

CITY OF PROVIDENCE

RHODE ISLAND



IN CITY COUNCIL
'AUG 2 1973

APPROVED:

Vincent Vespia CLERK

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 58 City Council Regular Meeting, Thursday, July 5, 1973, 8:00 P.M. (EDT)

PRESIDING

COUNCIL PRESIDENT

ROBERT J. HAXTON

ROLL CALL

Present: Council President Haxton and Councilmen Addison, Ahern, Beatini, Brown, Cola, Darigan, DeVito, Goldin, Johnson, Kelly, Lorenzo, Lynch, Moran, J. Murphy, Payne, Pearlman, Pisaturo, and Xavier—20.

Absent: Councilmen Bradshaw, Crowley, McKiernan, and W. Murphy—4.

INVOCATION

The Invocation is given by Reverend Miller Smith, Pastor, Olney Street Baptist Church.

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

COUNCILMAN RAYMOND COLA 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 RECORDS

The Journal of Proceedings No. 57 of the Regular Meeting of the City Council held June 21, 1973 and Posted June 29, 1973, on that Bulletin Board located on the ground floor of the City Hall, is approved as printed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

APPOINTMENTS BY HIS HONOR THE MAYOR

MEMBER OF THE BUREAU OF LICENSES

In accordance with the provisions of Article IV, Section 5.36 of the Providence Charter Laws entitled Bureau of Licenses, His Honor Mayor Joseph A. Doorley, Jr., notifies the City Council, in writing, that he has on June 29, 1973, appointed JOSEPH F. PRETE, as a Member of the Bureau of Licenses to serve for a term to expire on the first Monday in January, 1975, to replace Frank Lazarus who has resigned, and Respectfully Submitting the Same for Approval.

Communication Read and Appointment Approved, on motion of COUNCILMAN BEATINI, seconded by COUNCIL PRESIDENT HAXTON and COUNCILMEN ADDISON, AHERN, BROWN, COLA, DARIGAN, DeVITO, GOLDIN, JOHNSON, KELLY, LORENZO, LYNCH, MORAN, J. MURPHY, PAYNE, PEARLMAN, PISATURO and XAVIER.

SIXTH MEMBER OF THE ZONING BOARD OF REVIEW

In accordance with the provisions of Section 91 of Chapter 544 of the Ordinances of the City of Providence as amended, His Honor Mayor Joseph A. Doorley, Jr., notifies the City Council, in writing, that he has on June 21, 1973, appointed JAMES F. McMANUS of Tyndall Avenue, Providence, as an auxiliary or sixth member of the Zoning Board of Review for a term to expire in June of 1974, and Respectfully Submitting the Same for Approval.

Communication Read and Appointment Approved, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

COMMUNICATION FROM HIS HONOR THE MAYOR

Proclamation informing that the Providence Defense Civil Preparedness Agency has been Organized and Established under the Provisions of Chapter 67 of the 1973 Rhode Island Laws entitled of Rhode Island Defense Preparedness Act of 1973.

Received.

APPOINTMENTS BY THE PRESIDENT OF THE CITY COUNCIL

Communication from Council President Haxton informing the City Clerk of his appointments of Councilman Harry A. Johnson and Councilman Edward W. Xavier as Members of the Standing Committee on Ordinances of the City Council, to fill the vacancies caused by the

resignations of former Councilman Louis A. Mascia and Councilman Anthony B. Sciarretta, as Members of the City Council.

Received.

RESIGNATION OF MEMBER OF COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

Communication from Councilman Robert F. Lynch, dated June 25, 1973, submitting to Council President Robert J. Haxton, his resignation

as a Member of the Committee on Urban Redevelopment, Renewal, and Planning.

Received.

ELECTION

COUNCILMANIC MEMBER TO THE CITY PLAN COMMISSION

COUNCIL PRESIDENT HAXTON calls for nominations for Member of the City Council to serve on the City Plan Commission, to fill the vacancy caused by the resignation of Louis A. Mascia, as a Member of the City Council.

COUNCILMAN PRETE nominates COUNCIL- MAN SALVATORE A. BEATINI.

This nomination is seconded by **COUNCILMEN LORENZO and LYNCH.**

COUNCIL PRESIDENT HAXTON calls for further nominations and there are none.

There being no further nominations, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN, it is voted that Nominations be Closed and the Clerk be Directed to cast one ballot for COUNCILMAN BEATINI as a Councilmanic Member of the City Plan Commission.

The Clerk cast one ballot for COUNCILMAN BEATINI as directed.

COUNCIL PRESIDENT HAXTON thereupon declares COUNCILMAN SALVATORE A. BEATINI, duly elected as Councilmanic Member to the City Plan Commission for the term ending on the First Monday in January, 1975.

PRESENTATION OF ORDINANCE

COUNCILMAN LYNCH and COUNCILMAN DARIGAN (By Request):

An Ordinance in Amendment of Chapter 8, Section 8-5 of the Code of Ordinances of the City of Providence, Rhode Island, Approved October

21, 1968, as Amended, Entitled "Days of Holding Court for Transaction of Probate Business."

Read and Passed, the First Time and Referred to Committee on Ordinances, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT HAXTON and COUNCILMAN PEARLMAN:

Resolution Endorsing the One Million Three Hundred Thousand Dollar Improvement Drive of the Greater Providence Central Y.M.C.A.

Whereas, The Central Y.M.C.A., now located at 160 Broad Street in the City of Providence, has been one of the great, positive, and beneficial institutions of our community, and

Whereas, The said Y.M.C.A. has been a social and athletic center for persons of all races, creeds, and color, providing top leadership and encouraging sound values, and

Whereas, The existing building, built in 1912, is overcrowded with over 2,000 persons per day using its facilities, and

Whereas, The said "Y" provided one of the best and largest youth programs in our community, with no expense to the taxpayers, and

Whereas, The "Y", by encouraging good physical condition, health, and the preventive medicine of exercising, making it just as important, if not more, than hospitals,

Now, Therefore, Be It Resolved. That His Honor, Mayor Joseph A. Doorley, Jr., and the City Council, endorse the expansion, modernization, and improvement of the facilities of this great institution and urge wholehearted support of the current One Million Three Hundred Thousand Dollars (\$1,300,000) Capital Improvement Drive of the Greater Providence Central Y.M.C.A., and

Be It Further Resolved, That a copy of this Resolution be transmitted, by the City Clerk, to Mr. Howard Yeager, Chairman of the Board of Management of the Providence Y.M.C.A.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCIL PRESIDENT HAXTON and COUNCILMEN DARIGAN and PEARLMAN.

COUNCILMAN BROWN and COUNCILMAN MORAN (By Request):

Resolution Granting Accompanying Petition of John J. Gomes to Clean by Sandblast Process Exterior of Building Located at 521 Eddy Street.

Resolved, That permission is hereby granted to John J. Gomes to clean by sandblast process exterior of building located at 521 Eddy Street, in accordance with accompanying Petition approved June 27, 1973, by the Director of the Department of Building Inspection.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN BROWN, DARIGAN and MORAN.

COUNCILMAN LYNCH and COUNCILMAN DARIGAN (By Request):

Resolution Ordering a Special Election to be held on Wednesday, September 5, 1973, for the Purpose of Filling the Vacancies in the Offices of Councilmen from the Fifth Ward and from the Sixth Ward, caused by the Resignations of Louis A. Mascia and of Anthony B. Sciarretta, respectively.

Whereas, Vacancies exist in the offices of one Councilman from the Fifth Ward and one Councilman from the Sixth Ward, within the City of Providence, caused by the resignation of Louis A. Mascia, Ward Five on June 12, 1973, and the resignation of Anthony B. Sciarretta, Ward Six on June 11, 1973, and

Whereas, The said vacancies did occur more than one hundred and eighty days before the time of holding the next succeeding regular City election, and

Whereas, In accordance with the provisions of Section 12, Chapter 832, of the Public Laws of 1940, known as the "Providence Charter Act of 1940", as amended, by Section 1 of Chapter 2864 of the Public Laws of 1951, approved May 1, 1951, it is mandatory that a Special Election for the purpose of filling such vacancies be held within ninety days of the date of the occurrence of said vacancies,

Now, Therefore, Be It Resolved by the City Council of the City of Providence, Rhode Island, That in compliance with the provisions of governing statutes, the said City Council does hereby order a Special Election to be held for the purpose of filling the vacancies in the office of Councilman from the Fifth Ward of Providence, Rhode Island, caused by the resignation on June 12, 1973 of Louis A. Mascia, and in the office of Councilman from the Sixth Ward of Providence, Rhode Island, caused by the resignation on June 11, 1973, of Anthony B. Sciarretta; said Special Election to be held on the first Wednes-

day, being also the Fifth day of September, 1973; said date being within ninety (90) days from the date of the occurrence of said vacancies, and

Be It Further Resolved, That the Board of Canvassers and Registration and all other officers whose duty it is to prepare for elections are hereby requested to make such preparations for said election as are required by law, and

Be It Further Resolved, That the City Clerk is directed to cause a duly certified copy of this Resolution to be transmitted to the Board of Canvassers and Registration of the City of Providence, Rhode Island; and a duly certified copy of this Resolution be also transmitted to the State Board of Elections and to the Secretary of State.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Ahern, Beatini, Brown, Cola, Darigan, DeVito, Goldin, Johnson, Kelly, Lorenzo, Lynch, Moran, Payne, Pearlman, Pisaturo, and Xavier—18.

Noes: None.

Absent: Councilmen Bradshaw, Crowley, McKiernan, J. Murphy, W. Murphy, and Prete—6.

Resolution Transmitting to the City Council Accompanying Copy of Contract Between the City of Providence and Local 799, International Association of Firefighters, effective July 1, 1973.

Resolved, That the accompanying copy of Contract effective July 1, 1973, between the City of Providence, Rhode Island and Local 799, International Association of Firefighters, is hereby transmitted to the City Council and that it be filed in the Department of the City Clerk.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

Resolution Authorizing the Reimbursement to John E. Carroll, an Employee of the City Collector's Office, of the Sum of Twenty Dollars, Representing his Payment for Accepting Counterfeit Currency.

Referred to Committee on Finance, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

COUNCILMAN J. MURPHY and COUNCILMAN XAVIER (By Request):

Resolution Granting Accompanying Petition of Windsor Realty Co., et als, to Clean by Sandblast Process Elevations of Buildings Located at 67-77 and 98 Dorrance Street; 123-139 Weybosset Street, 180 Eddy Street, 34-36 Middle Street, and rear of 204-210 Westminster Street.

Resolved, That permission is hereby granted to Windsor Realty Co., et als, to clean by sandblast process elevation of buildings located on Plat 20, Lots 139, 140, 142 and 143, located at 67-77 and 98 Dorrance Street; 123-139 Weybosset Street, 108 Eddy Street, 34-36 Middle Street, and the rear of 204-210 Westminster Street; all in accordance with accompanying Petition approved June 27, 1973 by the Director of the Department of Building Inspection.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN DARIGAN, J. MURPHY, and XAVIER.

COUNCILMAN PISATURO (By Request):

Resolution Requesting a Street Light Along Stella Street.

Resolved, That the Acting Public Service Engineer is requested to order the installation of an electric street light on Pole No. 4 located along Stella Street.

Read and Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN DARIGAN**.

COUNCILMAN XAVIER:

Resolution Requesting the General Assembly to Enact Legislation Amending the Existing Law to Include Sales Tax on All Future Issues of Publications Published Regularly within the State of Rhode Island.

Referred to Committee on Ordinances, on motion of **COUNCILMAN XAVIER**, seconded by **COUNCILMAN LYNCH**.

COUNCILMAN XAVIER and COUNCILMAN J. MURPHY (By Request):

Resolution Requesting the Parking Ban Presently in Effect in Downtown Providence After Six O'Clock P.M. be Rescinded.

Resolved, That the Traffic Engineer is requested to cause the parking ban of motor vehicles, presently in effect in Downtown Providence, after Six O'Clock P.M., by rescinded.

Read and Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN DARIGAN, J. MURPHY, PISATURO, and XAVIER**.

REPORT FROM COMMITTEE

COUNCILMAN MICHAEL E. KELLY, Chairman

COMMITTEE ON CITY PROPERTY

**Transmits the following with Recommendation
the Same be Adopted:**

Resolution Authorizing His Honor the Mayor to Execute a Deed of Conveyance of Land and Buildings of the Valley View Housing Complex Located within that Area Bounded by Admiral, Burns, Havana, General and Phoebe Streets, and South Lane, to James Radin, 111 Wayland Avenue, Providence, Rhode Island, or

Nominee, for the Sum of One Million Six Hundred Thousand Dollars (\$1,600,000).

Referred Back to Committee on City Property, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN DARIGAN**.

Resolution Authorizing the City Treasurer to Sell to Joseph E. Pino, 217 Twin River Road, Lincoln, Rhode Island, Lots 77 and 78 Located along Henrietta Street and Lots 91 and 92 Located along Wild Street, the Several Lots being on Plat 102, for the Sum of One Thousand Eight Hundred Sixty-Nine Dollars and Sixteen Cents (\$1,869.16) and Rescinding Resolution of the City Council No. 228, approved May 2, 1973.

Resolved, That the City Treasurer may give notification in writing addressed to the former owner of Lots Nos. 77 and 78 on Plat No. 102 (located on Henrietta Street) and Lots Nos. 91 and 92 on Plat 102 (located on Wild Street) made for the use of the Board of Assessors as said plat appeared in the office of the said Board on June 15, 1933, said lots having been sold to the City of Providence at tax sale held September 26, 1935, said notice in writing addressed to the owner of record at the time of the sale, his heirs, assigns or devisees at their last usual place of abode, and notifying them that said real estate will be offered for sale unless redeemed within thirty days of said notification.

The City Treasurer has received an offer made by Joseph E. Pino, 217 Twin River Road,

Lincoln, Rhode Island, of \$1,869.16 for Lots Nos. 77, 78, 91, and 92 on Plat No. 102 and as the period for the redemption of this property has expired, this offer is hereby approved in accordance to the law thereto appertaining.

If said real estate shall not be redeemed within said thirty days, the City Treasurer is hereby authorized to sell and convey to the said Joseph E. Pino, or nominees, for the price herein approved and be it further resolved that Resolution of the City Council No. 228 approved May 2, 1973 is hereby rescinded.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN, by the following Roll Call vote:

Ayes: Council President Haxton and Councilmen Addison, Ahern, Beatini, Brown, Cola, Darigan, DeVito, Johnson, Kelly, Lorenzo, Lynch, Moran, Payne and Pearlman—15.

Noes: None.

Absent: Councilmen Bradshaw, Crowley, Goldin, McKiernan, J. Murphy, W. Murphy, Pisaturo, Prete, and Xavier—9.

COMMUNICATION AND REPORTS

FROM STATE DEPARTMENT OF TRANSPORTATION

Communication submitting to the City Council Notification of its Entitlement to the Sum of Ten Thousand Dollars (\$10,000) for the City's Maintenance of State Highway Systems in the City of Providence.

Received, and Copy Referred to Director of Public Works for Processing, on motion of

COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

FROM PROVIDENCE POLICE DEPARTMENT

One Hundred and Eighth Annual Report for the Year 1972.

Received.

**FROM PROVIDENCE REDEVELOPMENT
AGENCY**

Annual Report for the Period January 1
through December 31, 1972.

Received.

Report informing the City Council of its Proposed Sale of Parcels 16B, 27A, and 27B, located within the West Broadway Project, to Filomena and Modesto Perrotta, Leonida and Florenza DeVecchis, and Richard T. and Carolyn A. Fishburn.

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

FROM THE CLERK'S DESK

Petition of the Providence Gas Company for Permission to Construct and Install a Four-Inch Main in Fields Point Drive, New York Avenue and Terminal Road, for the Purpose of Transporting Propane Supplies from its City of Providence Leasehold Along Fields Point Drive to the Providence Gas Company Plant Along Allens Avenue.

Referred to Committee on Licenses, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

Petitions for Compensation for Injuries and Damages, viz:

Arthur L. Burdick

Lena Cohen

John C. Dumont

Robert B. Halliwell

Raymond Mandarelli

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

MATTER NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN, it is voted to suspend Rule 16 of Resolution of the City Council No. 1 approved January 4, 1971, in order to allow the Introduction of the following Matter Not Appearing on the Printed Docket.

REPORT FROM COMMITTEE

COUNCILMAN PETER C. MORAN, Chairman COMMITTEE ON LICENSES

Transmits the following with Recommendation
the Same be Adopted:

Resolution Authorizing the Installation of Gasoline Storage Tanks and Filling Pumps as follows:

WARD 4: Sun Oil of R. I. Inc., Charles Street, Chalkstone Avenue, Conanicut and Ashburton Streets; Plat 2, Lots 25, 26, 27, 459, 472 and 474; Four (4) Six Thousand (6000) Gallon Gasoline and Two (2) Thousand Fuel Oil Storage Tanks; Six (6) Pumps; the total storage capacity upon the lots proposed being Twenty Six Thousand (26,000) gallons; the total number of pumps being Six (6) pumps.

Resolved, That the following named person, firm or corporation is hereby granted permission to erect, alter or use a building or structure at the location named herein for the sale of petroleum, kerosene, gasoline, coal oil and their products, compounds and components as described

and shown in and on the application therefor and accompanying plat, all on file in the office of the Department of Building Inspection subject to the conditions that said person, firm or corporation shall not violate any of the laws of the State of Rhode Island or any of the Ordinances of the City of Providence relative to the erection, use or occupation of said structure and that said person, firm or corporation shall not allow petroleum, kerosene, gasoline, coal oil or their products, compounds or components, to be conveyed over or across any sidewalk by means of any pipe or hose, and upon such special conditions as are hereby enumerated and further provided that the Director of the Department of Building Inspection may authorize minor changes in the structural detail of plans on file, viz:

WARD 4: Sun Oil of R. I. Inc., Charles Street,

Chalkstone Avenue, Conanicut and Ashburton Streets; Plat 2, Lots 25, 26, 27, 459, 472 and 474; Four (4) Six Thousand (6000) Gallon Gasoline and Two (2) Thousand Fuel Oil Storage Tanks; Six (6) Pumps; the total storage capacity upon the lots proposed being Twenty Six Thousand (26,000) Gallons; the total number of pumps being Six (6) pumps. The erection or location of any buildings or

structures not shown on the original plat on file with the Director of Department of Building Inspection, or any change in the location of buildings or structures from that shown on said plat shall be deemed a violation of this permit.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN DARIGAN, the City Council adjourns at 9:08 o'clock P.M. (EDT) to meet again on THURSDAY, AUGUST 2, 1973, at 8:00 P.M. (EDT).

Vincent Varpia

City Clerk

