

**CITY OF PROVIDENCE
RHODE ISLAND**



**CITY COUNCIL
JOURNAL OF PROCEEDINGS**

No. 30 City Council Regular Meeting, Thursday, February 2, 1984, 8:00 P.M. (E.S.T.)

**IN CITY COUNCIL
FEB 16 1984**

APPROVED:

PRESIDING *Remondone* **CLERK**

COUNCIL PRESIDENT

JOSEPH R. PAOLINO, JR.

ROLL CALL

Present: Council President Paolino and Councilman Annaldo, Councilwoman Bras-sil, Councilman Dillon, Councilwoman Di Ruzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Glavin, Griffin, O'Connor, Petrosinelli, Pitts and Stravato—13.

Absent: Councilmen Cola and Farmer—2.

INVOCATION

The Invocation is given by COUNCILMAN HERMAN C. PITTS.

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

~~READ~~ COUNCILWOMAN CAROLYN F. BRASH 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. 29 of the Regular Meeting of the City Council held January 19, 1984 and Posted January 31, 1984, on that Bulletin Board located on the Ground Floor Level of City Hall, is Approved as Printed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN O'CONNOR.

VETO BY HIS HONOR THE MAYOR

Communication, dated January 27, 1984, Informing the Honorable City Council of His Disapproval and Veto of that Resolution requesting the Board of Tax Assessment to grant any person dissatisfied with their Excise Tax, a right to appeal their bill before said Board.

January 27, 1984

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, RI 02903

Dear Honorable Members:

I hereby disapprove and veto a Resolution requesting the Board of Tax Assessment to grant any person dissatisfied with their Excise Tax, a right to appeal their bill before said Board for the following reasons:

(1) Legislative actions affecting the fiscal matters of the City are not in the ordinary course of business considered without first studying the effect of such actions. The enclosed resolution has not been considered by the City Council Finance Committee, with the necessary input from the City Assessor, the Finance Director, the City Collector and the Board of Tax Assessment Review.

(2) The legality of the enclosed resolution is questioned in that an excise tax is a privilege tax and governed by State Law. Title 44, Chapter 34, Section 2 of the R.I.G.L. of 1956, as amended,

mandates the method of assessing value to motor vehicles and trailers. Said statute states that the value of a vehicle and or trailer . . . "shall be deemed to be the average retail price of the same make, type, model and year of manufacture".

Respectfully,

VINCENT A. CIANCI, JR.
Mayor of Providence

COUNCILMAN GLAVIN moves the Communication be Received and the Veto by the Mayor be Overridden.

This motion being seconded by COUNCILMAN EASTON is Put to Vote and Not Passed as two-thirds vote is required to override the Veto of the Mayor, by the following Roll Call Vote:

Ayes: Council President Paolino and Councilwoman Brassil, Councilmen Dillon, Easton, Councilwoman Fagnoli, Councilmen Glavin, O'Connor, and Pitts—8.

Noes: Councilman Annaldo, Councilwoman DiRuzzo, Councilmen Griffin, Petrosinelli and Stravato—5.

Absent: Councilmen Cola and Farmer—2.

The Veto is thereupon Sustained.

APPOINTMENTS BY THE PRESIDENT OF THE CITY COUNCIL

Communication, dated January 30, 1984, Informing the City Clerk of His Appointments to the various Special Committees of the City Council for 1984.

January 30, 1984

Mrs. Rose M. Mendonca
City Clerk
City Hall
Providence, RI 02903

Dear Mrs. Mendonca:

In accordance with the authority granted me under the provisions of Resolutions of the City Council, Nos. 65, 66, 67, 68, 69, 70 and 71 severally approved January 27, 1984, I hereby make the following appointments to Special Committees of the City Council for 1984:

Special Committee on the Observance of July 4, 1984:

Councilman Nicholas W. Easton
Councilman Thomas F. O'Connor, Jr.
Councilman David G. Dillon
Councilwoman Josephine DiRuzzo, and
Councilman Herman C. Pitts.

Special Committee on the Observance of Columbus Day, October 8, 1984:

Councilwoman Josephine DiRuzzo
Councilman Louis R. Stravato
Councilman James A. Petrosinelli
Councilwoman Evelyn V. Fagnoli, and
Councilman Raymond Cola.

Special Committee on the Observance of Armistice Day, November 11, 1984:

Councilman Thomas F. O'Connor, Jr.
Councilman Thomas M. Glavin
Councilman David G. Dillon
Councilman Andrew J. Annaldo, and
Councilman Herman C. Pitts.

Special Committee on the Observance of Christmas Day, December 25, 1984:

Councilwoman Carolyn F. Brassil
Councilman Nicholas W. Easton
Councilman David G. Dillon
Councilman Thomas F. O'Connor, Jr., and
Councilman Herman C. Pitts.

Special Committee for the Purpose of Observing St. Patrick's Day, March 17, 1984:

Councilman David G. Dillon
Councilman Thomas M. Glavin
Councilwoman Carolyn F. Brassil
Councilman Nicholas W. Easton, and
Councilman Herman C. Pitts.

Special Committee for the Purpose of Observing the Feast of St. Joseph, the Worker, 1984:

Councilwoman Evelyn V. Fagnoli
Councilwoman Josephine DiRuzzo
Councilman James A. Petrosinelli
Councilman Andrew J. Annaldo, and
Councilman Raymond Cola.

The first named member of each Committee shall have the authority to call the first meeting for the purpose of organization.

Very truly yours,
Joseph R. Paolino, Jr.
Council President

Received.

ORDINANCES SECOND READING

The following Ordinances were in City Council January 19, 1984, Read and Passed the First Time and Are Returned for Passage the Second Time:

An Ordinance Amending the Appropriation Ordinance Chapter 1983-30, Approved July 10, 1983, by Transferring the Sum of Thirty-Six Thousand Dollars (\$36,000.00) from Law Department (1-01-05-331) to Recorder of Deeds (1-09-01-121).

Be It Ordained By The City Of Providence:

Section 1. Chapter 1983-30 of the Ordinances of the City of Providence, as approved July 10, 1983, entitled: "An Ordinance making an Appropriation of One Hundred Sixty-Nine Million, Seven Hundred Ninety Six Thousand, Two Hundred Forty Dollars and Ninety Six Cents (\$169,796,240.96) for the fiscal year ending June 30, 1984, as amended", is hereby further amended by transferring the sum of Thirty Six Thousand Dollars (\$36,000.00) from Law Department (1-01-05-331) to Recorder of Deeds (1-09-01-121).

Sec. 2. This Ordinance shall take effect upon its passage.

An Ordinance in Amendment of and in Addition to Chapter 15 Sections 2-8 of the Code of Ordinances, Entitled "Motor Vehicles and Traffic".

Be It Ordained By The City Of Providence:

Section 1. Chapter 15, Sections 2 through 8 inclusive of the Code of Ordinances of the City of Providence is hereby amended and added to so as to read as follows:

"Section 15-2. PENALTIES FOR TRAFFIC VIOLATIONS.

(a) Generally. The general penalties provided for by Section 1-10 of this 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 punished by a fine as hereinafter respectively set forth:

OFFENSE	FINE
Overtime parking from 1:00 a.m. to 7:00 a.m.	\$ 5.00
Overtime parking from 7:00 a.m. to 1:00 a.m.	10.00
Parking during an emergency	50.00
Parking so as to obstruct the flow of traffic	50.00
Parking in prohibited area (no parking)	15.00
Parking within eight (8) feet of fire hydrant	15.00
Parking in a loading zone	15.00
Parking in taxi stand	15.00
Parking within twenty-five (25) feet of corner	15.00
Parking to obstruct driveway	15.00
Parking on sidewalk	15.00
Standing in prohibited areas	15.00
Double parking (more than three (3) feet from curb)	15.00
Parking in marked bus stop	15.00
Parking in excess of one foot, but not more than three (3) feet from curb	15.00

<i>OFFENSE</i>	<i>FINE</i>
Parking with left wheels to curb.....	15.00
Angle parking	15.00
Parking on marked crosswalk or within intersection	15.00
Stopping bus away from curb	15.00
Parking in a tow zone.....	50.00
Violation of moving vehicle traffic regulation.....	25.00

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

(b) Meter Violations. Where overtime parking shall occur in a metered space, it shall be a separate violation for vehicles remained parked in said space for each consecutive unit of time beyond the first unit of time, up to a maximum of two (2) violations. (Ch. 2, §197, added by Ord. 1948, Ch. 163, §9; Ord. 1956, Ch. 1033, §1; Ord. 1961, Ch. 1443, §1; Ord. 1965, Ch. 1699, §1; Ord. 1969, Ch. 69-18, §1; 5-1-69; Ord. 1971, Ch. 71-36, §§1, 2, 6-7-71; Ord. 1981, Ch. 81-33, §1, 7-8-81).

"Section 15-3. PAYMENT OF FINES — GENERALLY.

A person charged with the violation of any traffic regulation relating to stopping, standing, parking, or operation of vehicles notified in writing by a police officer to appear to answer such charge before the Providence Municipal Court, may, in lieu of such appearance, elect to appear in person or by one duly authorized by him in writing, before the clerk of said court, admit the truth of said charge, and pay to said clerk the designated fine; provided that such appearance, admission and payment be made at the office of said clerk during regular business

office hours, within fourteen (14) days of such notification, and failure to so appear shall be deemed a waiver of the right to dispose of such charge without personal appearance in court. (Ch. 2, §198, added by Ord. 1956, Ch. 1033, §2; Ord. 1962, Ch. 1456, §1; Ord. 1965, Ch. 1699, §1; Ord. 1971, Ch. 71-36, §3, 6-7-71).

"Section 15-4. SAME — PAYMENT BY MAIL.

(a) Any person charged with any violation relating to stopping, standing, parking, or operation of vehicles, except as otherwise provided, may elect to mail in said violation tag to the clerk of the Providence Municipal Court, accompanied by payment of the designated fine, and the name and address of the violator. Such privilege of paying the fine by mail shall be exercised within fourteen (14) days from the date of the offense by depositing the designated payment of such fine in a depository maintained by the United States Post Office Department for the collection of mails and the postage cancellation shall be prima facie evidence of the time of deposit.

(b) In those cases where mail is used for payment of such fine, the payment may be in cash or by check or by money order, and in those cases where payment is attempted with a check drawn against insufficient funds, an additional payment of Ten Dollars (\$10) shall be imposed against the violator to defray administrative costs. In those cases where payment is by cash, it shall be at the risk of the sender and the record of the clerk of the Municipal Court shall be conclusive as to receipt and amount of the same. (Ch. 2, §198, added by Ord. 1956, Ch. 1033, §2; Ord. 1962, Ch. 1456, §1; Ord. 1965, Ch. 1699, §1; Ord. 1971, Ch. 71-36, §4, 6-7-71).

"Section 15-5. SAME — EFFECT OF PAYMENT.

The payment of a fine to the clerk of the Municipal Court as herein provided, for the violation of a traffic regulation pertaining to

stopping, standing, parking or operation of vehicles, shall operate as a final disposition of the charge, and such proceedings shall not be deemed criminal. (Ch. 2, §198, added by Ord. 1956, Ch. 1033, §2; Ord. 1962, Ch. 1456, §1; Ord. 1965, Ch. 1699, §1).

"Section 15-6. SAME — NOTICE REQUIREMENTS.

Notice of any traffic violation to stopping, standing, parking, or operation of vehicles shall indicate the offense charged, a schedule of fines for such violation, the time within which the privilege of paying such fine by mail may be exercised, the place to which such fine may be mailed and such other information as will enable the person charged to avail himself of the provisions hereof. (Ch. 2, §198, added by Ord. 1956, Ch. 1033, §2; Ord. 1962, Ch. 1456, §1; Ord. 1965, Ch. 1699, §1).

"Section 15-7. EFFECT OF MULTIPLE VIOLATIONS RELATING TO STOPPING, STANDING, PARKING OR OPERATION.

(a) Notwithstanding anything herein contained, disposition of a traffic violation charge relating to stopping, standing, parking, or operation of vehicles without personal appearance in the Municipal Court, may not be exercised by any person who in the consecutive period of twelve (12) months next preceding such charge has been three (3) times in the aggregate adjudged guilty by the Municipal Court of any violation of any regulation relating to stopping, standing, or parking, or operation of vehicles, or has admitted the truth of charges made against him under the provisions hereof.

(b) Further, notwithstanding anything herein contained, no person shall dispose of or answer to a traffic violation charge relating to the operation of a motor vehicle except by a personal appearance in the Municipal Court in those cases where such a citation is issued for a violation relating to and preceding an accident which results in injury to a person or property damage.

In all such cases, a personal appearance must be made before a judge of the Municipal Court, who upon a plea or finding of guilty may impose any penalty authorized by ordinance or law. (Ch. 2, §198, added by Ord. 1956, Ch. 1033, §2; Ord. 1962, Ch. 1456, §1; Ord. 1965, Ch. 1699, §1).

"Section 15-8. FAILURE TO COMPLY.

Any person charged with the violation of any traffic regulation relating to stopping, standing, parking, or operation of vehicles as outlined in Section 15-2(a) of the Code of Ordinances, who fails to make payment within fourteen (14) days as required, may in the discretion of any Justice of the Providence Municipal Court, be charged an additional sum of FIVE DOLLARS (\$5) to cover administrative costs which shall be payable to the clerk of said court. (Ord. 1971, Ch. 71-36, §5, 6-7-71).

Section 15-9. NOTIFICATION OF THE ADMINISTRATIVE ADJUDICATION DIVISION OF THE STATE OF RHODE ISLAND.

Notice of the final disposition of all traffic violation charges relating to the operation of vehicles shall be transmitted to the Administrative Adjudication Division of the State of Rhode Island on a regular basis as may be required by the Administrative Adjudication Division."

Sec. 2. This Ordinance shall take effect upon its passage.

An Ordinance Amending Chapter 544 of the Code of Ordinances of the City of Providence, Entitled "An Ordinance Zoning the City of Providence and Establishing Use, Height and Area Regulations", Approved September 21, 1951, as Amended, by Adding Article VI-A, Entitled "Historic District Zoning", as Amended.

Be It Ordained By The City Of Providence:

Section 1. Chapter 544 of the Ordinances of the City of Providence, entitled, "An Ordinance Zoning the City of Providence and Establishing Use, Height and Area Regulations", approved September 21, 1951, as amended, is hereby further amended by adding Article VI-A, entitled "Historic District Zoning," as follows:

ARTICLE VI-A — Purposes.

The preservation of structures of historic and architectural value is hereby declared to be a public purpose. It is declared that the purpose of the Ordinance is to:

(a) Safeguard the heritage of this City by preserving districts in this City which reflect elements of its cultural, social, economic, political, and architectural history; (b) stabilize and improve property values in such districts; (c) foster civic beauty; (d) strengthen the local economy; (e) promote the use of historic districts for the education, pleasure and welfare of the citizens of the City.

All provisions of Chapter 544 as amended shall apply to the historic districts created hereunder, except as hereby otherwise provided, together with the additional requirements set forth herein.

B — Regulation of Structures.

No structure shall be constructed, altered or repaired, moved or demolished in any historic district established by the City Council, except in compliance with the requirements set forth in this Article.

Structures within an historic district having great historic and architectural worth and which are deemed to be so valuable that any change to their exterior appearance or their removal or destruction will be a great loss to the City, State or Nation shall be described by street and number and name, if any, and by assessor's plat and lot number on a first priority list.

Structures within an historic district deemed to

be valuable for the period of architecture they represent and important to the neighborhood within which they exist shall be described by assessor's plat and lot number on a secondary priority list.

C — Historic Districts.

(1) There is hereby created a Historic College Hill District. The boundaries of which are shown on that map entitled "Historic College Hill District", dated February 14, 1960, which map is incorporated hereto and made a part of this Ordinance.

(2) Further, there is hereby created an Historic Stimson Avenue District. The boundaries of which are shown on that map entitled "Historic Stimson Avenue District", dated September 27, 1978, which map is incorporated hereto and made a part of this ordinance; however, said "Historic Stimson Avenue District" shall in no event include Lots 6, 7, 9, and 95 on said map.

(3) Further, there is hereby created an Historic Broadway District. The boundaries of which are shown on those maps A and B entitled "Historic Broadway District", dated April 13, 1982, which maps are incorporated hereto and made a part of this Ordinance.

(4) Incorporated hereto and made a part of this Ordinance as appurtenant to each of the aforescribed "Historic College Hill District", "Historic Stimson Avenue District", and "Historic Broadway District" are a first priority list and a secondary priority list of structures within each district, said lists being appended hereto.

D — Historic District.

(1) Creation of Commission:

In order to execute the purpose declared in this Article there is hereby created a commission to be called the "Historic District Commission."

(2) Membership of Commission.

The Historic District Commission shall consist of nine (9) members who shall reside in the City of Providence. Each shall be appointed by the Mayor for a three-year term upon the expiration of the term of his or her predecessor. The Mayor shall appoint the Chairman of said commission. In the event of a vacancy on the Commission interim appointments may be made by the Mayor to fill the unexpired term of a member. Duly organized and existing preservation societies may present to the Mayor lists of qualified citizens, but the Mayor shall not be restricted to such lists in making his appointments to the Commission. The members of the Commission shall serve without compensation.

(3) Duties and Powers of the Commission.

It shall be the duty of the Commission to review all plans for the construction, alteration, repair, moving or demolition of structures in an historic district affecting the exterior appearance of any structure, and it shall have the power to pass upon such plans before a permit for such activity may be granted. In reviewing plans, the Commission shall give consideration to (a) the historic or architectural value and significance of the structure and its relationship to the historic value of the surrounding area; (b) the relationship of the exterior architectural features of such structure to the rest of the structure and to the surrounding area; (c) the general compatibility of exterior design arrangement, texture and materials proposed to be used; (d) any other factor, including aesthetic, which it deems pertinent.

The Commission shall pass only on exterior features of a structure and shall not consider interior arrangements, nor shall it disapprove applications except in regard to considerations as set forth in the previous paragraph.

It is the intent of this Article that The Commission be strict in its judgment of plans for alteration, repair or demolition of existing

structures deemed to be valuable according to studies performed by the Providence City Plan Commission. With reference to the Historic College Hill District, created as part of this Ordinance, consideration shall be given to the City Plan Commission Study of 1959, entitled "College Hill — A Demonstration Study of Historic Area Renewal."

It is the intent of this Article that the Commission shall encourage that the making of alterations and repairs to structures on priority lists be made in the spirit of their architectural style, but that additions to structures may be made in styles other than the one in which the structure was built.

In the case of an application for repair or alteration affecting the exterior appearance of a structure or for the moving or demolition of a structure on the first priority list, the Commission shall endeavor to work out with the owner an economically feasible plan for the preservation of such structure. Unless the Commission is satisfied that the retention of such structure constitutes a hazard to public safety which hazard cannot be eliminated by economic means available to the owner or unless such proposed construction, alteration and repair will not in the opinion of the Commission materially impair the historic value of said structure, the Commission shall file with the Department of Inspection and Standards, or duly delegated authority, its rejection of such application. In the absence of a change in such structure arising from casualty, no new application for the same or similar work shall be filed within one year after such rejection. Moving of a structure is to be allowed as a final alternative only if there is no other way to retain the structure on its original site.

In case of an application for repair or alteration affecting the exterior appearance of a structure or for the moving or demolition of a structure on the second priority list, the Commission may file with the Department of Inspection and Standards or other duly delegated authority its approval of such application if any of the circumstances

under which approval might have been given under the preceding paragraph are in existence of if: (a) retention of such structure is a deterrent to a major improvement program which will be of substantial benefit to the community; (b) retention of such structure would cause undue financial hardship to the owner; or (c) the retention of such structure would not be in the interest of the majority of the community. It is intended that demolition of these structures should be discouraged as their loss will be a loss to the city and the neighborhood. Moving of a structure should be encouraged as an alternative to demolition of a structure on this list if there is no other way to save the structure.

It is also the intent of this Article that the Commission shall be lenient in its judgment of plans for new construction or for alteration, repair, or demolition of structures of little historic value not shown on priority lists, except where such construction, alteration, repair or demolition would seriously impair the historic or architectural value of surrounding structure or the surrounding area. It is not the intent of this Article to limit new construction, alteration, or repair to any one period of architectural style.

The Commission shall review the priority lists at least once every five years and, if, after careful study, it deems structures on the lists not worthy for inclusion on the list, or if it deems structures not on the list worthy of inclusion on the lists, it shall make its recommendations for such changes to the City Council.

The Commission shall have the power to call in experts to aid it in its deliberations. Expenditures of the Commission shall be limited to amounts appropriated for its use.

The Commission shall have the power to issue a Certificate of Approval if it approves of the plans submitted to it for its review, or may reject plans if it feels they do not meet the requirements set forth in this Article. The Department of Inspection and Standards shall not issue a building permit until such Certificate of Approval has been issued by the Commission.

(4) Rules of the Commission.

The Historic District Commission shall elect from its membership a Vice-Chairman, whose term of office shall be fixed by the Commission. The Chairman shall preside over the Commission and shall have the right to vote. The Vice-Chairman shall, in case of absence or disability of the Chairman, perform the duties of the Chairman.

The Commission shall have assigned to it a secretary who may be an employee of the City Plan Commission. The secretary shall keep a record of all resolutions, proceedings and actions of the Historic District Commission.

At least five members of the Commission shall constitute a quorum for the transaction of its business. The Commission shall adopt rules for the transaction of its business which shall provide for the time and place of holding regular meetings. They shall provide for the calling of special meetings by the Chairman or by at least three members of the Commission. All meetings of the Commission shall be open to the public, and any person or his duly constituted representative shall be entitled to appear and be heard on any matter before the Commission before it reaches its decision.

The Commission shall keep a record, which shall be open to public inspection, of its resolutions, proceedings and actions. The concurring vote of five members shall constitute approval of plans before it for review, or for the adoption of any resolution, motion, or other action of the Commission. The concurring vote of five (5) members shall be necessary for disapproval. The Commission shall submit an annual report of its activities to the Mayor and City Council.

E — Procedure for Review of Plans.

Application for a permit to build, alter, repair, move, demolish or make any addition to any structure, which affects its exterior appearance in any historic district shall be made to the Director of Inspection and Standards. The applications

shall state whether the property is in an historic district.

Plans shall be submitted showing the structure in question and also showing its relationship to adjacent structures as required by present or future Ordinances. Upon the filing of such application, the Director of Inspection and Standards shall transmit it, together with accompanying plans and other information to the Commission.

The Historic District Commission shall meet within fifteen (15) days after its receipt of said application, unless otherwise mutually agreed upon by the applicant and Commission, and shall review the plans, the Commission may confer with the applicant for the building permit and shall confer with the applicant before disapproving the application.

The Commission shall approve or disapprove such plans and, if approved, shall issue a Certificate of Approval, which is to be signed by the Chairman or Vice-Chairman, attached to the application for a building permit and immediately transmitted to the Director of Inspection and Standards. The Chairman or Vice-Chairman shall also stamp all prints submitted to the Commission, signifying its approval. If the Commission disapproves of such plans, it shall state its reasons for doing so and shall transmit a record of such action and reasons therefore in writing signed by the Chairman or Vice-Chairman to the Director of Inspection and Standards and to the applicant. The Commission may advise the applicant what it thinks is proper before it disapproves of the plans submitted. The applicant, if he so desires, may make suggested modifications to his plans and the Commission shall thereupon approve them.

The failure of the Historic District Commission to approve or disapprove of such plans within forty-five days from the date application has been filed with it for the building permit, unless otherwise mutually agreed upon by the applicant and Commission, shall be deemed to constitute

approval. The Commission shall forthwith transfer all papers to the Director of Inspection and Standards, and the Director of Inspection and Standards shall process the application without regard to a Certificate of Approval.

After a building permit is granted as herein provided, the Director of Inspection and Standards shall from time to time inspect the construction, alteration, or repair and shall take such action as is necessary to ensure compliance with the plans.

F — Demolition or Moving of Historic Structures.

The demolition or moving of structures of historic or architectural worth shall be discouraged and the priority lists included in this Article shall serve as a guide for judgment or plans for demolition or moving by the Historic District Commission.

In cases where approval for demolition is granted, for reasons other than public health, improvement, interest, or safety, such certificate shall not become effective until two (2) months after the date of such issuance in order to provide a period of time within which it may be possible to relieve a hardship or to cause the property to be transferred to another owner who will retain or move the structure.

G — Yard Variances.

Due to peculiar conditions of design and construction in historic neighborhoods where structures were often built too close to the lot lines, it is the public interest to retain a neighborhood's historic appearance by making variances or exceptions to normal yard requirements. Where it is deemed that such variance or exceptions will not adversely affect neighboring properties, the Commission may recommend to the Zoning Board of Review that such variance or exception to standard yard requirements be made.

H — Exceptions.

Nothing in this Article shall be construed to prevent ordinary maintenance or repair of any structure within the Historic District; nor shall anything in this Article be construed to prevent the construction, alteration, repair, moving or demolition of any structure under a permit issued by the Director of Inspection and Standards prior to the passage of the within Article.

I — Appeals.

Any person or persons jointly or severally aggrieved by a decision of the Historic District Commission shall have the right to appeal concerning such decision to the Zoning Board of Review, and a further right of appeal from the Zoning Board to the Supreme Court by writ of certiorari.

The concurrent vote of four members of the Zoning Board of Review shall be required for any decision upon said appeal. Said appeal shall be claimed within thirty (30) days after notification that the Historic District Commission has disapproved the plan submitted to it or any revisions thereof.

The applicant shall file in the office of the Department of Inspection and Standards a claim of appeal from the decision of said Commission to the Zoning Board of Review. Upon the filing of such appeal, the Director of Inspection and Standards shall forthwith forward all papers in the proceedings to the Zoning Board of Review, and shall notify the Commission of the taking of such appeal.

The Zoning Board of Review shall hear such appeal de novo, as if the proceedings had been originally commenced before the Zoning Board of Review as a petition for an exception or variance of Chapter 544, as amended.

An appeal fee of Seventy-Five (\$75.00) Dollars shall be paid upon taking an appeal to the Zoning Board of Review to cover the costs of advertising said appeal.

The Zoning Board of Reveiw shall be guided by all of the provisions of the within Article in passing upon said appeal. Appeals from the decision of the Zoning Board of Review shall follow the same procedure provided for in Chapter 544, as amended, as Section 45 of the General Laws of Rhode Island, 1956 as amended.

J — This Article in Addition to other Ordinances.

This Article shall be subject and in addition to all zoning and building Ordinances of the City as now or hereafter adopted.

K- Partial Invalidity of said Ordinance.

This Ordinance shall take effect upon its passage. If any clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of any other clause, provision or portion of this Ordinance.

An Ordinance Amending Section 1 of Chapter 103 of the Ordinances of the City of Providence, 1948, Entitled: An Ordinance Designating 17 Areas of Land in the City of Providence as Redevelopment Areas in Accordance with the Provisions of Section 22 of Chapter 1802 of the Public Laws, 1946, Known as the "Community Redevelopment Act", as Amended for the West River Project.

Be It Ordained By The City Of Providence:

1. Section 1 of Chapter 103 of the Ordinances of the City of Providence 1948, entitled, "An Ordinance Designating 17 Areas of Land in the City of Providence as Redevelopment Areas in Accordance with the Provisions of Section 22 of Chapter 1802 of the Public Laws, 1946, known as the "Community Redevelopment Act" as amended is hereby further amended as follows:

A. Insert the following area description at the end of the area description set forth under the heading "Redevelopment Area D-7":

That certain parcel of land situated on the westerly side of Interstate Route 95, southerly side of the City Line of the City of Pawtucket, southerly side of Selkirk Street, easterly side of Smithfield Avenue and the easterly side of Silver Spring Street in the City of Providence, County of Providence, State of Rhode Island being bounded and described as follows:

Beginning at the northerly side of Branch Ave., at the intersection of the southeasterly lot line of Lot 173 on A.P. 72.

Thence running in a northerly direction along the easterly side of Lot 173 on A.P. 72, approximately 1,554 ft. to its intersection with Lot 1 on A.P. 1.

Thence turning and running in a northeasterly direction along the easterly side of Lot 1 on A.P. 1 to its intersection with Lot 228 on A.P. 75 approximately 1,820 ft.

Thence running in a northeasterly direction along the easterly side of Lot 228 on A.P. 75 to its intersection with the Providence-Pawtucket City Line.

Thence turning and running in a westerly, northwesterly direction along the Providence-Pawtucket City Line to its intersection with the easterly side of Smithfield Ave.

Thence turning and running in a southerly direction along the easterly side of Smithfield Ave. to its intersection with the easterly side of Silver Spring St.

Thence turning and running in a southwesterly direction along the easterly side of Silver Spring St. to its intersection with the northerly side of Branch Ave.

Thence turning and running in a northwesterly

direction along the northerly side of Branch Ave. to its intersection with the westerly side of Silver Spring St.

Thence turning and running in a southwesterly direction along the westerly side of Silver Spring St. to its intersection with the westerly extension of the southerly line of Lot 250 on A.P. 74.

Thence turning and running in an easterly direction along the extension and along the southerly line of Lot 250 on A.P. 74 to its intersection with Lot 56 on A.P. 74.

Thence running along the extension of Lot 250 on A.P. 74, to the westerly side of Lot 56 on A.P. 74.

Thence turning and running in a northerly direction along the westerly side of Lot 56 on A.P. 74 to the southerly side of Branch Ave.

Thence running along an extension of the easterly side of Lot 56 on A.P. 74 to the northerly side of Branch Ave.

Thence turning and running in a westerly direction along the northerly side of Branch Ave. to its intersection with the southeasterly corner of Lot 173 on A.P. 72 to its point and place of beginning.

Sec. 2. This Ordinance shall take effect upon the passage.

An Ordinance in Amendment of and in Addition to Chapter 1044 of the Ordinances of the City of Providence, Approved July 12, 1956, and entitled, "An Ordinance Approving and Adopting the Official Redevelopment Plan for the West River Project No. UR R.I. 1-6" for the additional Acquisition and Expansion of Project Area, as Amended.

Be It Ordained By The City of Providence:

1. That Chapter 1044 of the Ordinance of the City of Providence approved July 12, 1956 and entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for the West River Project No. UR R.I. 1-6" as amended by Chapter 1142 of the Ordinance of the City of Providence, approved September 6, 1957, as amended by Chapter 1191 of the Ordinance of the City of Providence, approved March 21, 1958, as amended by Chapter 1249 of the Ordinance of the City of Providence, approved February 6, 1959, as amended by Chapter 1250 of the Ordinance of the City of Providence, approved February 20, 1959, as amended by Chapter 1366 of the Ordinance of the City of Providence, approved October 7, 1960, as amended by Chapter 1666 of the Ordinance of the City of Providence, approved December 4, 1964, as amended by Chapter 1972-45 of the Ordinance of the City of Providence, approved September 11, 1972 and as amended by Chapter 1974-10 of the Ordinance of the City of Providence, approved March 22, 1974, be and the same is hereby further amended as follows:

A. The following Section entitled "Description of the Expanded Project Area" shall be added to the last paragraph of Section 1, entitled "Project Area Boundary" under Chapter A entitled "Description of Project Area" as contained in and set forth in Pages 1 to 10 of that certain booklet entitled "West River, Official Redevelopment Plan" which is a part of the aforementioned Ordinance:

"Description of the Expanded Project Area"

Beginning at the northerly corner of the tract herein described, said corner being the intersection of the westerly line of West River Street and the northerly face of the southerly wall of the West River;

Thence running in a northerly direction along the westerly side of West River Street to the northerly side of Branch Ave.;

Thence turning and running in a westerly direction along the northerly side of Branch Avenue to the southwesterly corner of Lot 173 on A.P. 72;

Thence turning and running in a northerly direction along the westerly side of Lot 173 on A.P. 72 to its intersection with the southeasterly lot line of Lot 55 on A.P. 1;

Thence turning and running northerly along the southeasterly lot line of Lot 55 on A.P. 1 to its intersection with the southeasterly corner of Lot 67 on A.P. 1;

Thence running in a northerly direction along the easterly lot line of Lot 67 on A.P. 1 to the Providence-Pawtucket City Line;

Thence turning and running westerly and northwesterly along the Providence-Pawtucket City Line to its intersection with the northwesterly corner of Lot 66 on A.P. 1;

Thence turning and running southerly along the westerly lot line of Lot 66 on A.P. 1 to its intersection with the northwesterly corner of Lot 56 on A.P. 1;

Thence running southerly along the westerly side of Lot 56 on A.P. 1 to its intersection with the northwesterly corner of Lot 63 on A.P. 1;

Thence running southerly along the westerly lot line of Lot 63 on A.P. 1 to its intersection with the northwesterly corner of Lot 169 on A.P. 72;

Thence running southerly along the westerly lot line of Lot 169 on A.P. 72 to its intersection with the easterly extension line of the northerly lot line of Lot 159 on A.P. 72;

Thence turning and running in a westerly direction along the easterly extension line of the northerly lot line of Lot 159 on A.P. 72 and the northerly lot line of Lot 159 on A.P. 72 to its intersection with the easterly side of Silver Spring St.;

Thence turning and running in a southeasterly direction along the westerly lot line of Lot 159 on A.P. 72 to its intersection with the northwesterly corner of Lot 516 on A.P. 72;

Thence turning and running easterly along the northerly lot line of Lot 516 on A.P. 72 to its intersection with the northeasterly corner of Lot 516 on A.P. 72;

Thence turning and running southerly along the easterly lot lines of Lot 516, Lot 8, and Lot 530 on A.P. 72 to the westerly side of Silver Spring St.;

Thence running southerly along the easterly side of Silver Spring St. to its intersection with the southerly side of Branch Ave. and the easterly side of Ianthe St.;

Thence running southerly along the easterly side of Ianthe St., to its intersection with the northerly line of Lot 250 on A.P. 74;

Thence turning and running southwestery and northwesterly along the northerly side of Lot 50 on A.P. 74 to its intersection with the easterly side of Silver Spring St.;

Thence turning and running southwestery along the easterly side of Silver Spring St. to its intersection with the southwest corner of Lot 250 on A.P. 74;

Thence turning and running easterly along the southerly lot line of Lot 250 on A.P. 74 to its intersection with the southeasterly corner of Lot 250 on A.P. 74;

Thence running easterly along the southerly lot line of Lot 48 on A.P. 74 to its intersection with the westerly lot line of Lot 56 on A.P. 74;

Thence turning and running southerly along the westerly lot line of Lot 56 on A.P. 74 to its intersection with the southwestery corner of Lot 56 on A.P. 74;

Thence turning and running easterly along the

lot lines of Lot 56 and Lot 338 on A.P. 74 to its intersection with the southeasterly corner of Lot 338 on A.P. 74;

Thence turning and running northerly along the easterly lot line of Lot 338 to its intersection with the northeasterly corner of Lot 338 on A.P. 74;

Thence turning and running westerly along the northerly lot line of Lot 338 on A.P. 74 to its intersection with the southwestery corner of Lot 211 on A.P. 74;

Thence turning and running northerly along the westerly lot line of Lot 211 to its intersection with the southerly side of the West River;

Thence turning and running northeasterly along the southerly side of the West River to its intersection with the easterly lot line of Lot 211 on A.P. 74;

Thence running northeasterly along the southerly side of the West River to the point and place of beginning.

B. Add the following Section 3. entitled "Establishment of Redevelopment Area" after Section 2 entitled "Eligibility Statement" under Chapter A in Page 10 of the Official Redevelopment Plan which is part of the aforementioned Ordinance:

3. *Establishment of Redevelopment Area*

The expanded Project Area is located within the D-7 redevelopment area which has been designated by Chapter 103 of the Ordinance of the City of Providence approved July 6, 1948, entitled, "An Ordinance Designating 17 Areas of Land in the City of Providence as Redevelopment Areas in accordance with the Provisions of Section 22 of the Chapter 1802 of the Public Laws, 1946", known as the "Community Redevelopment Act" as amended to-date.

C. Add the following sentence "b" after

sentence "a" under Chapter B, Section 1. entitled "Project Area Plan" in Page 10 of the Official Redevelopment Plan which is part of the aforementioned Ordinance:

b. The expanded project area is shown on Map A entitled "*Existing Land Use and Zoning*" dated July, 1983.

D. Add the following paragraph "c" after "b" under Chapter B, Section 3, entitled "Zoning Plan" in Page 10 of the Official Redevelopment Plan which is part of the aforementioned Ordinance:

c. No zoning change is proposed for the expanded project area. The existing zoning classification within the expanded project area is shown on Map A entitled "*Existing Land use and Zoning*" dated July, 1983.

E. Title "a. Permitted Uses" under Chapter B, Section 4 entitled "Regulations and Controls to be Applied" in Page 10 of the Official Redevelopment Plan which is part of the aforementioned ordinance be deleted and substitute the following title:

a. Permitted Uses for the Project Area excluding the expanded Project Area.

F. Add the following paragraph "b" after paragraph "a" under Chapter B, Section 4 entitled "Regulations and Controls to be Applied" in Page 10 of the Official Redevelopment Plan which is part of the aforementioned Ordinance:

b. Permitted Uses for the Expanded Project Area.

M-1 General Industrial uses of the City of Providence Zoning Ordinance shall be the only uses permitted within the expanded project area as described in Chapter A except for the following uses:

(1) Animal hospital or kennels

(2) Automobile assembling, painting, upholstering, rebuilding, reconditioning, truck repairing or overhauling, tire retreading or recapping, battery manufacture

(3) Automobile or machinery wrecking

(4) Body or fender works

(5) Building material sales yards, including the sale of lumber, rock, sand and gravel as an incidental part of the main business, but excluding concrete mixing

(6) Contractor's equipment storage yard or plant or rental of equipment commonly used by contractors

(7) Draying, freighting or trucking yard or terminal

(8) Feed or fuel yard

(9) Junkyard, storage, sorting, collecting or bailing of rags, paper, metal or junk

(10) Public utility service yard or electrical receiving or transforming stations

(11) Small boat storage and building, except shipbuilding

(12) Stone cutting

(13) Storage and sale of petroleum and petroleum products in quantities not exceeding 21,000 gallons

(14) Warehousing and wholesale merchandise storage, as a principal use.

G. Add the following paragraphs after the last paragraph under Section 2 entitled "Method of Land Acquisition" in Page 18 of the Official Redevelopment Plan which is part of the aforementioned Ordinance:

Acquisition of property within the expanded

project area will be justified in accordance with the Community Redevelopment Act and must be approved by the Agency and the City Council as part of this Plan.

Properties identified for acquisition and disposition will be designated to meet the goals and objectives of this Plan as delineated on Map B entitled "*Proposed Acquisition and Disposition*" dated July, 1983.

H. Add the following paragraph (7) under Chapter D. entitled "Site Preparation Plan" in Page 17 of the Official Redevelopment Plan which is part of the aforementioned Ordinance:

(7) Site improvements may be provided within the expanded project area in accordance with disposition. General site improvements are delineated on Map C entitled, "*Proposed Site Improvement*" dated July, 1983.

I. Add the following Section 4A entitled "*Estimated Additional Cost of Redevelopment and Method of Financing for the Expanded Project Area*" after the last paragraph of Section 4 entitled "Method of Financing" under Chapter E entitled "Other Provisions Necessary to Meet State and Local Requirements", as contained in and set forth in Page 20 of the Official Redevelopment Plan which is part of the aforementioned Ordinance:

4A. *Estimated Additional Cost of Redevelopment and Method of Financing for the Expanded Project Area*

The estimated gross project cost of \$3,286,000. for the expanded project area will be provided from proceeds from the sale of long-term general obligation bonds issued by the City of Providence for redevelopment purposes.

J. Chapter G entitled "Changes in Approved Plan" as contained in and set forth in Page 20 of the Official Redevelopment Plan which is part of the aforementioned Ordinance be and the same is hereby deleted and the following substituted therefore:

G. *PROCEDURE FOR CHANGES IN APPROVED PLAN*

The City Council at its own discretion, or upon recommendation of the Agency, may modify this Plan at any time, and shall, where mandated by law, or may, at its discretion, hold a Public Hearing on such proposed modification, provided that if the Plan is modified after lease or sale by the Agency of real property in the Area, such modification shall be subject to such rights of law and in equity as the lessee or purchaser or his/her successor or successor's in interest may be entitled to assert.

K. Due to the revision of project boundary to include the expanded project area the following maps of the aforementioned Official Redevelopment Plan, which is part of the aforementioned Ordinance, hereinafter identified are deleted:

Map 1 Project Area Plan

Map 2 Right-of-way Adjustment

Map 3 Existing Zoning

Map 4 Sanitary Sewers

Map 5 Storm Drainage

Map 6 Water System

Map 7 Publicly Owned Facilities — Traffic, Police, Fire

Map 8 Private Utility Adjustments — Electric

Map 9 Private Utility Adjustments — Telephone

Map 10 Private Utility Adjustments — Gas

Map 11 Grading and Special Site Improvements

L. Insert the following maps in its stead:

Map 1 Project Area Plan, dated July, 1983

Map 2 Right-of-way Adjustment, dated July, 1983

Map 3 Existing Zoning, dated July, 1983

Map 4 Sanitary Sewers, dated July, 1983

Map 5 Storm Drainage, dated July, 1983

Map 6 Water System, dated July, 1983

Map 7 Publicly owned facilities — Traffic, Police, Fire, dated July, 1983

Map 8 Private Utility Adjustments — Electric, dated July, 1983

Map 9 Private Utility Adjustments — Telephone, dated July, 1983

Map 10 Private Utility Adjustments — Gas, dated July, 1983

Map 11 Grading and Special Site Improvements, dated July, 1983

M. For the expanded project area the following maps shall be added to the Official Redevelopment Plan:

1. Map A "Existing Land Use and Zoning" dated July, 1983.

2. Map B "Proposed Acquisition and Disposition" dated July, 1983.

3. Map C "Proposed Site Improvement" dated July, 1983.

N. Add the following paragraphs (10) and (11) after paragraph (9) of Section i entitled "Miscellaneous Provisions" under Section 4 entitled "Regulations and Controls to be Applied" as contained in and set forth in Page 15 of the Official Redevelopment Plan which is part of the aforementioned Ordinance:

(10) For any expanded project area this Redevelopment Plan including all conditions, restrictions, regulations, parcel controls and covenants running with the land shall be in full force and effect for a period of forty (40) years commencing on the date of its adoption of the plan amendment for that expanded project area by the City Council.

(11) Prior to purchase of property, the developer shall furnish the Providence Redevelopment Agency with a certificate prepared by a qualified registered engineer which states that the proposed operation of the plant conforms to Local and State Performance Standards. Such certification shall include a description of industrial operations sufficient in detail to indicate the effects of these operations in producing noise, vibration, smoke and other forms of air pollution, liquid or solid waste, odors, toxic gases, and heat and glare. A copy of such certification shall be submitted to the Department of Building Inspection of the City of Providence.

2. That said Chapter 1044 of the Ordinances of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other aspects.

Hiring Practices.

O. Hiring Practices after the last paragraph of Section N as contained in and set forth on the appropriate page of the Official Redevelopment Plan which is part of the aforementioned Ordinance. Further add the following Sections (1), (2), (3), (4) A, B, C (5), (6), (7), (8) after the last sentence in Section O.

1. Goals.

There is a very high rate of unemployment in the City of Providence among both white and minority residents;

The subsequent multiplier effect of this high level of unemployment has a direct and

deleterious effect upon all the neighborhoods of the City of Providence, resulting in the physical deterioration of neighborhoods, vandalism and crime;

The City of Providence expends Millions of dollars in contracts, part of this money derived from taxes paid by City residents;

Many workers employed on such projects are individuals who do not reside in the City of Providence;

Black, Hispanic, Asian and native American residents of the City of Providence as well as female residents have historically been systematically excluded from the construction trades and unions in the City of Providence;

2. Definitions.

The following words as used in this Ordinance shall, unless the context otherwise requires, have the following meanings:

"Minority person" shall include those persons who are Black, Hispanic, Asian, or native American.

"Resident" is any person for whom the principal place where that person normally eats and sleeps and maintains his or her normal personal and household effects is within the City limits for the City of Providence.

"Agency" shall mean Providence Redevelopment Agency.

3. Policy.

(a) On the West River Project the worker hours on a craft-by-craft basis shall be performed, in accordance with the contract documents provided for in Section (b) below as follows:

a. at least fifty percent of the total employee manhours in each trade shall be by *bona fide* Providence residents;

b. at least twenty-five percent of the total employee manhours in each trade shall be by minorities;

c. at least ten percent of the total employee manhours in each trade shall be by women.

For purposes of this paragraph, worker hours shall include work performed by persons filling apprenticeship and on-the-job training positions.

(b) In order to insure compliance with the Ordinance, the provisions of this Ordinance shall be included by the Agency in all contracts with any private corporation or individual for construction projects covered by this Ordinance.

4. Compliance, Enforcement, Sanctions.

(A). The Agency, as defined in Section 2, shall be designated as responsible for the planning, implementation and enforcement of this Ordinance, and shall have the following duties:

Planning and Implementation.

Prior to the commencement of the project, or capital works, covered by this Ordinance, the Agency shall:

(1) review spending plans for such project;

(2) identify the number of job positions to be created by the project, upon completion of previous steps, the Providence Human Relations Commission shall take the following actions;

(1) in conjunction with appropriate unions and their existing collective bargaining agreements, recruit employees and arrange for training through established union apprenticeship programs; and

(2) establish a job screening and referral mechanism which shall refer City residents, minorities, and women to contractors and subcontractors to enable such contractors and subcontractors to comply with this Ordinance.

(B). The Agency shall be responsible for enforcing and monitoring compliance with the provisions of this Ordinance and the contract provisions established in accordance therewith shall have the following duties:

(1) to require all contractors and sub-contractors affected by this Ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race. These charts shall be public records.

(2) to negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, hiring dates, duration and training.

(3) to register all interested community-based organizations, and notify such organizations of any pre-bid or pre-construction conferences between the Agency and contractor relating to hiring requirements and goals as stated herein.

(C). The Agency shall have the power, by means of the contract provisions referred to in Section (3) above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this Ordinance. Such sanctions shall include, but not be limited to: i) suspension of payments, ii) termination of the contract, iii) recovery by the City of 10% of the contract award price as liquidated damages, and iv) denial of right to participate in future projects for up to three years.

5. *Liaison Committee.*

The Agency shall establish a liaison committee which shall meet monthly, in a forum open to the public, to review the Agency's reports, monitor compliance with the provisions of the Ordinance, and make recommendations to the Agency and the City Council regarding enforcement of this Ordinance. The agency shall accept nominations of up to three persons from any of the interested groups including, but not limited to: Union Contractors, Non-Union Contractors, State

Office of Minority Business Assistance, Contractor Association of Rhode Island, Training Agency Personnel, Human Rights Activist Groups, Women's Organizations, Community Based Organizations and the Providence Chamber of Commerce. The Agency shall thereafter select one person from those nominations submitted by each organization to serve without compensation for a term of two years. This nomination and selection process shall be used to fill any vacancy.

6. *Training Program.*

The City of Providence shall establish or cause to be established, either independently or in concert with craft unions and construction contractors, job training programs to train minorities, Providence residents, and women for skilled or semi-skilled construction jobs. These programs shall be supervised by the Agency.

7. *Fines.*

Any person who provides false information regarding his or her residence address shall be subject to a fine of not more than \$200.

8. *Independent Agencies.*

Any and all activities of any independent agency, operating or acting on behalf of the City of Providence, including but not limited to, the Providence Redevelopment Agency shall comply with the provisions of this Ordinance.

9. This Ordinance shall take effect upon its passage.

Separability: The unconstitutionality or invalidity of any section or part thereof of this Ordinance and amendments thereto shall not invalidate or impair the validity, force or effect of any other section or part thereof unless it clearly appears from the context that such other section or part thereof is wholly and necessarily dependent for its operation upon the section or part thereof held unconstitutional or invalid.

Severally Read and Collectively Passed the Second Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON by the following Roll Call Vote:

Ayes: Council President Paolino and Councilman Annaldo, Councilwoman Bras-sil, Councilman Dillon, Councilwoman Di-Ruzzo, Councilman Easton, Councilwoman Fargnoli, Councilmen Glavin, Griffin,

O'Connor, Petrosinelli, Pitts and Stravato—13.

Absent: Councilmen Cola and Farmer—2.

The motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCES

COUNCIL PRESIDENT PAOLINO:

An Ordinance in Amendment of and in Addition to Sec. 17-7 of the Code of Ordinances of the City of Providence, entitled: "Employees to be Residents: Exceptions".

Referred to Committee on Ordinances, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

COUNCILMAN FARMER (By Request):

An Ordinance Amending the Appropriation Ordinance Chapter 1983-30 Approved July 10, 1983, by Transferring the Sum of Twelve Thousand Dollars (\$12,000.00) from the Public Works Highway (1-005-08-142) Repair to Auto and

Truck Account to Public Works Highway (1-005-08-512) Trucks and Tractors.

An Ordinance Amending the Appropriation Ordinance Chapter 1983-30 approved July 10, 1983, by transferring the Sum of One Hundred Twenty Five Thousand Dollars (\$125,000.00) from Debt Service Interest Account (1-012-02-312) to Recreation — Seasonal Payroll Account (1-006-02-002), as Amended.

Severally Referred to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT PRO TEMPORE STRAVATO:

Resolution expressing the Best Wishes of the Members of the City Council to Jacqueline Walton for a Complete and Speedy Recovery from Her Recent Injuries.

Resolved, That the Best Wishes of the Members of the City Council are expressed to Jacqueline Walton for a Complete and Speedy Recovery from Her Recent Injuries.

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

The motion for Passage is Sustained.

COUNCILMAN ANNALDO:

Resolution Authorizing the City Council of the City of Providence, as a whole, to cause to be performed, a review into the Providence School Department relative to the study report, which indicated the Providence School System may not be meeting the needs of the public welfare of the community in regards to education of its children.

COUNCILWOMAN DiRUZZO:

Resolution Requesting the President of the City Council to appoint a Three Member Committee, consisting of Members of the City Council, to meet with the School Board and the

Superintendent of Schools with regard to the Providence School System.

Severally Referred to Committee on Ordinances, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

COUNCILWOMAN BRASSIL (By Request):

Resolution requesting the Traffic Engineer to increase the parking time allotted at the parking meters along Empire Street to one hour, at the rate of Twenty-Five Cents (25¢) per fifteen minutes.

Referred to Committee on Public Works, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

COUNCILMAN DILLON:

Resolution requesting the General Assembly to repeal certain provisions of the State Budget attaching Providence's State Aid to Education due to the City's inability to collect sewer use fees.

Referred to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

COUNCIL PRESIDENT PAOLINO relinquishes the Chair to **COUNCIL PRESIDENT PRO TEMPORE STRAVATO**.

COUNCIL PRESIDENT PRO TEMPORE STRAVATO in the Chair.

COUNCILMAN DILLON, COUNCIL PRESIDENT PAOLINO, COUNCILWOMAN BRASSIL, COUNCILMAN EASTON and COUNCILMAN GLAVIN:

Resolution Requesting the City Treasurer to withhold City deposits from those banks which charge the Two Dollar (\$2.00) fee for check cashing.

Resolved, That the City Treasurer is requested to withhold City deposits from those banks which

charge the Two Dollar (\$2.00) fee for check cashing.

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

The motion for Passage is Sustained.

COUNCIL PRESIDENT PRO TEMPORE STRAVATO relinquishes the Chair to **COUNCIL PRESIDENT PAOLINO**.

COUNCIL PRESIDENT PAOLINO in the Chair.

COUNCILWOMAN DiRUZZO:

Resolution expressing the Best Wishes of the Members of the City Council to Nick Romano for a Complete and Speedy Recovery from His Recent Illness.

Resolved, That the Best Wishes of the Members of the City Council are expressed to Nick Romano for a Complete and Speedy Recovery from His Recent Illness.

Resolution requesting the Traffic Engineer to cause "No Parking" regulations to be invoked along the westerly side of Priscilla Avenue, from Union Avenue to Sterling Avenue.

Resolved, That the Traffic Engineer is requested to cause "No parking" regulations to be invoked along the westerly side of Priscilla Avenue, from Union Avenue to Sterling Avenue.

COUNCILMAN EASTON:**Resolution requesting the Chief Electrical Inspector to replace the existing street lights along Sackett Street with High Pressure Sodium Vapor Lights.**

Resolved, That the Chief Electrical Inspector is requested to replace the existing street lights along Sackett Street with High Pressure Sodium Vapor Lights.

COUNCILWOMAN FARGNOLI:

Resolution Requesting Department Heads to Provide Methods of Economizing their Operations.

Whereas, The 1983-84 Fiscal Year is over one-half completed, and

Whereas, The City is in the process of preparing the 1984-85 operating budget, and

Whereas, The taxpayers in Providence are faced with the highest relative tax burden in the State, and

Whereas, The inflation rate for 1983 was less than 5% and the expected inflation rate for 1984 is in the same range,

Now, Therefore, Be It Resolved, That all City Department heads make it a high priority in their budget requests to remember the fiscal demands on the taxpayer and the low inflation rate, and

Be It Further Resolved, That all Department Heads prepare a memo for the City Council outlining the projected management techniques which are being used and which will be used to economize each department and to provide the expected amount of savings.

COUNCILWOMAN FARGNOLI and COUNCILMAN ANNALDO:

Resolution requesting that the Finance Director furnish all the facts and statistics concerning the Sewer Use Fee available to the Finance Committee for review.

Resolved, That the Finance Director is requested to furnish all the facts and statistics concerning the Sewer Use Fee available to the Finance Committee for review.

Severally Read and Collectively Passed, on motion of COUNCILMAN GALVIN, seconded by COUNCILMAN DILLON.

The motion for Passage is Sustained.

COUNCILMAN FARMER (By Request):

Resolution Reporting Receipts of Certain Gifts of Monies by the Board of Park Commissioners for the Preservation and Care of Specified Burial Lots in North Burial Ground.

Referred to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

COUNCILMAN GLAVIN:

Resolution endorsing Senate Bills 84-S 34 and 84-S 83 relating to Financial Institutions.

Resolved, That the Providence City Council hereby endorses and urges immediate passage of the Senate Bills, 84-S 34 and 84-S 83 presently

pending before the Committee on Corporations, which would prohibit unfair and arbitrary check cashing fees.

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

The motion for Passage is Sustained.

COUNCILMAN GLAVIN and COUNCILMAN DILLON (By Request):

Resolution authorizing and directing the City Treasurer, acting under the direction of the Committee on Finance, to borrow from time to time, in such sums as may be necessary, not exceeding One Million Dollars (\$1,000,000), to be used exclusively for carrying out the Official Redevelopment Plan for the Port Project.

Resolution authorizing and directing the City Treasurer, acting under the direction of the Committee on Finance, to borrow from time to time, in such sums as may be necessary, not exceeding One Million Two Hundred Thousand Dollars (\$1,200,000), to be used exclusively for carrying out the Official Redevelopment Plan for the Upper South Providence Redevelopment Project.

Severally Referred to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

COUNCILMAN PITTS:

Resolution Requesting the Traffic Engineer to increase the parking time allotted at the Parking Meters along Empire Street to One Hour at the rate of Twenty-Five Cents (25¢) per hour.

Resolution Requesting the Traffic Engineer to Allow One Hour Parking, where it is deemed appropriate, with a Maximum Fee at Parking Meters of Fifty Cents (\$.50).

COUNCILMAN DILLON moves the Resolutions be Severally Referred to Committee on Public Works.

This motion is seconded by COUNCILWOMAN FARGNOLI.

COUNCILMAN PITTS moves the Resolutions be Severally Read and Collectively Passed.

This motion is seconded by COUNCILMAN EASTON.

The motion to Refer having precedence over the Main Motion for Passage is Put to Vote and Passed by a Voice Vote.

The motion to Refer is Sustained.

Resolution Requesting the Chief of the Providence Police Department to enforce the provisions of Sec. 23-13 and Sec. 23-15 relative to the Removal of Snow and Depositing Snow on the Highway.

Resolved, That the Chief of the Providence

Police Department is requested to enforce the provisions of Sec. 23-13 and Sec. 23-15, relative to the Removal of Snow and Depositing Snow on the Highway.

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

The motion for Passage is Sustained.

REPORTS FROM COMMITTEES

COUNCILMAN ANDREW J. ANNALDO, Chairman COMMITTEE ON CITY PROPERTY

Transmits the following with recommendation of Adoption:

Resolution authorizing His Honor the Mayor, to enter into a Sales Agreement with Alternate Housing Associates for the purchase of the former Lexington Avenue School land.

Resolved, That His Honor the Mayor is hereby authorized to execute a deed of conveyance to Alternate Housing Associates, 861 A Broad Street, Providence, Rhode Island 02907, of Lot 54, as set out and delineated on City Assessor's Plat 52, being land of the former Lexington Avenue School, for a price of Thirteen Thousand, Two Hundred Thirty-One Dollars (\$13,231.00) said lot containing approximately 23,984 square feet of land, more or less, such conveyance shall be subject to such terms and conditions as the Mayor and the City Solicitor shall impose, and

Be It Further Resolved, That Resolution No. 2, approved January 15, 1982, authorizing the conveyance of the Lexington Avenue School to

Project Persona for the sum of Ten Thousand Dollars, is hereby rescinded.

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

Ayes: Council President Paolino and Councilman Annaldo, Councilwoman Bras-sil, Councilman Dillon, Councilwoman Di-Ruzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Glavin, Griffin, O'Connor, Petrosinelli, Pitts and Stravato—13.

Absent: Councilmen Cola and Farmer—2.

The motion for Passage is Sustained.

**COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman
COMMITTEE ON FINANCE**

Transmits the following with Recommendation, the Same be Severally Adopted:

An Ordinance in Amendment of and in Addition to Chapter 26 of the Code of Ordinances of the City of Providence, entitled: "Weights and Measures".

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

Ayes: Council President Paolino and Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Glavin, Griffin, O'Connor, Petrosinelli, Pitts and Stravato—13.

Absent: Councilmen Cola and Farmer—2.

The motion for Passage the First Time is Sustained.

An Ordinance in Amendment of and in Addition to Article XIX of the Code of Ordinances of the City of Providence, entitled: "Elections".

Read and Passed the First Time and Referred Back to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON by the following Roll Call Vote:

Ayes: Council President Paolino and Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwoman Di-

Ruzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Glavin, Griffin, O'Connor, Petrosinelli, Pitts and Stravato—13.

Absent: Councilmen Cola and Farmer—2.

The motion for Passage the First Time and to Referral Back to Committee on Finance is Sustained.

Resolution Requesting the City Collector to cause the taxes to be abated on that property under the SWAP Program, located at 40 Superior Street in the total sum of One Thousand, Five Hundred Ninety-Four Dollars and Seventy-Two Cents (\$1,594.72).

Resolved, That the City Collector is hereby authorized to cause the taxes to be abated on that property under the SWAP Program, located along 40 Superior Street, situated on Lot 154, as set out and delineated on City Assessor's Plat 31, for the sum of One Thousand, Five Hundred Ninety-Four Dollars and Seventy-Two Cents (\$1,594.72), in accordance with the application filed by Danny Chapman.

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

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

Fargnoli, Councilmen Glavin, Griffin, O'Connor, Petrosinelli, Pitts and Stravato—13.

Absent: Councilmen Cola and Farmer—2.

The motion for Passage is Sustained.

The motion to Refer having precedence over the Main Motion for Passage is Put to Vote and Not Passed by Voice Vote.

The motion for Passage is thereupon Sustained.

Resolution Requesting the General Assembly to enact Legislation amending the Pension Act of the Providence Fire Department to contain the Provisions in Article Ten, Section Two of the Providence Firefighters Contract.

Resolved, That the General Assembly is requested to enact legislation amending the Pension Act of the Providence Fire Department to contain the provisions in Article Ten, Section Two, of the Providence Firefighters Contract, the same having been ratified by the City Council in 1982.

COUNCILMAN GLAVIN moves the Resolution be Read and Passed.

This motion is seconded by COUNCILMAN EASTON.

COUNCILWOMAN DIRUZZO moves the Resolution be Referred Back to Committee on Finance.

This motion is seconded by COUNCILMAN GRIFFIN.

An Ordinance in Amendment of Chapter 1983-39 approved August 26, 1983, entitled: "An Ordinance Establishing a Compensation Plan for the Water Supply Board and Repealing Chapter 1982-61, approved December 10, 1982, as amended, relative to the Water Supply Board.

Read and Passed the First Time, on motion of COUNCILMAN GALVIN, seconded by COUNCILMAN DILLON by the following Roll Call Vote:

Ayes: Council President Paolino and Councilman Annaldo, Councilwoman Bras-sil, Councilman Dillon, Councilwoman Di-Ruzzo, Councilman Easton, Councilwoman Fargnoli, Councilmen Glavin, Griffin, O'Connor, Petrosinelli, Pitts and Stravato—13.

Absent: Councilmen Cola and Farmer—2.

The motion for Passage the First Time is Sustained.

The following Ordinance was in City Council August 4, 1983, Read and Passed the First Time and Referred Back to the Committee on Finance and is Returned with Recommendation of Adoption a Second Time:

An Ordinance in amendment of Sec. 17-22 of the Code of Ordinances of the City of Providence by adding Sub-Section "(a) It shall henceforth be unlawful to hire any Temporary, Part-Time or Permanent Employees without Prior Approval of the City Council by Resolution".

Be It Ordained By The City Of Providence:

Section 1. Sec. 17-22 of Article I of the Code of Ordinances of the City of Providence, entitled: "Same record to be kept by Personnel Director is hereby amended by adding the following:

(a) It shall henceforth be unlawful to hire any temporary, part-time or permanent employees of the City of Providence without prior approval of the City Council by Resolution, except during emergencies, which shall receive prior written approval by the City Council President and Chairperson of the Committee on Finance and said employee shall not remain on the payroll for any longer than three (3) weeks without aforementioned Resolution.

Sec. 2. This Ordinance shall take effect upon its Passage.

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

Ayes: Council President Paolino and Councilwoman Brassil, Councilmen Dillon, Easton, Glavin, O'Connor and Pitts—7.

Noes: Councilman Annaldo, Councilwomen DiRuzzo, Fagnoli, Councilmen Griffin, Petrosinelli and Stravato—6.

Absent: Councilmen Cola and Farmer—2.

The motion for Passage the Second Time is Sustained.

The following is Transmitted with Recommendation the same be Adopted as Amended.

An Ordinance in Amendment of and in Addition to Article II of Chapter 15 of the Code of Ordinance of the City of Providence entitled, "Impoundment of Vehicles" as Amended.

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

Ayes: Council President Paolino and

Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Glavin, Griffin, O'Connor, Petrosinelli, Pitts and Stravato—13.

Absent: Councilmen Cola and Farmer—2.

The motion for Passage the First Time is Sustained.

COMMUNICATIONS AND REPORTS

FROM MARK J. LOMAZZO:

Communication informing that pursuant to Section 1206 (d) of the Providence Home Rule Charter that he is President of Mark J. Lomazzo, Inc. and intends to bid on all specifications of each notice concerning Property and Casualty Insurance for the City.

Received.

wife Elizabeth A. Russo, 10 Colwell Street, Johnston, Rhode Island. The parcel will be developed as commercial property in accordance with plans approved by the Agency.

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

The motion to Refer is Sustained.

FROM THE BOARD OF CANVASSERS:

Communication informing that a reorganization meeting was held on January 20, 1984, at which time Laurence K. Flynn was nominated Chairman and Roland A. Dumont was nominated Secretary of said Board.

Received.

FROM THE WESTMINSTER CENTER COMMISSION:

Report submitted in accordance with Resolution No. 315, approved April 23, 1983 submitting a Goal and Strategies Summary.

Received and Referred to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Receive and to Refer is Sustained.

FROM THE PROVIDENCE REDEVELOPMENT AGENCY:

Report in accordance with the provisions of Chapter 1980-27 of the ordinances of the City of Providence, approved May 3, 1980 and Title 45, Chapters 31-33 of the General Laws of Rhode Island 1956, hereby reports concerning the proposed sale of real property within the Charles Street Renewal Project.

The Agency proposes the sale of Parcel 1A consisting of 1,600 sq. ft. of land, more or less, as delineated on the attached map for the disposition price of \$3,200.00 to Paul J. Russo and

FROM THE CITY COLLECTOR:

Certificates (No. 19 and 20), Recommending the Same be Cancelled, Pursuant to the provisions of Section 44-7-11 of the General Laws of Rhode Island, 1956, as Amended, inasmuch as the Same have been Determined to be Uncollectible as Such Amounts were not Reported as required on the Statement of Lien.

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

The motion to Refer is Sustained.

FROM THE BOARD OF LICENSES:

Report for the Calendar Year ended December
31, 1983.

Received.

FROM THE CLERK'S DESK

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

Thomas A. Brennan

Norma A. Brady

Stephen E. Carracciolo

Louis A. Contenti, Jr.

Priscilla Corey

Cranston Police Department

Joyce Curry

Mary Elizabeth Fusco

Robert E. Gaudreau

Irwin Greenberg

Jacqueline Greene

Esther Indell

Howard A. Jones

Bernard H. Larivee

Richard Marzullo

Frances McCormack

Narragansett Bay Water Quality Management
District Commission

William F. Newton

Walter J. Nicynski

Recovery Services International as sub, of
Insurance Co. of North America, Insurer of
Four-Twenty Corporation

Sarah A. Schwartz

John Viera

Severally Referred to Committee on
Claims and Pending Suits, on motion of
COUNCILMAN GLAVIN, seconded by
COUNCILMAN O'CONNOR.

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

"In Congratulations"

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

Resolutions extending Congratulations to the following:

Mr. and Mrs. Vincent Bucci, upon the Occasion of their Sixtieth Wedding Anniversary on January 29, 1984.

Livio Lupoli, in recognition of His Retirement from the School Department as Head Custodian at Mount Pleasant High School following Twenty-Three Years of Service.

Dr. Peter L. Mathieu, Jr., in recognition of His Appointment to the Statewide Health Coordinating Council.

Dr. Alfred Toselli, in recognition of His

Appointment as Head of the Pediatrics Division at St. Joseph's Hospital.

Judge Thomas J. Caldarone, in recognition of His Appointment as Associate Justice of the Rhode Island Superior Court.

Mr. and Mrs. Andrew Pitochelli, Upon the Occasion of the Celebration of their Fiftieth Wedding Anniversary.

Mr. and Mrs. Antonio Marinucci, Upon the Occasion of the Celebration of their Fiftieth Wedding Anniversary on February 8, 1984.

**Severally Read and Collectively Passed,
on motion of COUNCILMAN GLAVIN,
seconded by COUNCILMAN DILLON.**

The motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

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

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

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

Betty Young Licht

Cora E. Maritino-Borders

Aggie M. Croker

Filomena Palumbo-Baratta

Joseph Grande

Mary Danielewicz

Domenico R. Mariani

Pasco F. Lisi

Giacomo Fedele

Justine Pinheiro

Antonio Procaccini

Richard J. Carcieri

Earl L. Clark

Maribeth Merlino

Maria D'Arezzo

Marie Bugielski

Paul Conti

Antonio DiLuglio

Louis Carlone

Robert M. Keegan

Marie C. Ricci

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

The motion for Passage is Sustained.

MATTER NOT APPEARING ON THE PRINTED DOCKET

**On motion of COUNCILMAN GLAVIN,
seconded by COUNCILMAN DILLON it is
voted to Suspend Rule 16 of the Rules of the
City Council in Order to Allow the
Introduction of the following Two Matters
Not Appearing on the Printed Docket.**

**COUNCIL PRESIDENT PAOLINO relin-
quishes the Chair to COUNCIL PRESI-
DENT PRO TEMPORE STRAVATO.**

**COUNCIL PRESIDENT PRO TEMPORE
STRAVATO in the Chair.**

PRESENTATION OF RESOLUTION

COUNCIL PRESIDENT PAOLINO:

Resolution Requesting the City of Providence Not to Defer Payment of the Outlet Building's Delinquent Taxes and Other Charges.

Whereas, The City of Providence has outstanding liens on the Outlet building totalling more than Nine Hundred Thousand Dollars (\$900,000.00) and

Whereas, The amount is owed by Citibank of New York, the mortgagee, and

Whereas, City Council input has not been requested,

Now, Therefore, Be It Resolved, That the City of Providence is hereby requested Not to defer the payment of the Outlet building's delinquent charges without approval of the City Council.

Read and Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMEN DILLON and O'CONNOR.

The motion for Passage is Sustained.

COUNCIL PRESIDENT PRO TEMPORE STRAVATO relinquishes the Chair to COUNCIL PRESIDENT PAOLINO.

COUNCIL PRESIDENT PAOLINO in the Chair.

REPORT FROM COMMITTEE

COUNCILMAN THOMAS M. GLAVIN, Chairman
COMMITTEE ON ORDINANCES

Transmits the following without recommendation, as Amended:

An Ordinance Providing for the Filling of the Office of Mayor in the Case of Disability, Suspension or Removal and Providing Definitions and Procedures therefor, as Amended.

COUNCILMAN GLAVIN moves the Ordinance be Read and Passed the First Time as Amended.

This motion is seconded by COUNCILWOMAN BRASSIL.

COUNCILMAN ANNALDO moves the Ordinance be Denied.

This motion being seconded by COUNCILMEN STRAVATO and GRIFFIN is Put to Vote and Not Passed by the following Roll Call Vote:

Ayes: Councilman Annaldo, Councilwomen DiRuzzo, Fagnoli, Councilmen Griffin, Petrosinelli and Stravato—6.

Noes: Council President Paolino and Councilwoman Brassil, Councilmen Dillon, Easton, Glavin, O'Connor and Pitts—7.

Absent: Councilmen Cola and Farmer—2.

The motion to Deny is not Sustained.

The motion for Passage the First Time, as Amended, is thereupon Put to Vote and Passed by the following Roll Call Vote:

Ayes: Council President Paolino and Councilwoman Brassil, Councilmen Dillon, Easton, Glavin, and Pitts—7.

Noes: Councilman Annaldo, Councilwomen DiRuzzo, Fagnoli, Councilmen Griffin, Petrosinelli and Stravato—6.

Absent: Councilmen Cola and Farmer—2.

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

ADJOURNMENT

There being no further business, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, adjournment is taken at 10:35 o'clock P.M. (E.S.T.) to meet again on THURSDAY, FEBRUARY 16, 1984 at 8:00 o'clock P.M. (E.S.T.).

Rose M. Mandonea

City Clerk

