

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL
JOURNAL OF PROCEEDINGS

No. 94 City Council Regular Meeting, Thursday, September 20, 1990, 7:30 o'clock P.M. (E.D.T.)

IN CITY COUNCIL
OCT - 4 1990

PRESIDING

APPROVED:

Stephen M. ... CLERK

COUNCIL PRESIDENT

NICHOLAS W. EASTON

ROLL CALL

Present: Council President Easton,
Councilmen Clarkin, Dillon, Councilwomen
DiRuzzo, Fagnoli, Councilmen Farmer,
Igliazzi, Rollins, and Councilwoman Young
— 9.

Absent: Councilmen Annaldo, Cola,
Glavin, Lombardi, Lopes and Petrosinelli —
6.

INVOCATION

The Invocation is given by COUNCILMAN
MALCOM FARMER, III.

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

COUNCILMAN DAVID G. DILLON 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. 93 of the
Regular Meeting of the City Council held
September 6, 1990 and Posted September 14,
1990 on that Bulletin Board located on the
Ground Floor Level of City Hall, Is
Approved as Printed, on motion of
COUNCILMAN DILLON, seconded by
COUNCILWOMAN FARGNOLI.

SCHEDULE OF BILLS

FROM THE CITY CONTROLLER:

Street Lighting Bill from Narragansett Electric Company for August, 1990 in the amount of One Hundred Twelve Thousand Eight Hundred Sixty Two Dollars and Eighty-Three Cents (\$112,862.83).

Approved, on motion of COUNCILMAN DILLON, seconded by COUNCILWOMAN FARGNOLI, by the following roll call vote:

Ayes: Council President Easton, Coun-

cilmen Clarkin, Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Farmer, Igliozi, Rollins, and Councilwoman Young — 9.

Noes: None.

Absent: Councilmen Annaldo, Cola, Glavin, Lombardi, Lopes, and Petrosinelli — 6.

The motion to Approve is Sustained.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication dated September 13, 1990 Informing the Honorable City Council that pursuant to Section 302 (b) and 1103 of the Providence Home Rule Charter of 1980, he is this day appointing Paul A. McConnell of 152 Belair Avenue, Providence, Rhode Island, as a Member of the Human Relations Commission for a term expiring in January of 1993, replacing Ruth

Logowitz who has resigned and respectfully submits the same for Approval.

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

PRESENTATION OF RESOLUTIONS

COUNCILMAN CLARKIN (By Request):

Resolution Requesting the Department of Public

Works to take over the maintenance of that Sewer Line located along Cold Spring Street.

Resolved, That the Department of Public Works is requested to take over the maintenance of that sewer line located along Cold Spring Street.

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

The motion for Passage is Sustained.

COUNCILMAN CLARKIN, COUNCILWOMAN FARGNOLI and COUNCILMAN LOPES:

Resolution Requesting that an Independent Management Study be undertaken relative to the allocation of manpower of the Providence Police Department.

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

The motion to Refer is Sustained.

COUNCILMAN GLAVIN, COUNCILMAN DILLON and COUNCILWOMAN FARGNOLI:

Resolution in Amendment of Resolution No. 418, approved September 7, 1990 relative to the Residency Requirements contained in Section 1210 of the Providence Home Rule Charter relative to all Municipal Employees, other than certified teachers in the School Department and Firefighters and Sworn Police Officers in the Department of Public Safety.

Whereas, Resolution No. 418, Approved September 7, 1990, is hereby amended as follows:

Whereas, Section 1210 of the Home Rule Charter

of the City of Providence requires that any and all employees of the City and any and all agencies and instrumentalities thereof, including all employees of the School Department and the Department of Public Safety, shall be residents of the city during such employment, and

Whereas, the City Council of the City of Providence proposes to amend the City Charter to repeal the residency requirement contained in Section 1210 for all municipal employees other than certified teachers in the School Department and Firefighters and Sworn Police Officers in the Department of Public Safety, and

Whereas, proposed amendments to the Home Rule Charter must be submitted to the electors of the City of Providence at the next general election or at a special election in accordance with Section 1301 of the Home Rule Charter and the Constitution of the State of Rhode Island.

It Is Hereby Resolved, that the City Council of the City of Providence, Rhode Island, is hereby authorized to cause the following question to be submitted to the Electors of the City of Providence at that General Election scheduled to be held on Tuesday, November 6, 1990: "Shall Section 1210 of the Home Rule Charter of the City of Providence be amended to read as follows:

1210. Residency requirement.

All certified teachers of the school department, and all firefighters and sworn police officers of the department of public safety, shall be residents of the city during such employment; provided, however, that any certified teacher, firefighter or sworn police officer employed by the city on January 3, 1983 shall not be subject to the foregoing provision. Certified teachers, firefighters or sworn police officers not residents of the city may be appointed or engaged for employment on the condition that within six (6) months of such employment or engagement they shall become residents of the city. Residence shall be defined for purposes of this section as being domiciled in the City of Providence according to

the definition of domicile set forth in section 206. Any certified teacher, firefighter or sworn police officer of the city who, during employment, ceases to be a resident shall forfeit his or her position in the employ of the city. Upon certification by the mayor that after diligent search no person with proper qualifications can be found to fill a particular position among residents of the city, the city council may exempt a nonresident employee from the provisions of this section."

This amendment shall take effect upon passage.

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

Resolution in Amendment of Resolution No. 417, approved September 7, 1990 relative to the Residency Requirements contained in Section 1210 of the Providence Home Rule Charter relative to Certified Teachers within the School Department.

Whereas, Resolution No. 417, Approved September 7, 1990, is hereby amended as follows:

Whereas, Section 1210 of the Home Rule Charter of the City of Providence requires that any and all employees of the City and any and all agencies and instrumentalities thereof, including all employees of the School Department and the Department of Public Safety, shall be residents of the city during such employment, and

Whereas, the City Council of the City of Providence proposes to amend the City Charter to repeal the residency requirement contained in Section 1210 for certified teachers within the School Department, and

Whereas, proposed amendments to the Home Rule Charter must be submitted to the electors of the City of Providence at the next general election or at a special election in accordance with Section 1301 of the Home Rule Charter and the Constitution of the State of Rhode Island.

It Is Hereby Resolved, that the City Council of the City of Providence, Rhode Island, is hereby authorized to cause the following question to be submitted to the Electors of the City of Providence at that General Election scheduled to be held on Tuesday, November 6, 1990: "Shall Section 1210 of the Home Rule Charter of the City of Providence be amended to read as follows:

1210. Residency requirement.

All officers of the city as defined in section 1207 above, and all employees of the city and of any and all agencies and instrumentalities thereof, including all employees of the school department, other than certified teachers, and the department of public safety, shall be residents of the city during such employment; provided, however, that any person employed by the city on the date upon which this Charter takes effect shall not be subject to the foregoing provision. Persons not residents of the city may be appointed or engaged for employment on the condition that within six (6) months of such employment or engagement they shall become residents of the city. Residence shall be defined for purposes of this section as being domiciled in the City of Providence according to the definition of domicile set forth in section 206. Any officer or employee of the city who, during employment, ceases to be a resident shall forfeit his or her position in the employ of the city. Upon certification by the mayor that after diligent search no person with proper qualifications can be found to fill a particular position among residents of the city, the city council may exempt a nonresident employee from the provisions of this section."

This amendment shall take effect upon passage.

Be It Further Resolved, that the City Clerk is

directed to cause a certified copy of this Resolution to be transmitted to the Secretary of State of Rhode Island, the Rhode Island State Board of Elections and the Board of Canvassers and Registration of the City of Providence, Rhode Island.

Resolution in Amendment of Resolution No. 416, approved September 7, 1990 relative to the Residency Requirements contained in Section 1210 of the Providence Home Rule Charter relative to Firefighters and Sworn Police Officers in the Department of Public Safety.

Whereas, Resolution No. 416, Approved September 7, 1990, is hereby amended as follows:

Whereas, Section 1210 of the Home Rule Charter of the City of Providence requires that any and all employees of the City and any and all agencies and instrumentalities thereof, including all employees of the School Department and the Department of Public Safety, shall be residents of the city during such employment, and

Whereas, the City Council of the City of Providence proposes to amend the City Charter to repeal the residency requirement contained in Section 1210 for firefighters and sworn police officers in the Department of Public Safety, and

Whereas, proposed amendments to the Home Rule Charter must be submitted to the electors of the City of Providence at the next general election or at a special election in accordance with Section 1301 of the Home Rule Charter and the Constitution of the State of Rhode Island.

It Is Hereby Resolved, that the City Council of the City of Providence, Rhode Island, is hereby authorized to cause the following question to be submitted to the Electors of the City of Providence at that General Election scheduled to be held on Tuesday, November 6, 1990: "Shall Section 1210

of the Home Rule Charter of the City of Providence be amended to read as follows:

1210. Residency requirement.

All officers of the city as defined in section 1207 above, and all employees of the city and of any and all agencies and instrumentalities thereof, including all employees of the school department and the department of public safety, other than firefighters and sworn police officers, shall be residents of the city during such employment; provided, however, that any person employed by the city on the date upon which this Charter takes effect shall not be subject to the foregoing provision. Persons not residents of the city may be appointed or engaged for employment on the condition that within six (6) months of such employment or engagement they shall become residents of the city. Residence shall be defined for purposes of this section as being domiciled in the City of Providence according to the definition of domicile set forth in section 206. Any officer or employee of the city who, during employment, ceases to be a resident shall forfeit his or her position in the employ of the city. Upon certification by the mayor that after diligent search no person with proper qualifications can be found to fill a particular position among residents of the city, the city council may exempt a nonresident employee from the provisions of this section."

This amendment shall take effect upon passage.

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

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

COUNCILWOMAN YOUNG and COUNCILMAN ROLLINS desire to be recorded as voting "No".

COUNCILMAN FARMER desires to be recorded as "Not Voting".

The motion for Passage is Sustained.

COUNCILMAN LOPES (By Request):

Resolution Authorizing the City Collector to cause taxes to be abated on that property located along 86 Jenkins Street in the amount of Seven Hundred Fifty-One Dollars Forty Cents (\$751.40) as requested by the Mount Hope Neighborhood Land Trust.

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

The motion to Refer is Sustained.

COUNCILWOMAN YOUNG (By Request):

Resolution Naming a Neighborhood Park and the Providence Street Tree Farm after Maddie Smith, a Woman Activist from the South Side of Providence, and Peggy Sharpe, a longtime Supporter of the Street Tree Projects.

Referred to the Committee on Urban Redevelopment, Renewal and Planning, on motion of **COUNCILMAN DILLON**, seconded by **COUNCILWOMAN FARGNOLI**.

The motion to Refer is Sustained.

Resolution adding the numbers 162-164-166-168-170 and 172 to the YMCA Building at 160 Broad Street.

Referred to the Committee on Urban Redevelopment, Renewal and Planning, on motion of **COUNCILMAN DILLON**, seconded by **COUNCILWOMAN FARGNOLI**.

The motion to Refer is Sustained.

COMMUNICATIONS AND REPORTS

FROM JOSEPH LACKEY, SENIOR RESEARCH ASSISTANT IN THE DEPARTMENT OF PLANNING AND DEVELOPMENT:

Communication informing the City Clerk that in conformance with the Conflict of Interest provision of Section 570.611, he is applying for a waiver which would allow his mother to participate in the Elderly and Handicapped Homeowner's Paint Program Loan.

Received.

FROM CLINTON GOINS, SUPERVISOR OF ENGINEERING IN THE DEPARTMENT OF PLANNING AND DEVELOPMENT:

Communication informing the City Clerk that

in conformance with the Conflict of Interest provision of Section 570.611, he is applying for a waiver which would allow his mother to participate in the Elderly and Handicapped Homeowner's Paint Program Loan.

Received.

FROM THE PORT DIRECTOR:

Monthly Report for the August, 1990.

Received.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz;

Beulah M. Baldoni

Allen E. Bradley

Patrice R. Cavarretta

John C. Chmura

Henry T. DelMonico

Kerri Fish

Carmella Falco, p.p.a. Joseph

GC Properties

Robert A. Graham

Marjorie Kenyon

Juan Martinez

Amelia M. Mello

Dennis F. Mello

Metropolitan Ins., a/s/o Vincent Iannetta

Ocean State Rental

Marie B. Packer

Patricia Quinn vs. RIPTA and City of Providence

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

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

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

Resolutions extending Sympathy.

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

Helen M. Nardi

Dorothy G. Simon

Peter Lombardi

Frank N. Rosato

William J. Giardillo

Joseph Russo

Philip J. Pitassi

Francis B. Haslam

Pasqualina Scorpio

Eva DiCarlo

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

The motion for Passage is Sustained.

ADJOURNMENT

There being no further business, on
motion of COUNCILMAN DILLON, second-
ed by COUNCILWOMAN FARGNOLI, the
City Council adjourns at 8:00 o'clock P.M.
(E.D.T.) to meet again on THURSDAY,
OCTOBER 4, 1990 at 7:30 o'clock P.M.
(E.D.T.).

Rose M. Mendonca

City Clerk

September 20]

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September 20]

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