

# CITY OF PROVIDENCE RHODE ISLAND



## CITY COUNCIL

## JOURNAL OF PROCEEDINGS

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No. 2 City Council Regular Meeting, Thursday, January 17, 2013, 7:00 o'clock P.M. (E.S.T.)

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### PRESIDING

COUNCIL PRESIDENT  
MICHAEL A. SOLOMON

### ROLL CALL

PRESENT: COUNCIL PRESIDENT SOLOMON,  
COUNCILMAN APONTE, COUNCILWOMAN CASTILLO,  
COUNCILMEN CORREIA, HASSETT, JACKSON,  
NARDUCCI, PRINCEPE, SALVATORE, YURDIN and ZURIER  
- 11.

ABSENT: COUNCILMEN IGLIOZZI, JENNINGS,  
COUNCILWOMAN MATOS AND COUNCILMAN SANCHEZ -  
4.

(SUBSEQUENTLY, COUNCILMAN IGLIOZZI,  
COUNCILWOMAN MATOS AND COUNCILMAN SANCHEZ  
JOIN THE MEETING)

ALSO PRESENT: Anna M. Stetson, City Clerk, Lori L. Hagen,  
Second Deputy City Clerk, Sheri A. Petronio, Assistant Clerk and  
Jeffrey Padwa, City Solicitor.

IN CITY COUNCIL

MAY 17, 2013

APPROVED:

*Cat M. Stetson*  
CLERK



## INVOCATION

The Invocation is given by COUNCILMAN LUIS A. APONTE.

"Heavenly Father we come to you today seeking your guidance as we deliberate on the matters important to our city. We ask that you place your hand over this Council. Give us your guidance. Allow us to meet the challenges that our city confronts every day in a manner that places those who are most in need first. We ask that you continue to look over all those in our city who are struggling. We know that their load and their burden is heavy, but all things are possible in you. In you name we pray. Amen."

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

COUNCILWOMAN CARMEN CASTILLO Leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

COUNCILMAN IGLIOZZI and COUNCILWOMAN MATOS JOIN THE MEETING.

## ORDINANCES SECOND READING

The Following Ordinance was in City Council January 3, 2013, Read and Passed the First Time and is Returned for Passage the Second Time:

An Ordinance Amending Article VII, "Junk and Secondhand Dealers," of Chapter 14, "Licenses." (Second Hand Dealers)

*Be it ordained by the City of Providence:*

**WHEREAS** theft of public and private property containing metals such as aluminum, brass, bronze, copper, iron, and steel has become more prevalent as the international demand and prices for scrap metal have increased; and

**WHEREAS** reports from the Providence Department of Public Works indicate that over 200 manhole covers are "missing" to date in 2012, and Police Department records show that approximately 190 burglaries in 2011 involved theft of copper; and

**WHEREAS**, the Center for Problem-Oriented Policing, a nationally-recognized nonprofit organization funded through the Department of Justice, stated in a 2010 report that "stealing valuable metal has become a serious concern for the police, businesses, public utilities, railroad companies, and the community at large" and places a significant financial burden on municipalities, utility companies, and individual property owners to replace stolen items; and

**WHEREAS** the purchasing and selling of stolen metals poses a substantial threat to private and public property, as well as a substantial and unreasonable interference to public health, public safety, public peace, public comfort and public convenience; and

**WHEREAS**, it is hereby the intention of the City Council, in accordance with the benefits and rights of self-government prescribed in the Providence Home Rule Charter and guaranteed by the Constitution of the State of Rhode Island, to preserve the health, safety and welfare of the citizens of Providence.

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Providence that:

**SECTION 1.** The Code of Ordinances of the City of Providence, Article VII, of Chapter 14 is hereby amended as follows:

**Sec. 14-127. - License required.**

No person shall engage in the business of purchasing, selling, bartering or dealing in junk, old metals or secondhand articles, or of receiving the same for the purpose of melting the same or of converting the same into castings, unless such person shall be duly licensed by the board of licenses.

**Sec. 14-128. - License application.**

(a) Every applicant for a license required pursuant to this article shall submit the following information, on a form provided by the board of licenses:

- (1) Full name, including middle name, any aliases, address, date of birth, and social security number of applicant and/or principals of any applicant corporation.
- (2) Location of the proposed business.
- (3) Radius map and property owner list identifying owners of property within a two hundred-foot radius of the business as appears on the most current property tax list certified by the tax assessor of the city.

(b) All applications shall be accompanied by an application fee of one hundred dollars (\$100.00), plus the costs of advertising, posting and mailing as determined by the board of licenses.

**Sec. 14-129. - Fees for licenses.**

The annual fees for the licenses required by section 14-127 hereof shall be \$100.00, except for applicants seeking to receive old metals for the purpose of melting the same, or converting the same into castings, for which the fee shall be \$5.00.

**Sec. 14-130. - Display of license.**

Every licensee under this article shall display its license in a conspicuous place at the licensee's place of business.

**Sec. 14-131. - Expiration of license.**

All licenses granted under the provisions of this article shall expire on the first day of May next succeeding the date of such license, and no rebate shall be made from the license fee for such license for any license term less than one year.

**Sec. 14-132. - Identification of seller of goods or merchandise.**

- (a) Every person licensed as herein provided shall require the seller of any goods or merchandise to present a valid motor vehicle operator's license containing his or her photograph or other such suitable identification containing his or her photograph,
- b) The licensee shall maintain a record of the same, together with any other records required by law.
- (c) Any person who violates any provision hereof, shall be subject to those penalties provided in section 14-145 of the Code of Ordinances.

**Sec. 14-133. - Conduct of business in premises used as dwelling, restricted.**

No such business as defined in section 14-127 hereof shall be carried on in any building or premises of which any part is used as a residence.

**Sec. 14-134 - Records to be kept.**

- (a) Every person licensed under this article for the purpose of purchasing, selling, bartering or dealing in old metals shall record all transactions for which a license is required under this article. The licensee shall, upon request, send any records created pursuant to this section to the chief of police.

The record created pursuant to this section shall include the following:

- (1) Date of the transactions
- (2) Name, address, telephone number, and signature of the person from whom the old or used metals are purchased or received, as well as a photocopy or digital image of the person's photo identification, as required under Section 14-132
- (3) License plate number of the vehicle used to transport the old or used metals, whenever applicable
- (4) A description of the old or used metals
- (5) Price paid for the old or used metals
- (b) Nothing in this section shall be construed as requiring additional recordkeeping for junked automobiles or automobile parts beyond what is otherwise provided by law.
- (c) Records created under this section shall be kept by the licensee for two (2) years from the date of the transaction. Nothing in this section shall be construed as to relieve any licensee of any record retention requirements otherwise required by law.
- (d) The section shall not apply to the purchase of old metals from a person who is licensed to engage in the business of purchasing, selling, bartering or dealing in junk, old metals or secondhand articles, and who has previously recorded the contents of the load, pursuant to this section, and such person provides a written statement affirming such record at the time of the transaction.

**Sec. 14-135. - Inspection of records and places of business.**

The record required in section 14-134, and every place of business of any person licensed hereunder shall be subject to the inspection and examination of law enforcement officials.

**Sec. 14-136. - Holding period for property acquired by licensee.**

- (a) Every person licensed hereunder shall keep for a period of ten (10) days, and shall immediately notify the police department of the following property purchased or received consisting of aluminum, brass, bronze, copper, cast iron, stainless steel, and/or wrought iron:
- (1) Statues and sculptures
  - (2) Weather vanes
  - (3) Downspouts
  - (4) Handrails
  - (5) Decorative fencing (wrought iron only);
  - (6) Grave markers, sculptures, plaques and vases, the appearance of which suggest that the articles have been obtained from a cemetery
  - (7) Beer kegs
  - (8) Public property as defined in Sec. 14-13 7 (b)
- (b) Every person licensed hereunder shall keep for a period of three (3) days, old metals not included in subsection (a) purchased or received in a single transaction.

(c) During said holding periods such property shall be kept separate and distinct and shall not be disfigured or treated in any way by which its identity may be destroyed or affected.

(d) Items purchased or sold under this article shall have no holding period if they are not included in subsection (a) and:

- (1) The transaction is for loads weighing 500 pounds or more in weight; or
- (2) The load is purchased from a municipality or governmental entity under contract with a licensee; or
- (3) A photo identification system for transactions is utilized. For purposes of this section a photo identification system shall be defined as a system that captures digital images of each transaction, including the items contained in the transaction, the vehicle used to transport the items, and the vehicle license plate information. The record of each image also must contain the documentation required in Section 14-134 (a) (1) through (a) (5).

#### Sec. 14-137. Acquisition of public property.

(a) A licensee shall not accept any public property as defined in Sec. 14-137 (b) unless a certificate of release from a governmental entity is provided at the time of transaction. The certificate shall list the exact description and quantity of items, and the location from which the items were removed, and shall include the seal of the governmental entity and the signature of a duly authorized governmental official. The certificate shall be kept with the items identified therein for a period often (10) days. A licensee shall immediately notify the police department of any individual attempting to sell public property without authorization from a governmental entity.

(b) Public property, for the purposes of this section, shall be defined as property owned and maintained by a municipality, the state, the United States, or any quasigovernmental entity, and shall include but not be limited to items associated with public streets and sidewalks, as follows:

- 1) Manhole covers, or other types of utility access covers including, but not limited to, water line maintenance covers
- 2) Highway and street signs
- 3) Street light poles and fixtures
- 4) Guardrails for bridges, highways, and roads
- 5) Historical, commemorative, and memorial markers and plaques, including but not limited to WPA (Works Progress Administration) plaques
- 6) Traffic directional and control signs and light signals

(c) A licensee found in violation of Sec. 14-137 shall be cited by the police department, fined \$500, and be required to appear for a show cause hearing before the board of licenses. Upon finding a violation has occurred, the board of licenses shall impose a 90-day suspension of license. Additional penalties may be determined by the board of licenses, in accordance with Sec. 14-138.

#### Sec. 14-138. - Enforcement and penalties

The Providence police department shall enforce the provisions of this article. If an alleged violation occurs, the police department shall issue a citation that will require the license holder to appear for a show cause hearing before the board of licenses. If, after a hearing, the board finds a violation has occurred, the board shall impose a civil fine of one hundred and twenty-five dollars (\$125) for the first offense, two hundred and fifty dollars (\$250) for the second offense, and five hundred dollars (\$500) for any subsequent offense. Additionally, the board may suspend or revoke the license for any violations of the conditions or restrictions imposed upon the issuance of such license, or any rules and regulations governing the conduct of any such licensee, established by the board of licenses, or by the state; in addition, such license may be revoked at any time for causes other than those specified above, including violation of any other provision of the Code of Ordinances. If a license holder maintains the license for thirty-six (36) consecutive months without a violation, any new violation will be treated as a first offense.

Secs, 14-139-14-154. - Reserved.

SECTION 2. This ordinance shall take effect upon passage.

Read and Passed the Second Time, on Motion of COUNCILMAN YURDIN, seconded by COUNCILMAN NARDUCCI, by the Following Roll Call Vote:

AYES: COUNCIL PRESIDENT SOLOMON, COUNCILMAN APONTE, COUNCILWOMAN CASTILLO, COUNCILMEN CORREIA, HASSETT, IGLIOZZI, JACKSON, COUNCILWOMAN MATOS, COUNCILMEN NARDUCCI, PRINCIPE, SALVATORE, YURDIN and ZURIER – 13.

NAYES: NONE.

ABSENT: COUNCILMEN JENNINGS and SANCHEZ – 2.

The Motion for Passage the Second Time, is Sustained.

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### PRESENTATION OF ORDINANCES

COUNCILMAN SALVATORE:

An Ordinance Adding Chapter 9, Section 12, "Carbon Monoxide Detectors in Schools," to the Providence Code of Ordinances. (Carbon Monoxide Detectors)

COUNCIL PRESIDENT SOLOMON Refers the Ordinance to the Special Committee on Education.

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COUNCILMAN SANCHEZ JOINS THE MEETING

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COUNCILMAN YURDIN and COUNCILMAN NARDUCCI:

An Ordinance in Amendment of Chapter 14 of the Code of Ordinances of the City of Providence, Entitled: "Licenses", Approved July 6, 2009, As Amended, to modify Article I. (Floor Hosts) (Bouncers)

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COUNCILMAN YURDIN and COUNCILMAN NARDUCCI:

An Ordinance in Amendment of Chapter 14, "Licenses", of the Code of Ordinances of the City of Providence, Article X, "Shows" and Amusements," Division 4, "Commercial Establishments where Alcoholic Beverages are offered for sale." (Event Promoter Licenses)

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An Ordinance in Amendment of Chapter 14, "Licenses," Article IV, "Commercial Parking Lots." (Commercial Parking Lots)

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COUNCILMAN YURDIN Moves to Dispense with the reading of the foregoing matters, seconded by COUNCILMAN NARDUCCI.

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COUNCIL PRESIDENT SOLOMON Refers the Several Ordinances to the Committee on Ordinances.

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## PRESENTATION OF RESOLUTIONS

### COUNCIL PRESIDENT SOLOMON (By Request):

Resolution Amending Resolution No. 381, Approved July 9, 2012, relative to the abandonment of Brown Street, portion of, between George Street and Charlesfield Street.

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Resolution Amending Resolution No. 382, Approved July 9, 2012, relative to the abandonment of Benevolent Street, portion of, between Magee Street and Brown Street.

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COUNCILMAN YURDIN Moves to Dispense with the reading of the foregoing matters and continue indefinitely, seconded by COUNCILMAN NARDUCCI.

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### COUNCIL PRESIDENT SOLOMON:

Resolution Requesting the Traffic Engineer to cause the inspection of Elmhurst Avenue for the purpose of making one side (opposite Saint Pius School) "No Parking on School Days" between Eaton Street and Fair Oaks Avenue.

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

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COUNCILMAN APONTE and COUNCILWOMAN MATOS, COUNCIL PRESIDENT SOLOMON, COUNCILWOMAN CASTILLO, COUNCILMEN CORREIA, HASSETT, IGLIOZZI, JACKSON, JENNINGS, NARDUCCI, PRINCIPE, SALVATORE, SANCHEZ, YURDIN and ZURIER:

Resolution Urging the Governor and the General Assembly to prioritize the appointment of the Mental Health Advocate.

WHEREAS, Chapter 40.1, Section 5-13 of the Rhode Island General Laws establishes the position of a Mental Health Advocate for the State of Rhode Island; and

WHEREAS, The Office of the Mental Health Advocate is an independent state agency staffed by attorneys who provide an array of free legal, investigative, and advocacy services, regardless of age, to prevent inappropriate admissions to psychiatric facilities, to protect the rights and enhance the dignity of persons in mental health treatment and inpatient substance abuse treatment, and to reduce the stigma associated with mental disabilities and substance abuse addictions; and

WHEREAS, The Mental Health Advocate has a number of extremely important responsibilities, including acting as counsel for indigent persons in certain judicial proceedings, ensuring that those in treatment are apprised of their rights, and serving as the formal liaison for community based mental health clinics and other community facilities; and

WHEREAS, There is a growing consensus that the United States' mental health care system is not adequately serving those suffering from mental illness; and

WHEREAS, According to the Bureau of Labor Statistics, access to mental health services is a serious and growing problem, with nearly 90 million Americans living in federally designated Mental Health Professional Shortage Areas in 2010; and

WHEREAS, A recent National Association for Mental Illness report found that between 2008 and 2011, Rhode Island saw a 65 percent increase in the number of children living with mental illness boarding in public hospital emergency rooms, with no place to go for treatment; and

WHEREAS, The position of Mental Health Advocate has been vacant since April 2012; and



WHEREAS, The City Council has a moral obligation to protect and improve the health, including mental health, of the people of Providence.

NOW, THEREFORE BE IT RESOLVED, That the City Council of the City of Providence hereby respectfully request that the Governor appoint a Mental Health Advocate; and

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to Governor Lincoln Chafee, and to the members of the Providence delegation in the General Assembly.

Read and Passed, on Motion of COUNCILMAN YURDIN, seconded by COUNCILMAN NARDUCCI.

The Motion for Passage is Sustained.

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**COUNCILMAN CORREIA:**

Resolution Requesting the Forestry Division of the Parks Department to cause the removal of the dead tree located at 173 Leah Street next to the driveway.

*RESOLVED*, That the Forestry Division of the Parks Department is requested to cause the removal of the dead tree located at 173 Leah Street next to the driveway.

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Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting on Pole Numbers 2, 3, 4 and 6 located on Almira Street.

*RESOLVED*, That the Chief Electrical Inspector is requested to cause the upgrade of street lighting on Pole Numbers 2, 3, 4 and 6 located on Almira Street.

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Resolution Requesting the Traffic Engineer to cause the replacement of the faded/vandalized "Stop" Sign at the intersection of Amherst Street and Stuben Street.

*RESOLVED*, That the Traffic Engineer is requested to cause the replacement of the faded/vandalized "Stop" Sign at the intersection of Amherst Street and Stuben Street.

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Resolution Requesting the Traffic Engineer to cause the replacement of the vandalized "Do Not Enter" Sign on Amherst Street at Pope Street.

*RESOLVED*, That the Traffic Engineer is requested to cause the replacement of the vandalized "Do Not Enter" Sign on Amherst Street at Pope Street.

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Resolution Requesting the Traffic Engineer to cause the replacement of all faded/vandalized "Stop" Signs throughout Ward 6.

*RESOLVED*, That the Traffic Engineer is requested to cause the replacement of all faded/vandalized "Stop" Signs throughout Ward 6.

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Resolution Requesting the Traffic Engineer to cause the re-striping of the intersection of Atwells Avenue and Putnam Street and Academy Avenue due to its hazardous condition to both pedestrians and motorists.

*RESOLVED*, That the Traffic Engineer is requested to cause the re-striping of the intersection of Atwells Avenue and Putnam Street and Academy Avenue due to its hazardous condition to both pedestrians and motorists.

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**COUNCILMAN NARDUCCI:**

Resolution Requesting the Chief Electrical Inspector to cause the repair and upgrade of street lighting on Pole Numbers 125½, 131 and 178 located on Charles Street.

*RESOLVED*, That the Chief Electrical Inspector is requested to cause the repair and upgrade of street lighting on Pole Numbers 125½, 131 and 178 located on Charles Street.

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**COUNCILMAN YURDIN Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILMAN NARDUCCI.**

The Motion for Passage of the Several Resolutions is Sustained.

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**PERSONAL EXPRESSION**

**COUNCILMAN IGLIOZZI Requests the privilege of the floor to speak on a Point of Personal Expression and states:**

"As we all know there was a Finance Committee held and on that agenda was five items in particular. You will be getting a letter from the committee about the status of the city's finances and the cash flow. As you know there five disability waivers requests. I will make it very simple. As you know a City of Providence worker they may get hurt on the job and while they are convalescing and not working anymore their doctor may keep them out for a period of time. Sometimes as they move along they find that they can't make it back to work whatever the issue is. Then they apply for a disability waiver and go before the Retirement Board. Sometimes during this there is an eighteen month window of opportunity for these individuals. So, what happens is not by any fault of their own, it's just that the time burns out. So, per city law they submit a request to the City Council asking them if the City Council would waive that disability and allow them to just simply apply to the Retirement Board and the Council has done it over the years numerous times. All it does is it gives that person an opportunity to go before the Retirement Board, state their case before the three doctors and the doctors actually determine if that person is eligible for disability or not. So, tonight as you know we have those five and unfortunately these five individuals have been waiting a long time and as you know in the past year in particular there has been I guess this internal civil war with Council members and this jockeying positioning around. As you know in those types of situations civilians get hurt and these five individuals are sometimes folks that can get hurt. So, what we tried to do tonight is just simply get it out of the Finance Committee, get it before the full Council and gives those folks and opportunity. Some people have waited over a year. So, what I've done just for everybody's edification I actually have per the appropriate rules and regulations I have a signature page of eight Council members requesting that those items be withdrawn out of the Finance Committee and be sent to the next Council Meeting so those individuals have an opportunity. So, we're going to expedite the process for them, give them that opportunity to state their case and I don't think the eight Council members who are willing to stand up to give people a fair share, a fair shake and an opportunity to state their position. So, I have this signature page with eight signatures and for the next Council meeting could you please those give items on the next Council Meeting. Thank you Madam Clerk. I just want to let my Council colleagues know that and hopefully we can move forward and have a more positive attitude towards each other and to the people we serve. Thank you."

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**COUNCILMAN PRINCIPE:**

Resolution Requesting the Traffic Engineer to cause the installation of a "15 Minute Parking" Sign in front of the Atwells Avenue Mini Mart located at 196 Atwells Avenue.

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

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**COUNCILMAN SALVATORE:**

Resolution Requesting the Board of Investment Commissioners to continue its review of the city's pension investments to determine whether or not its portfolio includes equity firms that have holdings in companies that manufacture assault weapons and divest from any such firms.

**COUNCIL PRESIDENT SOLOMON** Refers the Resolution to the Special Committee on Ways and Means.

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**COUNCILMAN YURDIN:**

Resolution Requesting the Board of Licenses to Overhaul Recordkeeping Practices and to work with the Information Technology Division to develop Comprehensive Electronic Records.

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Resolution Requesting the Board of Licenses to strengthen Policies and Procedures relating to Licensing Hearings.

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Resolution Requesting the Board of Licenses to adopt Written Policies and Procedures.

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Resolution Requesting the Police Department to assign additional officers to Licensing Enforcement and to broaden Licensing Enforcement efforts relating to Class N Establishments.

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**COUNCILMAN YURDIN** Moves to Dispense with the reading of the foregoing matters, seconded by **COUNCILMAN NARDUCCI**.

**COUNCILMAN IGLIOZZI** Abstains from voting on foregoing matters.

**COUNCIL PRESIDENT SOLOMON** Refers the Several Resolutions to the Committee on Ordinances.

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**REPORTS FROM COMMITTEES****COMMITTEE ON WAYS AND MEANS**

**COUNCILMAN DAVID SALVATORE, Chairman**

**Transmits the Following with Recommendation the Same be Approved, As Amended:**

Resolution Requesting Tax Assessor to apply the Homestead Exemption to various properties for fiscal year January through December 2012.

**RESOLVED**, That the Tax Assessor is requested to apply the Homestead Homestead Exemption to the following properties for fiscal year July through December 2012.

- Assessor's Plat 18, Lot 8 (555 South Main St.)
- Assessor's Plat 16, Lot 605 (247 South Main St.)
- Assessor's Plat 115, Lot 27 (2 Myra St.)
- Assessor's Plat 14, Lot 589 (1 Wayland Ave.)
- Assessor's Plat 17, Lot 518 (639 Wickenden St.)
- Assessor's Plat 92, Lot 186 (757 Elmgrove Ave.)
- Assessor's Plat 40, Lot 141 (234 President Ave.)
- Assessor's Plat 10, Lot 543 (36 Bowen St.)
- Assessor's Plat 40, Lot 49 (179 Cole Ave.)
- Assessor's Plat 10, Lot 497 (125 Prospect St.)
- Assessor's Plat 39, Lot 387 (116 University Ave.)
- Assessor's Plat 7, Lot 314 (44 Faunce Drive)
- Assessor's Plat 86, Lot 500 (82 Laurel Ave)
- Assessor's Plat 8, Lot 384 (54 Brenton Ave)
- Assessor's Plat 8, Lot 428 (367 Hope St.)
- Assessor's Plat 6, Lot 146 (80-82 Ivy St.)
- Assessor's Plat 93, Lot 187 (15 Lorimer Ave.)
- Assessor's Plat 91, Lot 139 (85 Ninth St.)
- Assessor's Plat 6, Lot 374 (134 Ivy St.)
- Assessor's Plat 6, Lot 227 (12 Catalpa Road)
- Assessor's Plat 92, Lot 62 (3 Ogden St.)
- Assessor's Plat 91, Lot 167 (247 Highland Ave)
- Assessor's Plat 73, Lot 112 (161 Forth St.)
- Assessor's Plat 91, Lot 106 (23 Tenth St.)
- Assessor's Plat 5, Lot 235 (65 Evergreen St.)
- Assessor's Plat 91, Lot 328 (122 Ninth St.)
- Assessor's Plat 70, Lot 234 (18 Newcomb St.)
- Assessor's Plat 77, Lot 534 (90 Edgeworth Avenue)
- Assessor's Plat 71, Lot 148 (28 Gillen St.)
- Assessor's Plat 77, Lot 839 (8 Linda Ct.)
- Assessor's Plat 97, Lot 881 (257 Langdon St.)
- Assessor's Plat 72, Lot 143 (32 Edward St.)
- Assessor's Plat 97, Lot 934 (25 Mendon St.)
- Assessor's Plat 76, Lot 224 (15 Yorkshire St.)
- Assessor's Plat 76, Lot 356 (57 Sussex St.)
- Assessor's Plat 72, Lot 91 (24 Vaughn St.)
- Assessor's Plat 120, Lot 43 (763 Smith St.)
- Assessor's Plat 122, Lot 34 (615 Mt. Pleasant Ave.)
- Assessor's Plat 122, Lot 221 (12 Modena Ave.)
- Assessor's Plat 120, Lot 106 (110 Oakland Ave.)
- Assessor's Plat 120, Lot 455 (106 Huxley Ave.)
- Assessor's Plat 116, Lot 445 (65 Lindy Ave.)
- Assessor's Plat 83, Lot 73 (31 Wabun Ave.)
- Assessor's Plat 117, Lot 85 (87 Jastram St.)
- Assessor's Plat 122, Lot 371 (15 Modena Ave.)
- Assessor's Plat 117, Lot 137 (151 Sharon St.)
- Assessor's Plat 83, Lot 132 (60 Wabun Ave.)
- Assessor's Plat 120, Lot 64 (105 Hilltop Ave.)
- Assessor's Plat 117, Lot 345 (311 River Ave.)
- Assessor's Plat 64, Lot 839 (31 Mt. Pleasant Ave.)
- Assessor's Plat 95, Lot 30 (15 Dutton St.)
- Assessor Plat 95, Lot 17 (4 Ticknor St.)
- Assessor's Plat 6, Lot 337 (707 Hope St.)
- Assessor's Plat 34, Lot 233 (641 Manton Ave.)
- Assessor's Plat 64, Lot 214 (10 Chaucer St.)
- Assessor's Plat 94, Lot 169 (153 Ortoleva Dr.)
- Assessor's Plat 95, Lot 141 (69 Unit St.)
- Assessor's Plat 80, Lot 848 (27 Bel Air Dr.)
- Assessor's Plat 110, Lot 293 (12 Evelyn St.)
- Assessor's Plat 110, Lot 400 (20 Evelyn St.)
- Assessor's Plat 112, Lot 187 (20 Dedham Ave.)
- Assessor's Plat 115, Lot 498 (270 Killingly St.)
- Assessor's Plat 109, Lot 398 (343 Laurel Hill Ave.)
- Assessor's Plat 110, Lot 460 (52 Nancy St.)
- Assessor's Plat 109, Lot 460 (512 Union Ave.)
- Assessor's Plat 107, Lot 285 (20 Ralph St.)
- Assessor's Plat 110, Lot 211 (47 Moorefield St.)
- Assessor's Plat 107, Lot 79 (177 Cleveland St.)
- Assessor's Plat 107, Lot 240 (2 Queen St.)
- Assessor's Plat 61, Lot 69 (213 Roger Williams Ave.)
- Assessor's Plat 31, Lot 312 (134 Bellevue Ave.)
- Assessor's Plat 51, Lot 75 (137 Reservoir Ave.)
- Assessor's Plat 43, Lot 849 (199 Linwood Ave.)
- Assessor's Plat 44, Lot 528 (162 Whitmarsh St.)
- Assessor's Plat 43, Lot 409 (50 Calhoun St.)
- Assessor's Plat 59, Lot 614 (152 Babcock St.)
- Assessor's Plat 49, Lot 404 (74 Stanwood St.)
- Assessor's Plat 59, Lot 828 (135 Verdale Ave.)
- Assessor's Plat 49, Lot 341 (19 1/1 Congress Ave.)
- Assessor's Plat 59, Lot 462 (66 Miller Ave.)
- Assessor's Plat 59, Lot 64 (58 Farragut Ave.)
- Assessor's Plat 49, Lot 508 (98 Hamilton St.)
- Assessor's Plat 53, Lot 190 (112 Emerson St.)
- Assessor's Plat 101, Lot 252 (279 New York Ave.)
- Assessor's Plat 54, Lot 277 (64 Colfax St.)
- Assessor's Plat 87, Lot 208 (168 Ohio Ave.)
- Assessor's Plat 87, Lot 299 (309 Vermont Ave.)
- Assessor's Plat 87, Lot 866 (950 Narragansett Blvd.)
- Assessor's Plat 48, Lot 211 (301 Swan St.)
- Assessor's Plat 47, Lot 685 (11 Trask St.)
- Assessor's Plat 23, Lot 943 (104 West Clifford St.)
- Assessor's Plat 45, Lot 248 (221 Prairie Ave.)
- Assessor's Plat 30, Lot 230 (21 Constitution St.)
- Assessor's Plat 21, Lot 76 (18 Imperial Place)
- Assessor's Plat 45, Lot 733 (285 Prairie Avenue)
- Assessor's Plat 31, Lot 253 (203 Harrison St.)
- Assessor's Plat 23, Lot 921 (349 Blackstone St.)
- Assessor's Plat 45, Lot 348 (312 Willard Ave.)
- Assessor's Plat 45, Lot 753 (62 Glenham St.)
- Assessor's Plat 65, Lot 651 (12-14 Dorr St.)
- Assessor's Plat 65, Lot 659 (7 Dorr St.)
- Assessor's Plat 69, Lot 483 (250 Douglas Ave.)
- Assessor's Plat 66, Lot 74 (113 River Ave.)
- Assessor's Plat 29, Lot 122 (755 Westminster St.)
- Assessor's Plat 28, Lot 826 (16 Europe St.)
- Assessor's Plat 28, Lot 295 (59 Kenyon St.)

- Assessor's Plat 32, Lot 378 (285 Carpenter St.)
  - Assessor's Plat 28, Lot 979 (16 Africa St.)
  - Assessor's Plat 28, Lot 206 (128 Sutton St.)
  - Assessor's Plat 70, Lot 694 (50 Veto St.)
  - Assessor's Plat 81, Lot 98 (614 Admiral St.)
  - Assessor's Plat 79, Lot 337 (1030 Douglas Ave.)
  - Assessor's Plat 85, Lot 196 (668 Academy Ave.)
  - Assessor's Plat 124, Lot 318 (34 Royal Ave.)
  - Assessor's Plat 37, Lot 457 (156 Wendell St.)
  - Assessor's Plat 104, Lot 521 (268 Webster Ave.)
  - Assessor's Plat 104, Lot 144 (146 Clarence St.)
  - Assessor's Plat 36, Lot 79 (200 Messer St.)
  - Assessor's Plat 8, Lot 33 (51 Belair Ave.)
  - Assessor's Plat 87, Lot 159 (195 Ohio Ave.)
  - Assessor's Plat 45, Lot 484 (137 Chester Ave.)
  - Assessor's Plat 68, Lot 29 (107 Bernon St.)
  - Assessor's Plat 65, Lot 36 (4 Cutler St.)
  - Assessor's Plat 64, Lot 917 (19 Claremont St.)
  - Assessor's Plat 59, Lot 214 (61 Payton St.)
  - Assessor's Plat 54, Lot 110 (2 Gallup St.)
  - Assessor's Plat 49, Lot 138 (309 Bucklin St.)
  - Assessor's Plat 48, Lot 1113 (43 Burnside St.)
  - Assessor's Plat 48, Lot 341 (110 Ocean St.)
  - Assessor's Plat 34, Lot 404 (687 Mantion Ave.)
  - Assessor's Plat 6, Lot 279 (12 Elgin St.)
  - Assessor's Plat 110, Lot 289 (722 Union Ave.)
  - Assessor's Plat 84, Lot 024 (18 Home Ave.)
  - Assessor's Plat 32, Lot 378 (285 Carpenter St.)
  - Assessor's Plat 64, Lot 692 (20 Cambridge St.)
  - Assessor's Plat 007, Lot 21 (72 Sargent Ave.)
  - Assessor's Plat 28, Lot 197 (21 Batley St.)
  - Assessor's Plat 64, Lot 238 (191 Pomona St.)
  - Assessor's Plat 48, Lot 521 (104 Miner St.)
  - Assessor's Plat 116, Lot 271 (77 Minto St.)
  - Assessor's Plat 82, Lot 250 (20 Garfield St.)
  - Assessor's Plat 35, Lot 26 (114 Tobey St.)
  - Assessor's Plat 30, Lot 668 (29 Constitution St.)
  - Assessor's Plat 10 Lot 515 (57 Barnes St.)
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- Assessor's Plat 84, Lot 508 (179 Canton St.)
  - Assessor's Plat 17, Lot 641 (246 Power St.)
  - Assessor's Plat 64, Lot 448 (22 Hendrick St.)
  - Assessor's Plat 43, Lot 221 (25 Chambers St.)
  - Assessor's Plat 16, Lot 605 (S. Main St.)
  - Assessor's Plat 25, Lot 322 (Westminster St.)
  - Assessor's Plat 26, Lot 367 (903 Providence Place)
  - Assessor's Plat 28, Lot 23 (202 Broadway)
  - Assessor's Plat 36, Lot 260 (435 Cranston St.)
  - Assessor's Plat 53, Lot 707 (81 Sassafas St.)
  - Assessor's Plat 58, Lot 245 (14 Broom St.)
  - Assessor's Plat 65, Lot 719 (16 Wealth St.)
  - Assessor's Plat 85, Lot 451 (114 Enfield Ave.)
  - Assessor's Plat 87, Lot 263 (286 California Ave.)
  - Assessor's Plat 94, Lot 29 (19 Aldine St.)
  - Assessor's Plat 85, Lot 451 (114 Enfield Ave.)
  - Assessor's Plat 87, Lot 263 (286 California Ave.)
  - Assessor's Plat 94, Lot 29 (19 Aldine St.)
  - Assessor's Plat 96, Lot 8 (11 Riverdale St.)
  - Assessor's Plat 105, Lot 342 (47 Whittier Ave)
  - Assessor's Plat 108, Lot 191 (45 Dorchester Ave)
  - Assessor's Plat 114, Lot 151 (58 Stella St.)
  - Assessor's Plat 116, Lot 542 (342 Mt. Pleasant Ave.)
  - Assessor's Plat 116, Lot 101 (125 Home Ave.)
  - Assessor's Plat 118, Lot 179 (106 Bradley St.)
  - Assessor's Plat 109, Lot 398 (343 Laurel Hill Ave.)
  - Assessor's Plat 110, Lot 392 (53 Murray St.)
  - Assessor's Plat 69, Lot 301 (125 Camden Ave.)
  - Assessor's Plat 39, Lot 279 (63 Elmerove Ave.)
  - Assessor's Plat 61, Lot 987 (90 Stadden St.)
  - Assessor's Plat 64, Lot 760 (62 Roanoke St.)
  - Assessor's Plat 65 Lot 36 (4 Cutler St.)
  - Assessor's Plat 80, Lot 687 (15 Van-Ausdall St.)
  - Assessor's Plat 86, Lot 214 (35 Bowler St.)
  - Assessor's Plat 107, Lot 266 (137 Eastwood St.)
  - Assessor's Plat 109, Lot 457 (10 Crown St.)
  - Assessor's Plat 108, Lot 238 (392 Plainfield St.)
  - Assessor's Plat 110, Lot 110 (76 Murray St.)
  - Assessor's Plat 83, Lot 273 (22 Stamford St.)
  - Assessor's Plat 33, Lot 630 (425 Broadway)

**Transmits the Following with Recommendation the Same be Approved:**

Resolution Requesting the Tax Assessor to apply the Homestead Exemption to the property located on Assessor's Plat 49, Lot 7 (681 Public Street).

**RESOLVED**, That the Tax Assessor is requested to apply the Homestead Exemption to the property located on Assessor's Plat 49, Lot 7 (681 Public Street).

Resolution Requesting the Tax Assessor to apply the Homestead Exemption to the property located on Assessor's Plat 6, Lot 602 (68 Locust Street, Unit 7).

**RESOLVED**, That the Tax Assessor is requested to apply the Homestead Exemption to the property located on Assessor's Plat 6, Lot 602 (68 Locust Street, Unit 7).

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Resolution Requesting the Tax Assessor to apply the Elderly Exemption to the property located on Assessor's Plat 6, Lot 602 (68 Locust Street, Unit 7).

**RESOLVED**, That the Tax Assessor is requested to apply the Elderly Exemption to the property located on Assessor's Plat 6, Lot 602 (68 Locust Street, Unit 7).

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**COUNCILMAN YURDIN Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILMAN NARDUCCI.**

**The Motion for Passage of the Several Resolutions is Sustained.**

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Communication from His Honor the Mayor, dated December 3, 2012, Informing the Honorable members of the City Council that pursuant to Sections 302 (b) and 1107 of the Providence Home Rule Charter of 1980, as amended, and Rhode Island General Law 45-42.1-3, as well as Zoning Ordinance 501.1 (c), he is this day appointing Michael S. Marino, of 30 Stimson Avenue, Providence, RI 02906, as the auxiliary member of the Historic District Commission for a term to expire on September 30, 2013. (Mr. Marino replaces Erin Chace, whose term has expired)

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Communication from His Honor the Mayor, dated December 3, 2012, Informing the Honorable members of the City Council that pursuant to Sections 302 (b) and 1107 of the Providence Home Rule Charter of 1980, as amended, and Rhode Island General Law 45-42.1-3, as well as Zoning Ordinance 501.1 (c), he is this day re-appointing Jon-Paul Couture, of 12 Arnold Street, Providence, RI 02906, as a member of the Historic District Commission for a term to expire on September 30, 2015.

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Communication from His Honor the Mayor, dated December 4, 2012, Informing the Honorable members of the City Council that pursuant to Sections 302 (b) and 1009 of the Providence Home Rule Charter of 1980, as amended, and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing Architect Enrique Martinez, of 255 5<sup>th</sup> Street, Providence, RI 02906, as a member of the Zoning Board of Review, for a term to expire on January 1, 2018, and respectfully submits the same for your approval.

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Communication from His Honor the Mayor, dated December 4, 2012, Informing the Honorable members of the City Council that pursuant to Sections 302 (b) and 1009 of the Providence Home Rule Charter of 1980, as amended, and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing Scott Wolf, of 411 Lloyd Avenue, Providence, RI 02906, as a member of the Zoning Board of Review, for a term to expire on January 1, 2018, and respectfully submits the same for your approval.

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Communication from His Honor the Mayor, dated December 4, 2012, Informing the Honorable members of the City Council that pursuant to Sections 302 (b) and 814 of the Providence Home Rule Charter of 1980, as amended, and Public Law, Chapter 45-50, Sections 1 through 31 passed in 1987, he is this day re-appointing Robert A. Kumins, of 4 Cole Farm Court, Providence, RI 02906, as a member of the Board of Tax Assessment Review, for a term to expire on January 31, 2016, and respectfully submits the same for your approval.

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**COUNCILMAN YURDIN Moves to Dispense with the reading of the foregoing matters and Receives and Approves the foregoing Communications, seconded by COUNCILMAN NARDUCCI.**

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**COUNCILMAN APONTE Moves to Reconsider item number twenty five, seconded by COUNCILMAN JACKSON.**

Resolution Requesting Tax Assessor to apply the Homestead Exemption to various properties for fiscal year January through December 2012.

**COUNCILMAN YURDIN Moves to Amend the Resolution by “deleting January and inserting “July”, seconded by COUNCILMAN NARDUCCI.**

**COUNCILMAN YURDIN Moves Passage of the Resolution, As Amended, seconded by COUNCILMAN NARDUCCI.**

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**OPEN PROVIDENCE COMMISSION FOR  
TRANSPARENCY AND ACCOUNTABILITY  
JOHN MARION, Chairman**

**Transmits the Following with Recommendation the Same be Received:**

Report and Recommendations of the Open Providence Commission for Transparency and Accountability.

**COUNCILMAN PRESIDENT SOLOMON Receives the foregoing Report.**

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**COMMUNICATIONS AND REPORTS**

Communication from Anna M. Stetson, City Clerk, dated January 4, 2013, of all monies received, transmitted to and credited by the City Collector for fiscal quarter of October 1, 2012 to and including December 31, 2012, in a total amount of One Thousand Two Hundred Ninety Five Dollars and Thirty Five (\$1,295.35) Cents.

**COUNCILMAN PRESIDENT SOLOMON Receives the foregoing Communication.**

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Communication from Alan R. Sepe, Acting Director, Department of Public Property, relative to the sale of land located on Assessor's Plat 35, Lot 356 (25 Bough Street).

**COUNCIL PRESIDENT SOLOMON Refers the Communication to the Committee on City Property.**

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Communication from Jason D. Martin, Principal Planner, Planning and Development, submitting the 2011-2012 Annual Report of the Providence Historic District Commission (PHDC).

**COUNCILMAN PRESIDENT SOLOMON Receives the foregoing Communication.**

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Report of the Board of Park Commissioners relative to receipts of certain gifts of moneys for the preservation and care of special burial lots in North Burial Ground.

**COUNCILMAN YURDIN Moves to Receive and Approve the foregoing Report, seconded by COUNCILMAN NARDUCCI.**

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## FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

*Nildo Rosa Pinto*  
*Jonathan R. Knowles, Jr.*  
*Donna L. Skelton*  
*MetLife Auto & Home*  
*a/s/o Anthony Marrapese*  
*Greg Wallace*  
*David R. Comerford*  
*Kim M. Ripley*  
*Hamlet Cruz*  
*Rita Valcorba*  
*R.P. Iannuccillo & Sons Const. Co.*  
*April Pearson*  
*(Christopher E. Fay, Esquire)*  
*Travelers a/s/o Kathleen Murray*  
*Thomas George Associates, Ltd.*  
*a/s/o Liberty Mutual Group/Brunilda*  
*Larios*

COUNCIL PRESIDENT SOLOMON Refers the Several Petitions to the Committee on Claims and Pending Suits.

## PRESENTATION OF RESOLUTIONS "IN CONGRATULATIONS"

COUNCIL PRESIDENT SOLOMON and MEMBERS OF THE CITY COUNCIL:

Resolution Extending Congratulations.

**RESOLVED**, That the Members of the City Council hereby extend their Sincere Congratulations to the following:

Firefighter Thomas James, Engine Company 5, Group "A", in recognition of the celebration of his retirement after 25 years of dedicated service to the Providence Fire Department.

Alexia Arriaza, Hope Arts School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Lexi Brown, Classical High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Alexandra Chavarriaga, Shea Senior High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Kevin Cruz, Hope Information Technology School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Jade Emmanuel, Classical High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Gloria Garcia, Classical High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

David Hernandez, Central Falls Senior High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Johana Justiniano, Central High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Alexis Lopez, Dr. Jorge Alvarez High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.



Yasmeen Luna, St. Mary Academy-Bay View, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Alejandro Toban, William E. Tolman Senior High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Stephen Pratt, Coventry High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Alexis Torres, Cranston High School East, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Celina Rodriguez, East Providence High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Sebastian Vergara, Blackstone Academy Charter School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Adderlin Taveras, Classical High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Nairobi Vina, Dr. Jorge Alvarez High School, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Sharina Taveras Lopez, William B. Cooley Health & Science Technology Academy, in recognition of being a 2012-2013 Latino Dollars for Scholars recipient.

Shawnee Taveras, in recognition of being a great youth model by participating in various community activities, sharing her musical talents with the community and being a young bright star in the City of Providence.

Severally Read and Collectively Passed, on Motion of COUNCILMAN YURDIN, seconded by COUNCILMAN NARDUCCI.

The Motion for Passage is Sustained.

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### PRESENTATION OF RESOLUTIONS "IN MEMORIAM"

COUNCIL PRESIDENT SOLOMON and MEMBERS OF THE CITY COUNCIL:

Resolution Extending Sympathy.

*RESOLVED*, That the Members of the City Council hereby extend their Sincere Sympathy to the families of the following:

*Serafino J. "Joseph" Lonardo*

*Rocco A. Corsetti*

*Robert Bennett*

*Paul Bavaro*

*Alfred J. "Al" Andrade*

*Thomas Gagnon*

*Francesco Paziienza*

*Walter D. Quimette, Sr.*

Severally Read and Collectively Passed, by a Unanimous Rising Vote, on Motion of COUNCILMAN YURDIN, seconded by COUNCILMAN NARDUCCI.

The Motion for Passage is Sustained.

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**MATTERS NOT APPEARING  
ON THE PRINTED DOCKET**

On motion of COUNCILMAN YURDIN seconded by COUNCILMAN NARDUCCI, it is voted to Suspend Rule 16(b) of the Rules of the City Council in order to allow the introduction of the following Matters Not Appearing on the Printed Docket.

**COUNCIL PRESIDENT SOLOMON (By Request):**

An Ordinance Relating to Article IV, Chapter 17, Section 17-189(5) of the Code of Ordinances. (Disability Waiver Request) (Barbara Cook)

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An Ordinance Relating to Article IV, Chapter 17, Section 17-189(5) of the Code of Ordinances. (Disability Waiver Request) (Mary Day)

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An Ordinance Relating to Article IV, Chapter 17, Section 17-189(5) of the Code of Ordinances. (Disability Waiver Request) (Steven DeConte)

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An Ordinance Relating to Article IV, Chapter 17, Section 17-189(5) of the Code of Ordinances. (Disability Waiver Request)(Kemly Cortes)

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An Ordinance Relating to Article IV, Chapter 17, Section 17-189(5) of the Code of Ordinances. (Disability Waiver Request)(Ana I. Acosta)

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COUNCILMAN YURDIN Moves to Dispense with the reading of the foregoing matters and Refer to Special Committee on Ways and Means, seconded by COUNCILMAN NARDUCCI, by the following Roll Call Vote:

**AYES:** COUNCIL PRESIDENT SOLOMON, COUNCILMAN APONTE, COUNCILWOMEN CASTILLO, MATOS, COUNCILMEN SALVATORE, YURDIN and ZURIER – 7.

**NAYES:** COUNCILMEN CORREIA, HASSETT, IGLIOZZI, JACKSON, PRINCIPE and SANCHEZ – 6.

**NOT VOTING:** COUNCILMAN NARDUCCI – 1.

**ABSENT:** COUNCILMAN JENNINGS – 1.


The Motion to Refer is Sustained.

COUNCIL PRESIDENT SOLOMON Refers the Several Ordinances to the Special Committee on Ways and Means.

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### ADJOURNMENT

There being no further business, on Motion of COUNCILMAN YURDIN, seconded by COUNCILMAN NARDUCCI, it is voted to adjourn at 7:35 o'clock P.M. (E.S.T.), to meet again TUESDAY, JANUARY 29, 2013 at 5:30 o'clock P.M. (E.S.T.)

  
Anita M. Steisoff  
City Clerk





FILED

2013 APR 25 A 10:55

DEPT. OF CITY CLERK  
PROVIDENCE, R.I.