

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL
JOURNAL OF PROCEEDINGS

No. 35 City Council Regular Meeting, Thursday, February 5, 2004, 7:30 o'clock P.M. (E.S.T.)

PRESIDING
COUNCIL PRESIDENT
JOHN J. LOMBARDI

ROLL CALL

Present: Council President Lombardi,
Councilmen Allen, Aponte, Butler, DeLu-
ca, Councilwoman Diruzzo, Councilmen
Hassett, Igliozi, Jackson, Luna, Mancini,
Councilwoman Romano, Councilman Segal,
Councilwomen Williams and Young - 15.

IN CITY COUNCIL
APR 6 2006

READ
WHEREUPON IT IS ORDERED THAT Absent: None.
THE SAME BE RECEIVED.

John J. Lombardi

CLERK

Also Present: Bruce D. Todesco, Depu-
ty City Solicitor, Michael R. Clement, City
Clerk, Claire E. Bestwick, First Deputy City
Clerk, Sheri A. Petronio, Assistant Clerk and
Vincent J. Berarducci, City Sergeant.

2006 MAR 14 P 2:57
DEPT OF CITY CLERK
PROVIDENCE, R.I.

10:57:10

INVOCATION

The Invocation is given by COUNCIL-
WOMAN RITA M. WILLIAMS.

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

COUNCILMAN PATRICK K. BUTLER
Leads the Members of the City Council
and the Assemblage in the Pledge of Al-
legiance to the Flag of the United States
of America.

APPOINTMENTS FROM HIS HONOR THE MAYOR

Communication dated January 26, 2004, 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, he is this day re-appointing Mafalda Cascione of 21 Leslie Drive, Providence, Rhode Island 02908, as a member of the Board of Tax Assessment and Review for a term to expire in January 2007, and respectfully submits the same for your approval.

Communication dated January 26, 2004, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing Mr. James H. Leach

of 500 Blackstone Boulevard, Providence, Rhode Island 02906, to the City Plan Commission for a term to expire in January 2009, and respectfully submits the same for your approval.

Communication dated January 26, 2004, 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, he is this day re-appointing Barbara S. Nonnenmacher of 10 Naples Avenue, Providence, Rhode Island 02908, as a member of the Board of Tax Assessment Review for a term to expire in January 2007, and respectfully submits the same for your approval.

Communication dated January 29, 2004, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1011 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Mr. Lance Bay of 44 Alunmi Avenue, Providence, Rhode Island 02906, as a member of the Building Board of Review for a term to expire in January 2009, and respectfully submits the same for your approval. (Mr. Bay will be replacing Arthur Salisbury whose term has expired, as the licensed architect on the Building Board of Review).

Communication dated January 29, 2004, Informing the Honorable Members of the

City Council that pursuant to Sections 302(b) and 701 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Ms. Grace Gonzalez of 15 Crescent Street, Providence, Rhode Island 02907, as a member of the Providence School Board for a term to expire on the first Monday in January, 2007, and respectfully submits the same for your approval. (Ms. Gonzalez will be replacing Mr. Bienvenido R. Garcia whose term has expired).

Communication dated January 29, 2004, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 701 of the Providence Home Rule Charter of 1980, as amended, he is this day

appointing Mr. Nguda Maila Touray of 40 Victoria Street, Providence, Rhode Island 02909, as a member of the Providence School Board for a term to expire on the first Monday in January, 2007, and respectfully submits the same for your approval. (Mr. Touray will be replacing Ms. Olga Noguera whose term has expired).

Communication dated January 29, 2004, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 701 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Mr. Robert Wise of 61 Modena Avenue, Providence, Rhode Island 02908,

as a member of the Providence School Board for a term to expire on the first Monday in January, 2007, and respectfully submits the same for your approval. (Mr. Wise will be replacing Mr. Eugene Burns whose term has expired).

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Receives and Refers the Several Communications to the Committee on Finance.

PRESENTATION OF ORDINANCES

COUNCIL PRESIDENT LOMBARDI:

An Ordinance Relating to the use of Camera Phones and other Video Imaging Systems on Public Property and within Public Buildings in the City of Providence.

COUNCIL PRESIDENT LOMBARDI Refers the Ordinance to the Committee on Ordinances.

COUNCILMAN ALLEN (By Request):

An Ordinance Establishing a Tax Stabilization Plan for 166 Niantic Avenue.

COUNCILMAN APONTE (By Request):

An Ordinance in Amendment of Chapter 2003-59, Approved November 14, 2003, En-

titled: "An Ordinance in Accordance with Chapter 21, Section 19 of the Code of Ordinances of the City of Providence Entitled: "Capital Equipment Budget", as Amended.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Refers the Several Ordinances to the Committee on Finance.

COUNCILWOMAN WILLIAMS:

An Ordinance with respect to Motorcycle Noise.

COUNCIL PRESIDENT LOMBARDI Refers the Ordinance to the Committee on Ordinances.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMEN WILLIAMS and YOUNG:

Resolution Extending Sincere Best Wishes for a Happy Birthday to Councilman Ronald W. Allen on February 8, 2004.

Resolved, That the Members of the Providence City Council hereby Extend Sincere Best Wishes for a Happy Birthday to Councilman Ronald W. Allen on February 8, 2004.

Read and Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

COUNCIL PRESIDENT LOMBARDI (By Request):

Resolution Establishing a Memorial Plaque in memory of John Augustus Roach, Sr. at the corner of Federal Street and Sutton Street.

COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning.

COUNCILMAN ALLEN (By Request):

Resolution Requesting the City of Providence to donate and transport various obsolete pieces of firefighting equipment and vehicles to our Sister City Santo Domingo (and neighboring townships), Dominican Republic.

COUNCILMAN HASSETT and COUNCILMAN IGLIOZZI:

Resolution Authorizing the President of the City Council to engage the Professional Services of a consultant or consultants pursuant to Section 401(d) of the Providence Home Rule Charter to advise the City Council in any and all matters associated with "Assessment of Valuations Apportionment of Levies" as required, pursuant to 44-5-11.6 (b) et el.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Finance.

COUNCILMAN LUNA and COUNCILMAN BUTLER:

Resolution Requesting to preserve fire bells and keep them within the City of Providence.

Whereas, The City of Providence is considering auctioning off 14 to 16 one-hundred year old fire bells; and

Whereas, These fire bells were replaced by the Providence Fire Department approximately one year ago, and many of them are still in good condition, while others are in need of some minor restoration; and

Whereas, These fire bells should not be auctioned off, they are heirlooms that should be restored for use, or preserved, and either given to the Fire Museum for display with a plaque detailing the year they were made, or returned and mounted at their respective fire stations; and

Whereas, As these heirlooms belong to the citizens of our fine City of Providence, we should make every effort to keep these historical treasures within our city, and find a way to prevent these fire bells from going to auction.

Now, Therefore, Be It Resolved, That every effort should be made to preserve these fire bells and keep them within the City of Providence.

COUNCILMAN SEGAL (By Request):

Resolution Relative to the Preserve America Program.

Whereas, The Blackstone River Valley National Heritage Corridor ("The Corridor") was established by an Act of Congress in 1986 to recognize the national importance of this region as the "birthplace of the American Industrial Revolution"; and

Whereas, The Corridor consists of twenty-four communities in the states of Rhode Island and Massachusetts, stretching from the Narragansett Bay in Providence, Rhode Island to the headwaters in Worcester, Massachusetts; and

Whereas, The Corridor is considered a model for how local communities, state and federal agencies and the business and preservation community have adopted common goals and have formed a strong partnership to revitalize historic communities, restore an urban waterway and preserve the special character of the Blackstone Valley landscape; and

Whereas, Preserve America is a national program that has been established by Executive Order No. 13287 as a White House initiative, developed in cooperation with the Advisory Council on Historic Preservation, the United States Department of the Interior, and the United States Department of Commerce; and

Whereas, Preserve America is a competitive designation celebrating model programs and achievements in preservation; and

Whereas, Preserve America encourages agencies to seek partnerships with state, tribal, and local governments and the private sector to make more efficient and informed use of their resources for economic development and other recognized public benefits; and

Whereas, Preserve America better combines historic preservation and nature tourism by directing the agencies to assist in the development of local and regional nature tourism programs using the historic resources that are a significant feature of many state and local economies; and

Whereas, The Preserve America designation taps into three federal programs to provide support for local efforts to preserve open spaces and historic structures, including the Cooperative Conservation Initiative, the Economic Development Administration and Save America's Treasures.

Now, Therefore, Be It Resolved, That the City of Providence, which lies within the boundaries of the John H. Chafee Blackstone River Valley National Heritage Corridor, is seeking designation of the Corridor as part of the Preserve America Program; and

BE IT FURTHER RESOLVED, That the City of Providence endorses and supports this joint application of the twenty-four communities that make up this bi-state region of New England designated as the Blackstone River Valley National Heritage Corridor and respectfully submits this application for a Preserve America Award.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

PERSONAL EXPRESSION

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

As all of you know me when I feel I'm right and I feel I'm fighting a just cause it is very difficult for me to not express my opinion. Much to some people chagrin but I rise tonight to discuss the topic of the government's responsibility to be held accountable to the people of Providence and its taxpayers. It's the idea of the separation of powers. It's not about personality, it's not about job performance and it's not about personal attacks. Recently I'm sure all of you have heard there have been numerous discussions, opinions, and even displays of uncivil behavior concerning the Police Chief's contract and whether or not the Providence City Council has the right to ratify it. First issue before us, was the Police Chief's contract submitted and ratified by the Providence City Council, the answer is no. Here are the facts. Per the City Clerk's Office which is the official keeper of the records, the Chief's

contract has never been submitted to the City Council in any capacity. I ask Yvonne now please distribute the Chief's contract to my colleagues. At no time has the Chief's contract appeared on the Council Docket. At no time has it appeared before any council committee. In fact, one of the only mentions for the record of this contract was by me back in June of 2003, months and months ago during the budget hearings. I informed the administration and the Police Chief who was sitting at that hearing that his contract has not been submitted to the Council and was not ratified. Also, at that time I reminded the administration of the actual language of this contract which specifically calls for ratification of the contract by the council. I ask my council colleagues to turn to page three, it's highlighted. I'm going to paraphrase. The contract specifically states "prior to ratification of this agreement by the Providence City Council the city will pay the Chief's annual base salary at the currently approved reduce rate of \$98,000.00. Upon the City Council's ratification of this agreement the Chief shall receive retro-active pay.

The city shall pay the retro-active pay to the Chief following the City Council's ratification of this agreement. Which ratification, the Mayor shall be obtained in any event no later than March 6, 2003. Per Webster's Dictionary ratify is defined as to approve formally and to thereby validate. Conclusion, the administration never submitted the Chief's contract to the Providence City Council for ratification. The rationale for ratification by the City Council is a simple one, it's one of accountability to the public. The council ratification and budget process provides the general public the opportunity to comment, to question, to remark on what we are doing with their tax dollars and also to question us the elected officials in how we spend these tax dollars. Issue number two, was there any line item identified in the present budget to pay for the Chief's contract, answer no. Facts, after reviewing again and again the present 2003-2004 budget it only provided for just the salary of the Police Chief of \$143,000.00, nothing more, nothing less. The budget does not provide funding through any line item for any of the additional compensation clauses in the Chief's contract. Specifically, this budget does not provide a funding source for the

retroactive check the Chief received in the amount of \$6,000.00. The interesting thing about this is the Chief received a check of \$6,000.00 back in March of 2003 so that money was drawn out of a budget a year prior. The 2003-2004 budget does not provide a line item for closing costs, inspection fees and legal fees for the purchase of the private home of the Chief of Police in the amount of \$9,000.00. The 2003-2004 budget does not provide funding for the second pension that the contract calls for, an annual contribution of \$12,000.00, \$13,000.00, \$14,000.00 and \$15,000.00. It's in what they call a 457 Tax Deferred Account which means that is worth double the amount. The 2003-2004 budget does not provide funding for moving expenses of \$4,000.00. What is most concerning? Is that the money used to pay for where all of these items came from and per the Internal Auditor and I'm going to continue to investigate, miscellaneous accounts. Conclusion, there are not line items identified in the 2003-2004 budget for this contract, therefore, the money was not appropriated correctly and the contract is invalid. Isn't it ironic a few years ago my brother David stood right on this very floor with quite a few of you here. Councilman Lombardi, Council-

woman Young, Councilwoman DiRuzzo and Councilman Glavin. They stood here waging a battle, a battle of government accountability and it was a battle of separation of powers. Back then my brother and these colleagues here stood up on this floor and sued guess who? Mayor Vincent Buddy Cianci, took him to court. They sued and they won in Supreme Court, won the right, the council won the right to ratify union contracts. It was a bold precedent setting step that this council took. History is repeating itself again and tonight I stand on this very floor with my colleagues here and we are fighting the same battle. Government accountability, separation of powers. Although from what I just heard recently the Solicitor's opinion is pre-determined and before it goes too far in this battle of the separation of powers I once again and respectfully request that the Mayor stand with us, stand with us tonight and do the just, do the right and do the democratic thing. Submit the contract to the City Council for ratification. Thank you.

COUNCILMAN HASSETT Requests the privilege of the floor to speak on a

point of Personal Expression and states:

This issue is a difficult issue. I think that in some respects has deteriorated to things that should not be discussed. The employment contract for the Chief of Police is an issue as we all know. It's in the public discourse but it does hearken back to an important thing that Councilman Igliozi just pointed out, that is the right of ratification of the City Council. That right was won. As a result and pursuant to a ruling by the Rhode Island Supreme Court that this body that has a financial tag to it particularly, and I think that was the basis for the lawsuit on the labor contracts that it be submitted for ratification. This has nothing to do I don't think I'm sure it is shared across the city, there is nothing about the Chief's performance or the Mayor. This is a constitutional issue and long after I leave this building my term is up and my public service is done I want to make sure that the powers of the respected branches are preserved. The legislative authority has invested in this City Council and the Chief Executive Authority has invested in the Mayor. I think we are at a crossroad on that particular issue and

that's what the issue is, it is a narrow issue. This employment contract has a financial price tag to it and I believe the City Council needs to know how it is being spent and needs to grant it's approval in order for it to be a valid contract. I have spoken with representatives of the Mayor and I think the way it was resolved was an opinion of the City Solicitor relative to the status of this contract and I hope that comes pretty soon so that this matter can come to some closure. That may not end there depending on what the opinion says. It could lead to an examination by our own legal counsel and at the appropriate time perhaps we should review that because it appears as though it's following a similar path of what happened with the labor contract lawsuit some time ago. That there is a standoff between the two branches and as I said before it's nothing personal between anybody or challenging anyone's performance or anything else. I think it's a legal issue which is separation between the two branches. We have to clarify what our authority is and the Charter is quite clear on that and there are certain powers invested in the Mayor. The Mayor appointed the Chief

as the Acting Commissioner of Public Safety and has an employment contract which is a rather unusual and extraordinary contract, I don't think I have ever seen one. I have checked around, there aren't too many of these contracts around but be that as it may it is still a contract that has benefits I think that total probably about \$80,000.00 over the life of the contract. That's a financial issue I think the City Council has to elaborate on, discuss and either grant approval or not. So I think it's an important time for the City Council to basically express itself as a body and as a unit to request again that the Mayor submit the contract to the City Council. In absence of that I guess we can always wait for the City Solicitor to render his opinion on this matter but I think one way or the other we have to bring it to closure but it is concerning because it is a challenge between the two branches and I think that's an important point in time for us. I hope that the Solicitor can give us a timely decision and I think at some point perhaps we should have our own legal advisor advise the council as to what its rights are relative to this issue. Thank you.

PRESENTATION OF RESOLUTIONS

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "Four-Way Stop" Sign at the intersection of Oriole Avenue and Paterson Street, near Lincoln School.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking"

Signs on the North side of University Avenue between Elmgrove Avenue and Wayland Avenue.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Refers the Several Resolutions to the Committee on Public Works.

REPORTS FROM COMMITTEES

COMMITTEE ON PUBLIC WORKS COUNCILMAN TERRENCE M. HASSETT, Chairman

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

Resolution Requesting the Traffic Engineer to cause the removal of the "No Parking" Signs in front of the Providence Water Supply Board.

Resolved, That the Traffic Engineer is requested to cause the removal of the "No Parking" Signs in front of the Providence Water Supply Board.

Resolution Requesting the Traffic Engineer to cause the installation of a street sign for Nolan Street at the intersection of Nolan Street and Bernon Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a street sign for Nolan Street at the intersection of Nolan Street and Bernon Street.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking Anytime" Signs along the westerly side of Common Street from Holden Street to Smith Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Parking Anytime" Signs along the westerly side of Common Street from Holden Street to Smith Street.

Resolution Requesting the Traffic Engineer to cause the installation of street signs for Higgins Avenue at the intersection of Higgins Avenue and Oakland Avenue and at Higgins Avenue and Garfield Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of street signs for Higgins Avenue at the intersection of Higgins Avenue and Oakland Avenue and at Higgins Avenue and Garfield Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of a "No Parking 9:00 P.M. to 7:00 A.M." Sign on the North Side of Hidden Street between Prospect Street and Congdon Street.

Resolved, That the Traffic Engineer is requested to cause the installation of a "No Parking 9:00 P.M. to 7:00 A.M." Sign on the North Side of Hidden Street between Prospect Street and Congdon Street.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking" Signs on the South Side of Hidden Street between Prospect Street and Congdon Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Parking" Signs on the South Side of Hidden Street between Prospect Street and Congdon Street.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking" Signs on the South Side of Hidden Street between Prospect Street and Brown Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Parking" Signs on the South Side of Hidden Street between Prospect Street and Brown Street.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking" Signs on the North Side of Elton Street between Blackstone Boulevard and Humboldt Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Parking" Signs on the North Side of Elton Street between Blackstone Boulevard and Humboldt Avenue.

Resolution Requesting the Traffic Engineer to cause the installation of a "Slow Curve" Sign on River Road between the Henderson Bridge and Richmond Square.

Resolved, That the Traffic Engineer is requested to cause the installation of a "Slow Curve" Sign on River Road between the Henderson Bridge and Richmond Square

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters and Moves Passage of the Several Resolutions, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage of the Several Resolutions is Sustained.

**COMMITTEE ON FINANCE
COUNCILMAN KEVIN JACKSON, Chairman**

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

An Ordinance in Amendment of Ordinance No. 645, Chapter 2002-42 Entitled: An Ordinance Relating to Tax Stabilization for Stanley Weiss Associates, LLC., as Amended.

**COUNCIL PRESIDENT LOMBARDI
Refers the Ordinance Back to the Committee on Finance.**

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

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

men Hassett, Igliazzi, Jackson, Luna, Mancini, Councilwomen Romano, Williams and Young -14.

Read and Passed the First Time, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the Following Roll Call Vote:

Nayes: None.

Absent: Councilman Segal - 1.

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Council-

The Motion for Passage the First Time is Sustained.

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

Communication from His Honor the Mayor dated December 10, 2003, 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, he is this day appointing Mr. Daniel W. Varin of 19 President Avenue, Providence, Rhode Island 02906, as a member of the Zoning Board of Review for a term to expire in January, 2009. (Mr. Varin will be replacing Mr. Ralph Lennon, whose term has expired.)

COUNCILMAN APONTE Moves Approval of the foregoing Communication, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

COMMUNICATIONS AND REPORTS

Communication dated January 12, 2004, from Council President John J. Lombardi, Council President Pro Tempore Balbina A. Young, Deputy Majority Leader Rita M. Williams, Councilwoman Josephine J. DiRuzzo, Councilman Peter S. Mancini, Councilwoman Carol A. Romano, Councilman Patrick K. Butler and Councilman John J. Iglizzi, in accordance with Rule 21 of the Rules of the Providence City Council entitled: "Discharge of Committee", the Committee on Finance hereby discharges an "Ordinance Establishing a Tax Stabilization Plan for One Reservoir Avenue."

COUNCILMAN APONTE Moves to Discharge the foregoing Communication, seconded by COUNCILWOMAN WILLIAMS, by the Following Roll Call Vote:

Ayes: Council President Lombardi, Councilman Butler, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Mancini, Councilwomen Romano, Williams and Young - 9.

Nayes: Councilmen Allen, DeLuca, Jackson and Luna - 4.

Not Voting: Councilman Aponte - 1.

Absent: Councilman Segal - 1.

The Motion for Discharge is Sustained.

Communication from Louis M. Pavao, Clerk, Municipal Court, dated January 13, 2004, submitting the annual report of revenue collected for the period of January 2, 2003 thru December 31, 2003, in the amount of Four Million Eight Hundred Thousand Three Hundred Eight Dollars and Sixteen (\$4,800,308.16) Cents for violations.

Communication from Frank S. Lombardi, Esquire, Clerk, Probate Court, dated January 20, 2004, submitting the annual report of the operations for the fiscal year beginning July 1, 2002 and ending June 30, 2003.

COUNCILMAN APONTE Moves to Dispense with the Reading of the foregoing matters.

COUNCIL PRESIDENT LOMBARDI Receives the Several Communications.

Communication from Andrew Rosenzweig, Deputy Chief, Providence Police Department, dated January 26, 2004, requesting an extension of the Residency Requirement for the City of Providence.

COUNCIL PRESIDENT LOMBARDI Receives and Refers the Communication to the Committee on Finance.

Communication from Stephen J. O'Rourke, Executive Director, Providence Housing Authority, dated January 23, 2004, submitting the annual report for Fiscal Year 2003.

COUNCIL PRESIDENT LOMBARDI Receives the foregoing Communication.

FROM THE CLERK'S DESK

Petition from Paul Young, Project Manager, Brown University, Department of Facilities Management, requesting that a utility easement be established at Ship Street (Assessor's Plat 21, Lot 105) for university use.

COUNCIL PRESIDENT LOMBARDI Refers the Petition to the Committee on Public Works and the Committee on City Property, Jointly.

Petitions for Compensation for Injuries and Damages, viz:

Monica Moniz

Sergey Kolker

Leon Robinson
(Raymond A. Pacia, Esquire)

Anthony Ducally

Leslie R.F. Papp II

Amica Insurance
a/s/o Ventzislav Karaivanov

Sabrinna Ruiez
(Charles J. Vucci, Esquire)

Rhode Island Public Transit Authority

Nestor Moreno
(Christopher E. Fay, Esquire)

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

PRESENTATION OF RESOLUTIONS

“In Congratulations”

**COUNCIL PRESIDENT LOMBARDI and
the MEMBERS of the CITY COUN-
CIL:**

Resolution Extending Congratulations.

Resolved, That the Members of the City Council hereby extend their sincere congratulations to the following:

Susan Almonte, in recognition of the celebration of her graduation from the Rhode Island Community Food Bank's Community Kitchen.

Betzaida Benitez, in recognition of the celebration of her graduation from the Rhode Island Community Food Bank's Community Kitchen.

Vina M. Greene, in recognition of the celebration of her graduation from the Rhode Island Community Food Bank's Community Kitchen.

Linda J. Heines, in recognition of the celebration of her graduation from the Rhode Island Community Food Bank's Community Kitchen.

George Murphy, in recognition of the celebration of his graduation from the Rhode Island Community Food Bank's Community Kitchen.

Arturo Taveras, in recognition of the celebration of his graduation from the Rhode Island Community Food Bank's Community Kitchen.

Daniel S. Wilkins, in recognition of the celebration of his graduation from the Rhode Island Community Food Bank's Community Kitchen.

Nancy V. Thomas, in recognition of the celebration of the occasion of her retirement from the Division of Taxation in the State of Rhode Island, after 57.9 years of service.

Severally Read and Collectively Passed, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

**COUNCIL PRESIDENT LOMBARDI and
the MEMBERS OF THE CITY COUN-
CIL:**

Resolution Extending Sympathy.

Resolved, That the Members of the City
Council hereby extend their sincere sym-
pathy to the families of the following.

Michael A. Vendituoli

Michael K. Creedon

Leonard E. Sweeney

Michael Santiano

Ernest A. Rotella

Peter Mansolillo

Lawrence Pennacchia

Helen Ciosek

Anthony A. Barone

The Reverend Monsignor Edward F.
Egan

Edith Italia M. Lapati

Elvira Anna Pontarelli

**Severally Read and Collectively
Passed, by a Unanimous Rising Vote,
on Motion of COUNCILMAN APONTE,
seconded by COUNCILWOMAN WIL-
LIAMS.**

**The Motion for Passage is Sus-
tained.**

MATTER NOT APPEARING ON THE PRINTED DOCKET

On Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to Suspend Rule 16-B of the City Council Rules in or-

der to allow the introduction of the following Matter Not Appearing on the Printed Docket.

PRESENTATION OF ORDINANCE

COUNCIL PRESIDENT LOMBARDI and COUNCILMAN HASSETT (By Request):

An Ordinance Establishing and Granting a Tax Stabilization Plan for Foundry Development Associates, LLC, with respect to Assessor's Plat 67, Lot 554 of the City of Providence.

COUNCIL PRESIDENT LOMBARDI Refers the foregoing Ordinance to the Committee on Finance.

ADJOURNMENT

There being no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn the meeting at 8:15 o'clock P.M. (E.S.T), to meet again on THURSDAY, FEBRUARY 19, 2004 at 7:30 o'clock P.M. (E.S.T).

Michael R. Clement

CITY CLERK

