 489;

Thence turning and running northerly along the rear lot lines of Lots 489, 464, 465 also extending across Jewett Street to the northerly side of said Jewett Street;

Thence turning and running westerly along said Jewett Street to its intersection with the westerly side of Bath Street;

Thence turning and running southerly along said Bath Street to the lot line of Lot 493;

Thence turning and running westerly along the northerly lot lines of Lots 493, 339, 319, 321 and 324;

Thence turning and running northerly along the easterly lot line of Lot 265 to the southerly side of Jewett Street;

Thence turning and running easterly along said Jewett Street to a point, said point being located by the extension, southerly across Jewett Street of the easterly lot line of Lot 288;

Thence turning and running northerly across Jewett Street; along the said lot line of Lot 288 and extending across Orms Street to the northerly side of said Orms Street;

Thence turning and running westerly along said Orms Street to its intersection with the westerly side of Valley Street;

Thence turning and running southwesterly along said Valley Street to its intersection with the westerly side of Raymond Street and the point and place of beginning.

B. The following maps of the aforementioned Official Redevelopment Plan, which is a part of the aforementioned ordinance, hereinafter identified are deleted:

(1) Map No. 1 "Existing Land Use and Zoning" dated 11-83.

(2) Map No. 2 "Proposed Acquisition" dated 11-83.

(3) Map No. 3 "Disposition Map" dated 11-83.

(4) Map No. 4 "Site Improvements" dated 11-83.

C. Insert the following maps in its stead:

(1) Map No. 1 "Existing Land Use and Zoning" dated 8-85.

(2) Map No. 2 "Proposed Acquisition" dated 8-85.

(3) Map No. 3 "Disposition Map" dated 8-85.

(4) Map No. 4 "Site Improvements" dated 8-85.

2. That said Chapter 1984-22 of the Ordinance of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

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

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

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Glavin, Lombardi, Lopes, Rollins, Stravato and Councilwoman Young—12.

Noes: None.

Absent: Councilmen Cola, Farmer and Petrosinelli—3.

The motion for Passage the Second Time, is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILWOMAN BRASSIL, COUNCIL PRESIDENT EASTON, COUNCILMAN GLAVIN, COUNCILWOMAN DIRUZZO, COUNCIL PRESIDENT PRO TEMPORE STRAVATO, COUNCILMAN ANNALDO, COUNCILMAN COLA, COUNCILMAN DILLON, COUNCILWOMAN FARGNOLI, COUNCILMAN FARMER, COUNCILMAN LOMBARDI, COUNCILMAN LOPES, COUNCILMAN PETROSINELLI, COUNCILMAN ROLLINS and COUNCILWOMAN YOUNG:

Resolution Endorsing Providence Fire Fighters Local 799 to Institute the "Better Things to Do" Drug Abuse Education Program for Inner City Youths.

Whereas, Providence Firefighters Local 799 has been selected as the third city in the country to institute the "Better Things to Do" Drug Abuse Education Program for inner city youths, and

Whereas, Providence is the first city on the East Coast to be given this opportunity, and

Whereas. This program will allow students to

air their concerns and problems and will open the line of communication between the Group and their parents,

Now, therefore, be it Resolved, That the members of the Providence City Council hereby endorse the "Better Things to Do" Drug Abuse Education Program for inner city youths and extend their best wishes that this worthy cause be a great success.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

COUNCILWOMAN BRASSIL, COUNCILMAN DILLON and COUNCILMAN ROLLINS:

Resolution requesting the Chief of the Providence Police Department and the Commissioner of Public Safety to Look into Obtaining Federal

Funding or a Grant for the Purchase of Automatic Weapons to Ensure the Safety of our Police Officers and the Citizens of Providence.

Resolved, That the Chief of the Providence Police Department and the Commissioner of Public Safety are requested to Look into Obtaining Federal Funding or a Grant for the Purchase of Automatic Weapons to Ensure the Safety of our Police Officers and the Citizens of Providence.

COUNCILMAN DILLON (By Request):

Resolution requesting the Chief Electrical Inspector to Order the Lighting to be Upgraded along Burrows Street.

Resolved, That the Chief Electrical Inspector is requested to Order the Lighting to be Upgraded along Burrows Street.

Resolution requesting the Director of the Rhode Island Department of Transportation to cause the Fence along the Service Road of Route 10 between the Union Avenue Exit and the Westminster Street Exit to be Repaired.

Whereas, Several traffic accidents have damaged the fence along the service road to R.I. Route 10 between the Union Avenue exit and the Westminster Street exit,

Now, therefore, be it Resolved, That the Director of the Rhode Island Department of Transportation is requested to cause the Fence along the Service Road of Route 10 between the Union Avenue Exit and the Westminster Street Exit to be Repaired.

COUNCILWOMAN DIRUZZO (By Request):

Resolution requesting the State Director of Transportation, Matthew J. Gill, Jr., to Commence Forthwith the Rebuilding of the Union Avenue Bridge.

Whereas, The State Department of Transportation had a six (6) year plan in effect involving the reconstruction of certain bridges within the City of Providence, and

Whereas, The Union Avenue Bridge is one of the bridges identified to be rebuilt, and

Whereas, The Department of Transportation had indicated that the Union Avenue Bridge's reconstruction would begin in 1987, with the planning and construction commencing in the spring of 1988 because of the unsafe conditions existing on this bridge, and

Whereas, Since it has been learned that a new set of plans now exists over and above the six (6) year plan, i.e., a nine (9) year plan for the reconstruction of bridges in the City of Providence which was adopted in 1987, scheduled to continue through 1995, indicating now that the Union Avenue Bridge is not scheduled to be reconstructed until the end of 1990 within the plan having commenced in 1987,

Now, therefore, be it Resolved, That it is hereby requested that the Department of Transportation review the immediate need to proceed with the reconstruction of the Union Avenue Bridge forthwith.

COUNCILWOMAN FARGNOLI (By Request):

Resolution requesting the Director of Grounds Maintenance Services to cause the Roots to be Cut from that Tree located along 12 Royal Avenue.

Resolved, That the Director of Grounds Maintenance Services is requested to cause the Roots to be Cut from that Tree located along 12 Royal Avenue.

1-21, 26-30, 36-43, 46-57, 64-68, 81 and 82, 145-149, 158-167 and 179-187, located in Roger Williams Park, total number of poles being seventy-seven (77), and

Resolution requesting the Director of Public Works to cause the Sidewalk along 12 Royal Avenue to be Repaired.

Be it further Resolved, That the Chief Electrical Inspector is further requested to order the installation of 400 Watt Security Lamps in Roger Williams Park for the purpose of illuminating historic statuary along the following locations:

Resolved, That the Director of Public Works is requested to cause the Sidewalk along 12 Royal Avenue to be Repaired, the same having been damaged by Tree Roots.

<i>Pole No.</i>	<i>Statuary</i>
50	Roger Williams
83	Pancratiast
88	Lions' Memorial
26	General Pulaski
167	Eagle
183	Gladiator

Resolution requesting the Traffic Engineer to Undertake a Survey of the Traffic and Parking Problems along the Area of Pleasant Valley Parkway, the Rear of Roger Williams Hospital and the Elmhurst Nursing Care Center.

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

The motion for Passage, is Sustained.

Resolved, That the Traffic Engineer is hereby requested to Undertake a Survey of the Traffic and Parking Problems along the Area of Pleasant Valley Parkway, the Rear of Roger Williams Hospital and the Elmhurst Nursing Care Center, and

COUNCILMAN LOMBARDI (By Request):

Be it further Resolved, That the Traffic Engineer is further requested to consult with Administrators of Roger Williams Hospital to alleviate the existing problems.

Resolution requesting the Traffic Engineer to cause the Installation of Three-Way "Stop" Signs at the Corner of America Street and Federal Street.

Referred to the Committee on Public Works, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

Resolution requesting the Chief Electrical Inspector to order the Lighting to be Upgraded in Roger Williams Park.

The motion to Refer, is Sustained.

Resolved, That the Chief Electrical Inspector is hereby requested to order the lumen to be increased from 7,000 to 14,000 on Poles numbered

COUNCILMAN LOPES (By Request):

Resolution requesting His Honor the Mayor to Proclaim Friday, April 28, 1989 as Workers Memorial Day in Recognition of Workers Killed, Injured and Disabled on the Job.

Whereas, Every year more than 10,000 American workers are killed on the job, and

Whereas, Tens of thousands are permanently disabled, and

Whereas, Millions are injured, and

Whereas, Another 100,000 workers die from cancer, lung disease and other diseases related to toxic chemical exposure at work,

Now, therefore, be it Resolved, That concerned Americans are determined to prevent these tragedies by:

Organizing Workers Memorial day on April 28, a day chosen by the unions of the AFL-CIO as a day to remember these victims of workplace injuries and disease;

Renewing our efforts to seek stronger safety and health protections, better standards and enforcement, and fair and just compensation;

Rededicating ourselves to improving safety and health in every American workplace.

And be it further Resolved, That Mayor Joseph R. Paolino, Jr. is hereby requested to proclaim Friday, April 28, 1989, as Workers Memorial Day in recognition of workers killed, injured and disabled on the job.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

COUNCILMAN ROLLINS and COUNCIL PRESIDENT EASTON:

Resolution Opposing Plans by Baltimore Gas & Electric Company to Build a Major Coal-Fired or Gas-Fired Power Plant at Field's Point; Opposing further Introduction of Obnoxious, Hazardous and Dangerous Industrial Uses at Field's Point South of Ernest Street and New York Avenue; and Supporting Mixed-Use Rezoning and Redevelopment of Field's Point South of Ernest Street and New York Avenue.

COUNCILMAN ROLLINS moves the following Amendments to the foregoing Resolution:

Delete in Line 1, first paragraph, the words "Baltimore Gas & Electric" and insert "A utility", and in the second line, delete the words "or gas-fired",

Second paragraph, first line, delete the words "Baltimore Gas & Electric" and insert "A utility",

In the seventh paragraph, second line, delete "the", following the word oppose, and insert "construction of a coal fired," and further delete "proposed by Baltimore Gas & Electric Company",

In the eighth paragraph, third line, delete "by means of mixed use redevelopment",

In the ninth paragraph, second line, delete "By Baltimore Gas & Electric Company" and line three, delete following the words coal-fired, "or gas-fired".

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

Whereas, A utility company, through a subsidiary, is actively pursuing plans to build a 200 to 300 megawatt coal-fired power plant at Field's Point; and

Whereas, A utility company has reportedly already contracted to sell 100 megawatts of power from its proposed Field's Point plant to a Massachusetts-based utility; and

Whereas, The City of Providence, after the completion of planned improvements at Narragansett Electric Company's two existing power plants, will be generating its fair share of electric power within the Narragansett Bay basin; and

Whereas, It is imprudent public policy to site new major fossil-fueled power plants within metropolitan areas; and

Whereas, Field's Point abuts the residential neighborhoods of Washington Park and the South Side in the City of Providence, and the residential neighborhood of Edgewood in the City of Cranston; and

Whereas, The residents of said neighborhoods have suffered significant loss of quality of life, safety, property values, and historic access to and enjoyment of the waterfront at Field's Point because for fifty years, Field's Point has been abused as a dumping ground for obnoxious, hazardous and dangerous uses despite its close proximity to said neighborhoods; and

Whereas, The community organizations of said neighborhoods have unanimously declared that they oppose construction of a coal-fired power plant, and will suffer no further degradation by such obnoxious, dangerous, and hazardous uses of their health, safety, quality of life, and property values; and

Whereas, Said community organizations have unanimously declared that they strongly support restoration of the southern part of Field's Point to a safe and pleasant environment for people to live, work, play, and enjoy the water,

Now, therefore, be it Resolved, That the Members of the Providence City Council hereby oppose plans to build a major coal-fired power plant at Field's Point.

The Resolution is thereupon Passed as Amended, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, as Amended, is Sustained.

COUNCILWOMAN YOUNG (By Request):

Resolution requesting the Director of Grounds Maintenance Services to cause the Roots to be Cut on that Tree located along 12 Glenham Street.

Resolved, That the Director of Grounds Maintenance Services is requested to cause the Roots to be Cut on that Tree located along 12 Glenham Street.

Resolution requesting the Director of Public Works to cause the Sidewalk along 12 Glenham Street to be Repaired.

Resolved, That the Director of Public Works is requested to cause the Sidewalk along 12 Glenham Street to be Repaired, the same having been damaged by Tree Roots.

Resolution requesting the Director of Public Works to cause the Installation of Guard Rails along the Corners of 436 Pine Street and Pearl Street and 422 Pine Street and Lockwood Street.

Resolved, That the Director of Public Works is requested to cause the Installation of Guard Rails along the Corners of 436 Pine Street and Pearl Street and 422 Pine Street and Lockwood Street.

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

Plus the Interest in the Amount of \$450.53 as of January 26, 1989 on that Property located along 25 Mount Vernon Street, as requested by S.W.A.P.

The motion for Passage, is Sustained.

Referred to the Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

Resolution requesting the Director of Inspection and Standards to Waive the Board Up Liens,

The motion to Refer, is Sustained.

REPORTS FROM COMMITTEES

COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

Transmits the following with Recommendation the Same be Severally Adopted:

Resolution Adopting the "City of Providence Affirmative Action Plan" as the Official Equal Opportunity Policy by which All City Personnel Operations shall be Governed.

Section 1. Non-Discrimination in City Employment

Whereas, Equal employment opportunity within municipal government, without discrimination because of age, sex, race, creed, color, national origin, marital status, religion or handicap, is the right of all people and is in the best interests of the growth and development of the City of Providence, and

It is the policy of the Mayor and the City Council of the City of Providence to provide equal opportunity in municipal government for all qualified applicants and employees; to prohibit discrimination in employment because of race, color, age, national origin, creed, veteran status, marital status, handicap, religion and sex, except where sex is a bona fide occupational qualification, to eliminate procedural and structural barriers to the employment of handicapped individuals; and to promote the full realization of equal employment opportunity through a continuing Affirmative Action Program within municipal government. This policy shall govern every aspect of personnel policy and practice in employment, development, advancement and

Whereas, Equal employment opportunity is required by federal, state and local legislation, Presidential Executive Order and definitive court decision.

It is hereby Resolved, that:

treatment of all employees in the bargaining and non-bargaining units, irrespective of the funding sources of the various positions.

Section 2. Affirmative Action to Ensure Equality of Opportunity in Employment

Affirmative Action and Equal Employment Opportunity shall become an integral part of the daily operations of all municipal departments, agencies and offices. The director of each municipal department, commission and agency shall assume the responsibility for maintaining the Affirmative Action Program in his or her department. The successful achievement of a nondiscriminatory employment program requires maximum cooperation between management and employees. This administration, in fulfilling its part of such cooperative effort, pledges itself to a program of aggressive Affirmative Action aimed at assuring true equality of employment and a work environment without discrimination and harassment. The Mayor shall have the responsibility for overall administration, monitoring and evaluation of the Affirmative Action Plan and shall assess the program to determine which elements are most effective and make recommendations in regard to those areas which require redesign and increased efforts. The Affirmative Action Officer, the Director of Personnel and other City officials shall assist the Mayor in the foregoing efforts as required.

Section 3. Adoption of the City of Providence Affirmative Action Plan

The document entitled "City of Providence Affirmative Action Plan" is hereby adopted as the official Equal Opportunity Policy by which all City personnel operations shall be governed.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

Resolution Authorizing the Abatement of Taxes on Lots 190, 191 and 192 on City Assessor's Plat 60, located along Cadillac Drive.

Resolved, That real estate taxes for the year 1988, as assessed on December 31, 1987, on Assessor's Lots 190, 191 and 192 on Assessor's Plat 60, shall be abated on a pro rata basis from July 26, 1988 forward. Said parcels are located on Cadillac Drive in the City of Providence, with the owners of record being A. Edmund Donatelli, Sr. and Edythe L. Donatelli.

This resolution is predicated and contingent upon the forthcoming purchase by the City of the aforementioned property, and shall become effective as of the date of closing.

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

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Glavin, Lopes, Rollins, Stravato and Councilwoman Young—11.

Noes: None.

Absent: Councilmen Cola, Farmer, Lombardi and Petrosinelli—4.

The motion for Passage, is Sustained.

Resolution Approving the Proposal by His Honor the Mayor dated March 6, 1989 requesting the Providence Public Building Authority to Use its Best Efforts to Furnish and Install a Carousel at Roger Williams Park, a Structure to House the Carousel, related Concession Facilities and Remove, Transport and Reassemble the "Roundhouse Concession" and further Autho-

rizing the Mayor to Negotiate and Lease the Project from the Authority on Behalf of the Board of Park Commissioners.

Whereas, The Providence Public Building Authority (the "Authority") was constituted as a body corporate and politic of the City of Providence pursuant to the provisions of Chapter 50 of Title 45 of the General Laws of Rhode Island (the "Act") and a resolution duly passed by this City Council on August 13, 1987; and

Whereas, The Authority's creation was approved by the Public Finance Management Board on February 12, 1988; and

Whereas, The Authority may now duly transact its business of acquiring and constructing public facilities and acquiring public equipment; maintaining, renovating, repairing and operating the same; and issuing its revenue bonds and/or notes to finance the public facilities and public equipment; and

Whereas, The Authority may develop its projects only upon request of the Mayor and the City Council; and

Whereas, Such requests must take the form of a proposal by the Mayor approved by the City Council; and

Whereas, The Mayor has submitted the proposal attached hereto as Exhibit "A" for the City Council's approval.

Now, therefore, be it Resolved:

1. That the City Council hereby approves the

Proposal of the Mayor dated March 6, 1989 (the "Proposal") which, among other things, requests the Authority to use its best efforts to furnish and install a Carousel at Roger Williams Park, design and construct a structure to house the Carousel, design and construct and rehabilitate related concession facilities and remove, transport and reassemble the "Roundhouse Concession" at the Park (the "Project").

2. That the President of the City Council be, and he hereby is, authorized to execute the Proposal and to deliver it to the Authority.

3. That the City Council hereby approves the transfer of the real property and equipment described on Exhibit "B" to the Authority, which property shall be reconveyed to the City at the conclusion of the lease described in paragraph (4) four.

4. That the City Council hereby authorizes the Mayor to negotiate and lease the Project from the Authority on behalf of the Board of Park Commissioners.

5. That the Mayor be, and he hereby is, authorized to take any and all action and to execute, file and deliver any and all agreements, notes, deeds, leases and other documents as he, in his sole discretion, may deem necessary or desirable to implement the transaction contemplated by the Proposal.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

The following Is Transmitted with Recommendation the Nominee to the Review Commission, be Approved:

Communication Transmitting the Name of Priscilla M. Cerilli to the City Council in Accordance with Section 21-142 of the Code of Ordinances of the City of Providence, with Recommendation the Nominee be Approved for Appointment to the Providence Review Commission.

March 30, 1989

Members of the City Council
City Hall
Providence, Rhode Island 02903

Dear Honorable Members of the City Council:

The following nominee has been voted upon and selected by the Members of the Committee on Finance at its meeting held March 29, 1989 in accordance with Section 21-142 of the Code of

Ordinances of the City of Providence, and is submitted, requesting your approval:

PATRICIA M. CERILLI

Respectfully,

Councilwoman Carolyn F. Brassil, Chairwoman
Councilman David G. Dillon, Vice-Chairman
Councilman Thomas M. Glavin
Councilwoman Evelyn V. Fargnoli
Councilman Malcolm Farmer, III

Communication Received and Appointment Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Approval, is Sustained.

**COUNCILMAN THOMAS M. GLAVIN, Chairman
COMMITTEE ON ORDINANCES**

Transmits the following with Recommendation the Same be Severally Adopted:

An Ordinance in Amendment of Chapter 4 of the Code of Ordinances of the City of Providence, Entitled: "Definitions".

An Ordinance in Amendment of Chapter 4 of the Code of Ordinances of the City of Providence, Entitled: "Penalty for Violations of Sections 4-53 through 4-55".

An Ordinance in Amendment of Chapter 4 of the Code of Ordinances of the City of Providence, Entitled: "Animal and Fowl".

An Ordinance Amending Chapter 16 "Offenses and Miscellaneous Provisions", Article III, "Noise Control" to Add Sections 16-108 and 16-109.

Severally Read and Collectively Passed, the First Time, on motion of COUNCILMAN

GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Glavin, Lopes, Rolins, Stravato and Councilwoman Young—11.

Noes: None.

Absent: Councilmen Cola, Farmer, Lombardi and Petrosinelli—4.

The motion for Passage the First Time, is Sustained.

The following Is Transmitted with Recommendation of Adoption, as Amended:

An Ordinance in Amendment of Chapter 4 of the Code of Ordinances of the City of Providence, Entitled: "Penalty for Violation of Article," as Amended.

Read and Passed, the First Time, as Amended, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwomen DiRuzzo,

Fagnoli, Councilmen Glavin, Lopes, Rolins, Stravato and Councilwoman Young—11.

Noes: None.

Absent: Councilmen Cola, Farmer, Lombardi and Petrosinelli—4.

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

The following Ordinance was in City Council February 16, 1989, Read and Passed the First Time, and Is Returned for Passage the Second Time, as Amended:

An Ordinance Amending Article III of the Code of Ordinances of the City of Providence, Sections 12-46, 12-48, 12-61, 12-63, 12-64, 12-69, 12-68 and 12-80, Deleting Sections 12-51 and 12-52, and Adding New Sections 12-61.2, 12-70 and 12-87, as Amended.

Be it ordained by the City of Providence:

Section 1. Article III of the Code of Ordinances of the City of Providence is hereby amended in part to read as follows:

Sec. 12-46. The following words, whenever used in this article, shall have the following meanings, unless the context clearly requires otherwise:

(a) *Household rubbish.* "Household rubbish" shall include all noncombustible refuse, incidental to the ordinary conduct of the household, including without limiting the generality of the foregoing, tin cans, tinware, bottles, glass ware, earthenware, metal articles, ashes from coal, coke and other fuel and mineral substances, such as ordinarily accumulate in the maintenance of dwellings. Refuse incurred in the operation of an industrial or commercial establishment shall not be included within the meaning of this section.

(b) *Waste Materials.* "Waste Materials" shall be deemed to mean and include commercial refuse and garbage, combustible waste, noncombustible waste, ordinary waste, ordinary commercial waste or industrial waste.

(c) *Dwellings.* "Dwellings" shall mean a building arranged, intended or designated to be occupied by one or more families living independently of each other and doing their cooking upon the premises, or occupied by one or more individuals or groups of individuals as their home.

(d) *Litter.* "Litter" shall mean any discarded, used or unconsumed substance or waste. Litter may include, but is not limited to, any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, magazines, glass, metal, plastic or paper containers or other packaging, construction material, motor vehicle parts, furniture, oil, carcass of dead animal, any nauseous or offensive matter of any kind, any object likely to injure any person or create a traffic hazard or anything else of an unsightly nature, which has been discarded, abandoned or otherwise disposed of improperly.

(e) *Dumpster.* "Dumpster" shall mean any bulk container with a capacity greater than one cubic yard constructed and placed for use as a depository for refuse, trash or garbage.

(f) *Heavy Debris/Large Items.* "Heavy Debris/Large Items" shall include debris, goods and items weighing in excess of twenty-five (25) pounds; or stoves, washers, dryers, refrigerators,

freezers, boilers, furnaces, water heaters, furniture, bedding, mattresses, tires, engines, transmissions, radiators, automobile or truck parts, including but not limited to, doors, roofs, fenders, bumpers and frames, construction debris including but not limited to wood, plaster, masonry and like items.

(g) *Recyclables.* "Recyclables" shall include those materials which are required to be removed and separated from the municipal solid waste at the source and placed in or on top of the set-out container, provided by the state, for transport to the nearest Materials Recovery Facility (MRF) for recycling. Recyclable materials shall include glass, food and beverage containers, newspaper, tin coated steel cans, steel cans, aluminum, white goods (stoves, refrigerators, washers, dryers, plastic H.D.P.E. milk jug(s) type and plastic P.E.T. soft drink type beverage containers). Additional materials may be declared to be recyclables by the Director of the Rhode Island Department of Environmental Management at a later date, pending new technology, economic conditions, waste stream characteristics, environmental effect, or mutual agreement between State and City.

(h) *Swill or Garbage.* "Swill or Garbage" shall mean any kitchen or market refuse of an organic nature, including but not limited to food waste.

Sec. 12-48. Scope of authority of director of public works.

The Director of Public Works is hereby authorized and directed to license persons engaged in collecting and transporting waste materials in the city whether for profit or not; to prepare and promulgate from time to time, rules and regulations governing the collection, conveyance and disposal of waste materials; and to establish a system of rates and fees for the disposal of wastes.

Sec. 12-61. Use of garbage receptacles.

(a) *Required.* The owner or occupant of any

premises where swill or garbage shall accumulate shall provide at least one covered watertight receptacle per unit on said premises for such swill or garbage and shall deposit or cause to be deposited all such swill or garbage in said receptacle unless said premises is more than six (6) units. If said premises contains more than six (6) units, then the owner or occupant shall provide an appropriate covered watertight receptacle(s) for storage of said swill or garbage prior to disposal, as is prescribed by the director of public works.

(b) *Use.* Said swill or garbage before being so deposited shall be thoroughly drained and wrapped and tied in substantial paper. Said owner or occupant shall not locate such receptacle in any place which is not satisfactory to the director of public works. No person shall deposit any garbage in any place other than a garbage receptacle as is herein prescribed, and no person shall deposit any dishwater or liquid refuse or any ashes, bottles, broken glass or crockery, or any refuse other than garbage in any garbage receptacle.

Sec. 12-63. Time to place waste for collection duty to remove after collection.

No person placing or causing to be placed household rubbish, garbage, recyclables, construction waste or other litter in receptacles or otherwise on a street, sidewalk, alley or public place for the purpose of having the same collected at a regularly scheduled or special collection shall do so before sunset of the day prior to such scheduled collection, nor shall such person allow such matter or the receptacles thereof to remain upon such street, sidewalk, alley or public place after the end of the day of such scheduled collection.

Sec. 12-64. Frequency and method of removal of wastes.

All household rubbish, garbage and recyclables shall be removed from the curbside in front of or near such dwelling in accordance with the other

sections of this article, and the department of public works shall only be required to pick up such household rubbish, garbage and recyclables as is placed on or near the curbside in front of or near each such dwelling. Such regular weekly removals and pickups by the department of public works shall be carried out only on the days of Monday, Tuesday, Wednesday, Thursday and Friday of each week.

Sec. 12-67. Same — Fee for license, removal.

The annual fee for a license to transport garbage, combustible waste, noncombustible waste, ordinary waste, ordinary commercial or industrial waste, or for a renewal of such license, shall be as follows:

(a) Where the licensee is transporting waste for profit the annual fee for such license or renewal thereof shall be fifty dollars (\$50.00) plus fifty dollars (\$50.00) for each waste conveyance vehicle in excess of one (1) operated pursuant to such license.

(b) If the licensee is not transporting for profit the annual fee for such license, or renewal thereof, shall be ten dollars (\$10.00) plus five dollars (\$5.00) for each waste conveyance vehicle in excess of one (1) operated pursuant to such license.

Sec. 12-68. Same — Expiration, renewal.

Any expired license issued pursuant to Section 12-66 may be renewed under the same conditions applicable to the issuance of an original license. A license or renewal thereof shall expire on June 30th next following its issuance.

Sec. 12-80. Penalties for littering violations.

(A) *Generally.* The general penalties provided for by Sec. 1-10 of the Code of Ordinances shall apply to violations of this Chapter or any regulations made thereunder except that any person electing to appear before the Clerk of Court, or mailing the same, in lieu of a personal appearance before the Providence Municipal

Court and admitting the violation charged, shall be penalized by a fine as hereinafter respectively set forth:

	<i>Offense</i>	<i>Fine</i>
01	Early or Improper Storage of Household Trash	\$25.00
02	Early or Improper Storage of Commercial Trash	\$50.00
03	Trash Disposal Without Permit....	\$50.00
04	Dumpster Without or in Violation of Permit	\$50.00
05	Illegal Dumping of Over One (1) Cubic Yard Trash/Debris	\$300.00
06	Illegal Dumping of Heavy Debris/ Large Items	\$300.00
07	Littering	\$15.00
08	Other	

In the event any of the foregoing stated fines are not paid or a plea of not guilty to the citation is not entered prior to the fourteenth day after date of violation, said fines shall be doubled.

In the event any of the foregoing stated fines are not paid or a plea of not guilty to the citation is not entered subsequent to the fourteenth day and prior to the twenty-eighth day after date of violation, said fines shall be tripled.

Section 2. Sections 12-51 and 12-52 of Article III shall be deleted in their entirety.

Section 3. Sections 12-61.2, 12-70.1 and 12-87 shall be added to Article III, as follows:

Sec. 12-61.2. Use of Recyclable Receptacles.

(a) *Required.* The owner or occupant of any premise or dwelling unit where recyclables shall accumulate shall store said recyclables in the state provided special container/receptacle on said premises. Said owner or occupant shall deposit recyclables by placing them in or on top of the container.

(b) *Use.* Said owner or occupant shall not locate such container/receptacle in any place

which is not satisfactory to the director of public works. No person shall deposit recyclables in any other place other than such a recyclable receptacle as herein prescribed. No person shall deposit nonrecyclable materials in the special state provided container.

(c) *Violations and Penalties.* Any person who shall violate any provision of this section, or any provision of any rule or regulation adopted pursuant to authority granted by this section, shall upon conviction, be punished as provided in section 1-10 of this Code of Ordinances.

(d) *Enforcement.* The provisions of this section shall be enforced by the director of public works.

Sec. 12-70.1. Same — Transport/License to Keep Segregated Recyclables separate from Municipal Solid Waste.

Any person operating under a license to transport household rubbish or waste material pursuant to Section 12-66 shall keep segregated recyclables separate from the municipal solid waste which they collect or haul; maintain any separated recyclables which are brought to state-owned recycling facilities to be delivered in processable condition; and, deliver to state-owned recycling facilities all separated recyclables which are designated by the director of public works to go to such facility. Failure to comply with this 12-70.1 may result in revocation of license pursuant to Section 12-69.

Sec. 12-87. Scavenging of Household Rubbish, Garbage and Recyclables.

No person shall scavenge household rubbish, garbage or recyclables within the city limits.

Section 4. This Ordinance shall take effect upon its passage, except that Sections 12-61.2 and 12-70.1 shall take effect on July 15, 1989.

Read and Passed, the Second Time, as Amended, on motion of COUNCILMAN

GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Glavin, Lopes, Rollins, Stravato and Councilwoman Young—11.

Noes: None.

Absent: Councilmen Cola, Farmer, Lombardi and Petrosinelli—4.

The motion for Passage the Second Time, is Sustained.

REPORTS

FROM THE CITY CONTROLLER:

Monthly Financial Report for February, 1989.

Received.

FROM THE PORT DIRECTOR:

Monthly Report for February, 1989.

Received.

FROM THE CLERK'S DESK

Petition of Gerald J. McCarthy, General Partner of Capital Ventures, a Rhode Island General Partnership, requesting Permission be Granted to Allow the Landing Area/Stairway, Already Constructed along 86 Jewett Street, to Remain in Its Present Condition and to Encroach Approximately Six (6) Inches onto the City Property.

Referred to the Committee on Public Works, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

Petitions for Compensation for Injuries and Damages, viz:

American Universal Insurance Company as subrogee of Sheila Gormley

John A. Araujo

Robert Arlan

Michele Baldassare

Joseph Beatty

Brandon Capwell

Catheline Cawley

William L. Charello

Doris K. Conklin

Ford Motor Credit Company

Joseph Salchi Hansford and Famatta White

Robert Allen Iannelli

Cheryll A. Lee

Joseph F. Candelmo

John A. Lloyd

Kenneth Longe

William J. X. Malone

Drusilia Mangiante

Stephen McCants

Josephine P. McCarthy

Anthony Nicoletti

Jay A. Paulsen

Pheap Pen

David E. Riebe

James J. Stubbs

William Szarwak

Philip Wise and Doris Wise

Severally Referred to the Committee on Claims and Pending Suits, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT EASTON and the MEMBERS of the CITY COUNCIL:

of the City Council is hereby expressed to the families of the following:

Resolution extending Sympathy.

Ida R. Andreozzi

Resolved, That the Sympathy of the Members

Mary A. Doyle

Luiz Saraiva, Jr.
Antonetta Marandola
Cecile Coombes
Benjamin J. Hill
Edith Corrente
Arnold Marriott-Marotta
Margaret Castaldi
Raymond W. Flynn
Mary Lepore
Camille M. Charette
Olga McGann
Angela DeFusco
Warren D. Cooley
Ethel B. Costello
Giovanni DeLuca
Mary V. Martins
Josephine Applegate
Myer Pearl
Gladys W. Martin
Stephen J. Murphy
Harry K. Krikorian
Daniel D'Amico

Robert A. Marini II
Doris A. Reza
Samuel Flescher
Mary E. Carter
Phyllis Nero
Stuart H. Tucker
Carmelo Puglia
Andres C. Reyes
Maria C. Calise
Giuseppe Lauro
Domenica Paolantonio
Gilda S. Colicci
Walter F. Adams
Charles E. Simmons
Emelie E. Pona
Jarvis Jones
Louis W. Young
Edith J. Gaffney
Marilyn M. Domin

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

The motion for Passage, is Sustained.

MATTERS NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, It is Voted to Suspend Rule 16 of the Rules of the City Council in Order to Allow the Introduction of the following Matter Not Appearing on the Printed Docket.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT EASTON, COUNCIL PRESIDENT PRO TEMPORE STRAVATO, COUNCILMAN ANNALDO, COUNCILWOMAN BRASSIL, COUNCILMAN COLA, COUNCILMAN DILLON, COUNCILWOMAN DIRUZZO, COUNCILWOMAN FARGNOLI, COUNCILMAN FARMER, COUNCILMAN GLAVIN, COUNCILMAN LOMBARDI, COUNCILMAN LOPES, COUNCILMAN PETROSINELLI, COUNCILMAN ROLLINS and COUNCILWOMAN YOUNG:

Resolution of the City Council Commending Police Officers Brian P. Corcoran, Kerion M. O'Mara and Shawn Maxwell upon Their Heroic Acts of Bravery and Extending Their Sincere Best Wishes to the Dedicated Patrolmen for a Complete and Speedy Recovery from Their Injuries Sustained in the Line of Duty.

Whereas, On March 31, 1989, Police Officers responded to a call informing that a domestic disturbance was in progress at 31 Warrington Street, and

Whereas, Patrolmen Brian P. Corcoran, Kerion M. O'Mara and Shawn Maxwell were dispatched to that address, and upon arrival, it was reported that a man was being threatened at 21 Warrington Street, and

Whereas, Without provocation, the suspect who was smiling, opened fire on the police officers at point-blank range, and

Whereas, Three officers were wounded, Kerion O'Mara most seriously; Shawn Maxwell, while wounded, radioed for help, and

Whereas, Fellow officers arrived at the scene and upon return of the suspect who reached into his pocket, they opened fire on him.

Now, therefore, be it Resolved, That the Members of the City Council hereby commend Police Officers Brian P. Corcoran, Kerion M. O'Mara, and Shawn Maxwell upon their heroic acts of bravery and extend their sincere best wishes to these dedicated police officers for a

complete and speedy recovery from their injuries sustained in the line of duty, and

Be it further Resolved, That appreciation is further extended to their fellow officers who arrived at the scene to aid the three policemen during their time of crisis.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, the City Council adjourns at 8:45 o'clock P.M. (E.D.T.) to meet again on THURSDAY, APRIL 20, 1989 at 7:30 o'clock P.M. (E.D.T.).

Rose M. Mandonca

City Clerk