

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 101 City Council Regular Meeting, Thursday, May 19, 1994, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

JAMES A. PETROSINELLI

IN CITY COUNCIL

JUN 16 1994

READ AND APPROVED

Michael S. Clement

CLERK

ROLL CALL

Present: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Fenton, Glavin, Igliozi, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, and Councilwomen Williams and Young—15.

Absent: None.

INVOCATION

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

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

COUNCILMAN ROBERT M. CLARKIN
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. 98 of the
Regular Meeting of the City Council held
April 21, 1994 and The Journal of Proceed-
ings No. 99 of the Special Meeting of the City
Council held May 2, 1994, and Severally
Posted May 17, 1994, on that Bulletin Board
located on the Ground Floor Level of City
Hall, are Severally Approved as Printed, on
motion of COUNCILMAN GLAVIN, second-
ed by COUNCILMAN IGLIOZZI.

SCHEDULE OF BILLS

FROM THE CITY CONTROLLER:

Street Lighting Bills from Narragansett Electric Company in the amount of One Hundred Seven Thousand, Three Hundred Seventy-Nine Dollars and Nine Cents (\$107,379.09) for the month of March, 1994.

Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN IGLIOZZI, by the following Roll Call Vote:

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Coun-

cilwomen DiRuzzo, Fargnoli, Councilmen Fenton, Glavin, Lombardi, Mancini and Councilwoman Williams—11.

Noes: None.

Absent: Councilman Igliazzi, Councilwoman Nolan, Councilman Rollins and Councilwoman Young—4.

The motion of Approval, is Sustained.

ORDINANCES SECOND READING

The following Ordinances were in City Council May 5, 1994, Read and Passed the First Time and are Severally Returned for Passage the Second Time:

COUNCILMAN GLAVIN moves that Items No. 6 and 8 be taken up Severally.

This motion being seconded by COUNCILMAN IGLIOZZI, is Put to Vote and Passed.

An Ordinance in Amendment of An Ordinance Adding Chapter 20.1 to the Code of Ordinances for a Providence Indian Housing Authority.

Be it ordained by the City of Providence:

Section 1. Chapter 20.1 of the Code of Ordinances of the City of Providence entitled "Indian Housing Authority" is hereby added to the Code of Ordinances as follows:

20.1-1. Membership and Term.

There shall be an Indian Housing Authority for the City of Providence consisting of five (5) commissioners, three (3) of whom shall be appointed by the mayor and two (2) of whom shall be appointed by the city council. All commissioners shall serve for staggered five-year terms. At least three (3) commissioners shall be duly enrolled members of a state or federally recognized Indian Tribe. No person shall be barred from serving as a commissioner who is a tenant or homeowner in a dwelling directly or indirectly provided by the Indian Housing Authority. The mayor shall file with the city clerk a certificate of the appointment or reappointment of any

commissioner and such certificate shall be conclusive evidence of the due and proper appointment of such commissioners.

The Indian Housing Authority created under the terms of this chapter shall be organized for the purpose of directly or indirectly providing dwelling accommodations in the City of Providence for Indians of low income, within the meaning of and so as to qualify for funding under 24 Code of Federal Regulations Part 905.

20.1-2 Powers of the Authority.

The authority:

(a) May act as a public housing agency within the meaning of the federal law and as an authority within the meaning of State law, *except that the Authority must comply with all local zoning laws.*

(b) For this purpose may:

(i) Enter into and perform a contract or agreement with the State, the United States, or a federal agency.

(ii) Develop or operate a housing project; and

(iii) Act as a public housing agency within the meaning of the federal law and as an authority within the meaning of State law;

20.1-3. Gaming Facilities.

Nothing in this chapter shall be construed to authorize the establishment of gaming facilities.

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

An Ordinance in Amendment of Chapter 564 of the Ordinances of the City of Providence entitled "The City of Providence Zoning Ordinance" approved October 24, 1991 by amending the Providence Zoning District Map Number 62

of the Official Zoning Map by changing the Zoning District Designation of Lots 556, 551, 443, 441, 428, 425, 402, 401, 399, 404, 403, 540, 449, 398, 527, 526, 395, 537, 394, 538, 522, 447, 478, 518, 550 and 497 from C-2 to C-4 and the Zoning District Designation of Lots 528, 396, 523, 524 and 525 from R-4 to C-4 as amended.

Be it Ordained by the City of Providence:

Section 1. Chapter 564 of the Ordinances of the City of Providence entitled "The City of Providence Zoning Ordinance" approved October 24, 1991 is hereby amended by changing the the Zoning District Designation of Lots 556, 551, 443, 441, 428, 425, 402, 401, 399, 404, 403, 540, 449, 398, 527, 526, 395, 537, 394, 538, 522, 447, 478, 518, 550 and 497 on Providence Zoning District Map Number 62 of the Official Zoning Map from C-2 to C-4 and by changing the Zoning District Designation of Lots 528, 396, 523, 524 and 525 on Providence Zoning District Map Number 62 of the Official Zoning Map from R-4 to C-4.

Section 2. This ordinance shall take effect upon passage.

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

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Fenton, Glavin, Iglozzi, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—15.

Noes: None.

Absent: None.

The motion for Passage, the Second Time, is Sustained.

An Ordinance Regulating the Protection, Maintenance, Removal and Planting of Trees in the Public Streets, Parks and other public places and Tree Protection Zones on designated private property under development, establishing the Board of Park Commissioners and Establishing the Division of Grounds Maintenance Services, as the Agencies prescribing regulations related to the protection, maintenance, removal and planting of trees in the above mentioned places, providing for the maintenance or removal of trees on private property when the public safety is endangered and prescribing penalties for violations of its provisions, as amended.

Be it ordained by the City of Providence:

Section 1. Section 23 1/2-41 of the Code of Ordinances of the City of Providence is amended to read as follows:

...

E. No person shall install steel grate or any facsimile or like substance within the confines of the ground area surrounding the base of the tree trunk.

F. No person shall preclude or inhibit the percolation of water, nutrients and gaseous exchange necessary to a tree's survival by placement of any material which so precludes or inhibits within the tree well opening.

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

COUNCILMAN IGLIOZZI moves the Ordinance be amended to read as follows:

" ...

E. No person shall install steel grate or any facsimile or like substance within the confines of the ground area surrounding the base of the tree trunk.

F. No person shall preclude or inhibit the percolation of water, nutrients and gaseous exchange necessary to a tree's survival by placement of any material which so precludes or inhibits within the tree well opening."

This motion is seconded by COUNCILMAN GLAVIN.

COUNCILMAN IGLIOZZI moves that the Ordinance be Read and Passed, the Second Time, as Amended, by the following Roll Call Vote:

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Fenton, Glavin, Igliazzi, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—15.

Noes: None.

Absent: None.

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

PRESENTATION OF ORDINANCES

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

An Ordinance Making an Appropriation of One Hundred Fifty-Nine Million, Two Hundred Twenty-Five Thousand, Forty-Nine Dollars (\$159,225,049.00) for the support of the Providence School Department for the Fiscal Year ending June 30, 1995.

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the School Department and repealing Ordinance Chapter 1990-17, approved July 3, 1990.

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

The motion to Refer, is Sustained.

An Ordinance Establishing a Compensation Plan for the School Department and Repealing Ordinance Chapter 1990-18, approved July 3, 1990.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT PETROSINELLI, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILMAN DILLON, COUNCILWOMAN DiRUZZO, COUNCILWOMAN FARGNOLI, COUNCILMAN FENTON, COUNCILMAN GLAVIN, COUNCILMAN IGLIOZZI, COUNCILMAN LOMBARDI, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILMAN ROLLINS, COUNCILWOMAN WILLIAMS and COUNCILWOMAN YOUNG:

Resolved, the Members of the City Council hereby extend their sincere best wishes to Jim Williams for a complete and speedy recovery from his recent illness.

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

The motion for Passage, is Sustained.

Resolution Extending the sincere best wishes of the Members of the City Council to Jim Williams for a complete and speedy recovery from his recent illness.

COUNCILMAN CLARKIN:

Resolution Requesting the Traffic Engineer to

prohibit motor vehicle traffic along Charlesfield Street, between Hope Street and Brook Street, and that "No Parking on Either Side" Signs be posted at that location beginning at 11:00 o'clock P.M. Thursday, May 12, 1994 and that it be closed to vehicular traffic with "Do Not Enter" Signs Posted from 12:00 o'clock Noon through 1:30 o'clock P.M. on Friday, May 13, 1994, for a Memorial Service to honor Police Officers killed in the line of duty, as requested by Brown University.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Charlesfield Street, between Hope Street and Brook Street, and that "No Parking on Either Side" Signs be posted at that location beginning at 11:00 o'clock P.M. Thursday, May 12, 1994 and that it be closed to vehicular traffic with "Do Not Enter" Signs Posted from 12:00 o'clock Noon through 1:30 o'clock P.M. on Friday, May 13, 1994, for a Memorial Service to honor Police Officers killed in the line of duty, as requested by Brown University.

COUNCILWOMAN DiRUZZO:

Resolution Requesting the Chief Electrical Inspector to cause the installation of high pressure sodium vapor lights in the surrounding area of Saint Teresa's Church located at 18 Pope Street, namely; Manton Avenue, Steere Street, Pope Street, Hyatt Street and Kossuth Street.

Resolved, That the Chief Electrical Inspector is requested to cause the installation of high pressure sodium vapor lights in the surrounding area of Saint Teresa's Church located at 18 Pope Street, namely; Manton Avenue, Steere Street, Pope Street, Hyatt Street and Kossuth Street.

COUNCILWOMAN FARGNOLI (By Request):

Resolution Requesting the Director of Public Works to resurface Basswood Avenue in its entirety.

Resolved, That the Director of Public Works is requested to resurface Basswood Avenue in its entirety.

COUNCILWOMAN FARGNOLI:

Resolution Extending the sincere best wishes of the Members of the City Council to Mary Nocera, Chairperson, Fifth Ward Democratic Committee, for a complete and speedy recovery from her recent surgery.

Resolved, That the Members of the City Council hereby extend their sincere best wishes to Mary Nocera, Chairperson, Fifth Ward Democratic Committee, for a complete and speedy recovery from her recent surgery.

COUNCILMAN GLAVIN:

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Francis Street, Gaspee Street and Dr. Martin Luther King Memorial Bridge on Sunday, July 31, 1994, between the hours of 7:00 o'clock A.M. and 6:00 o'clock P.M. for a One Day International Pro-Am Cycling Event sponsored by the Sports Marketing Group, Inc.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Francis Street, Gaspee Street and Dr. Martin Luther King Memorial Bridge on Sunday, July 31, 1994, between the hours of 7:00 o'clock A.M. and 6:00

o'clock P.M. for a One Day International Pro-Am Cycling Event sponsored by the Sports Marketing Group, Inc.

to cause the installation of a "Stop" Sign at the intersection of Enfield Avenue and Mink Road.

COUNCILMAN LOMBARDI:

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Union Street, between Washington and Fountain Streets on the following dates: Sunday, May 29, 1994, Saturday, June 18, 1994 and Sunday, September 4, 1994 between the hours of 7:00 o'clock A.M. and 2:00 o'clock A.M. for a Block Party Fund Raiser to Benefit Sunrise House.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Union Street, between Washington and Fountain Streets on the following dates: Sunday, May 29, 1994, Saturday, June 18, 1994 and Sunday, September 4, 1994 between the hours of 7:00 o'clock A.M. and 2:00 o'clock A.M. for a Block Party Fund Raiser to Benefit Sunrise House.

COUNCILMAN MANCINI (By Request):

Resolution Requesting the Forestry Division of the Parks Department to cut and remove the tree located at 11 Trinidad Street.

Resolved, That the Forestry Division of the Parks Department is requested to cut and remove the tree located at 11 Trinidad Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "Stop" Sign at the intersection of Enfield Avenue and Mink Road.

Resolved, That the Traffic Engineer is requested

COUNCILWOMAN NOLAN and COUNCILMAN ROLLINS:

Resolution Extending the sincere best wishes of the Members of the City Council to Florinell M. Smith for a complete and speedy recovery from her recent surgery.

Resolved, That the Members of the City Council hereby extend their sincere best wishes to Florinell M. Smith for a complete and speedy recovery from her recent surgery.

COUNCILWOMAN WILLIAMS (By Request):

Resolution Requesting the Chief Electrical Inspector to cause the installation of additional Street Lighting along Lincoln Avenue, between Pole No. 7 and Pole No. 8.

Resolved, That the Chief Electrical Inspector is requested to cause the installation of additional Street Lighting along Lincoln Avenue, between Pole No. 7 and Pole No. 8.

COUNCILWOMAN YOUNG:

Resolution Extending the sincere best wishes of the Members of the City Council to Milton Clement for a complete and speedy recovery from his recent surgery.

Resolved, That the Members of the City Council hereby extend their sincere best wishes to Milton Clement for a complete and speedy recovery from his recent surgery.

Severally Read and Collectively Passed,
on motion of COUNCILMAN GLAVIN, sec-
onded by COUNCILMAN IGLOZZI.

The motion for Passage, is Sustained.

REPORTS FROM COMMITTEES

COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

Transmits the following with Recommenda-
tion the Same be Severally Approved:

Resolution Requesting that the Intersection of Magnolia Street and Webster Avenue is hereby designated the "Sergeant Steven M. Shaw Memorial Square".

Resolved, That the Intersection of Magnolia Street and Webster Avenue is hereby designated the "Sergeant Steven M. Shaw Memorial Square".

Resolution Requesting the Traffic Engineer to cause a Memorial Plaque to be erected at the intersection of Manton Avenue and Pope Street in honor of Sister Pauline E. Neelon, S.N.D.

Whereas, Sister Pauline E. Neelon, S.N.D., born January 14, 1930, and laid to rest January 1, 1994, first came to serve Saint Teresa's Church and its community in 1955 and served as a Teacher, Principal and Role Model for thousands of children at Saint Teresa's School until 1992 when the School was damaged by fire, and

Whereas, In 1967, Sister Pauline negotiated with the Bishop to acquire the old Saint Teresa's

High School Building to establish a Neighborhood Community Center and Daycare Center, and

Whereas, Sister Pauline served as a Board Member and Chairperson of the Joslin Community Development Corporation for more than ten years, and

Whereas, Sister Pauline dedicated her life to the education of children and helping the poor in the Manton/Joslin Community,

Now Therefore, Be It Resolved, That the Providence City Council hereby declares and names that intersection of Manton Avenue and Pope Street, Sister Pauline E. Neelon, S.N.D. Memorial Square in honor of this wonderful human being whose dedication and love helped so many people in need.

Resolution Requesting the Board of Park Commissioners to name the Basketball Courts located in the Veterans Memorial Field along Gano Street the "John Britto Basketball Complex".

Whereas, John (Johnnie) Britto was born in Providence, the son of the late John V. Britto and Rufina A. Silva Britto. He grew up in the Fox Point section along with seven brothers and sisters, Vinny, Joey, Tony, Sylvester and the late Frank, Mary and Louise and attended the Providence School System, and

Whereas, Shortly after leaving the Providence School System, John joined the United States Army to serve his country, and

Whereas, While in the Army, he was offered a tryout with the Harlem Globetrotters, and

Whereas, Upon his discharge from the Army, John married Eufamia Silva Britto and began a family, which would eventually consist of three daughters and three sons, and

Whereas, John became a member of the Great Agmacs Basketball Team of the 1950s where he would excel, and

Whereas, John has always been a Big Brother of sorts to all the young men and women of the Fox Point area, and

Whereas, John has worked with children and young adults as a Sports Director of the Fox Point Boys and Girls Club for more than twenty years, and

Whereas, His role of Sports Director, he has formed Basketball and other sports leagues both in and outside the auspices of the Boys and Girls Club for the Youth of the Neighborhood that have played and continued to play at the field, and

Whereas, John Britto truly sets an example for the youth of the Fox Point area, along with his cheerful disposition and charming personality to every citizen and co-workers a sense that he truly enjoys serving the youth of the Fox Point Community. His work ethic and attention to the children was worth doing right and his unquestioned integrity and unwavering commitment to

the young men and women demonstrated that he truly valued the trust of the Fox Point Family.

Now Therefore, Be It Resolved, That the Members of the City Council do hereby request that the Board of Park Commissioners name the Basketball Courts located in the Veterans Memorial Field along Gano Street as the "John Britto Basketball Complex."

Resolution Requesting the Providence Redevelopment Agency to Name the Park to be constructed at the intersection of Mathewson Street and Westminster Street "Freeman Park" in Memory of Robert E. Freeman.

Resolved, That the Providence Redevelopment Agency is requested to Name the Park to be constructed at the intersection of Mathewson Street and Westminster Street "Freeman Park" in Memory of Robert E. Freeman.

Resolution Requesting that the Area from Laura Street to Detroit Avenue, Elmwood Avenue to Broad Street to be designated as a Redevelopment Area with a feasibility study conducted by the Department of Planning and Development. Said Department will work with members of the Community to develop a reasonable Redevelopment Plan for this section of Elmwood on both the main thoroughfares of Elmwood and Broad as well as the interior residential streets.

Resolved, That the Area from Laura Street to Detroit Avenue, Elmwood Avenue to Broad Street be designated as a Redevelopment Area with a feasibility study conducted by the Department of Planning and Development. Said Department will work with members of the Community to develop a reasonable Redevelopment Plan for this section

of Elmwood on both the main thoroughfares of Elmwood and Broad as well as the interior residential streets.

on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN IGLOIZZI.

Severally Read and Collectively Passed,

The motion for Passage, is Sustained.

Transmits the following with Recommendation the same be Severally Adopted:

An Ordinance Adopting Providence 2000: The Comprehensive Plan as the City's Comprehensive Plan to Direct the Development of the City.

as Plan No. 2 of the Comprehensive Plan Series of Providence 2000: The Comprehensive Plan to Direct the Preservation of Historic Resources in Providence.

An Ordinance Adopting Downcity Providence: Master Plan and Implementation Plan as Plans #1A and #1B the Area Plan Series of Providence 2000: The Comprehensive Plan to direct the Development of Downtown.

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

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Fenton, Glavin, Iglioizzi, Lombardi, Mancini, Councilwomen Nolan, Williams and Young—14.

An Ordinance Adopting the I-195 Old Harbor Plan as Plan #2 of the Area Plan Series of Providence 2000: The Comprehensive Plan to Direct the Development of the Old Harbor Area after the Relocation of Interstate 195.

Noes: None.

Absent: Councilman Rollins—1.

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

An Ordinance Adopting a Plan for Preservation

**COUNCILMAN DAVID V. IGLIOZZI, Chairman
COMMITTEE ON ORDINANCES**

Transmits the following with Recommendation the same be Adopted:

An Ordinance Repealing Section 2-256 of the Code of Ordinances of the City of Providence.

The following is transmitted with Recommendation the same be Adopted as Amended:

An Ordinance Creating Article XII. Filing Fees in Chapter 27 of the Code of Ordinances of the City of Providence and Deleting Section 21-14 and Section 27-2 of the Code of Ordinances of the City of Providence in their entirety, as amended.

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

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Coun-

cilwomen DiRuzzo, Fargnoli, Councilmen Fenton, Glavin, Igliazzi, Lombardi, Mancini, Councilwomen Nolan, Williams and Young—14.

Noes: None.

Absent: Councilman Rollins—1.

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

**COUNCILMAN JOHN J. LOMBARDI, Chairman
COMMITTEE ON CITY PROPERTY**

Transmits the following with Recommendation the same be Severally Approved:

Resolution Relative to Termination of Dumping Rights granted to the City by Rhode Island Wholesale Company relating to a portion of Lot 234 on Assessor's Plat 34 and Alessandro Morelli and Anna Morelli relating to Lot 194 on Assessor's Plat 34.

Now Therefore, Be It Resolved, That any and all rights granted to the City of Providence by agreement by Rhode Island Wholesale Company and by Alessandro and Anna Morelli to dump on a parcel of land situated generally west of Manton Avenue in the City of Providence on Plat

34, Lot 234 and Plat 34, Lot No. 194, designated by the letters A-B-C-D-E-F-G-H-I-J-K-L-M-N-O on the plan entitled "Providence, R.I., Public Works Department - Engineering Office, City Property Section, Plan No. 061891 dated June 23, 1959, and hereto attached, are hereby terminated. The termination of these rights, however, is conditioned upon:

1.) Receipt of a letter from the owner of the property relieving the City of any requirement to cover the surface with soil or take any other remedial measure; and

2.) Receipt of a letter from the Tax Assessor relative to the taxes on the property; and

3.) Any other terms or conditions imposed by His Honor, the Mayor, the City Council and the Committee on City Property.

This Resolution rescinds Resolution No. 250, Approved May 2, 1994.

Resolution Relative to the Sale of Assessor's Plat 49, Lot 568 to the Merit Oil of R.I., Inc. highest bidder as a result of Public Bid.

Resolved, That His Honor, the Mayor, is hereby authorized to transfer to Merit Oil of Rhode Island, Inc. a parcel of real estate consisting of approximately 25,281 square feet located at 396-400 Elmwood Avenue, Providence, Rhode Island, being further described as Assessor's Plat 49, Lot 568 for the sum of One Hundred and Fifty Thousand Dollars (\$150,000.00), pursuant to the terms and conditions as have been imposed by the Committee on City Property, the City Council, the City Solicitor and His Honor, the Mayor.

These conditions shall include, but not be limited to, Merit Oil of Rhode Island, Inc. reaching an agreement with the City of Providence relative to upkeep of the premises and a financial contribution to the neighborhood for sidewalks, park maintenance, trees, etc.

This Resolution rescinds Resolution No. 204, Approved April 15, 1994.

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

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Dillon, Councilwoman DiRuzzo, Fagnoli, Councilmen Fenton, Glavin, Igliazzi, Lombardi, Councilwoman Nolan, Councilman Rollins, Councilwoman Williams and Young—14.

Noes: None.

Absent: Councilman Mancini—1.

The motion for Passage, is Sustained.

Resolution Relative to Restrictions placed by the City Council on the Sale of the Port of Providence.

Whereas, The Committee on City Property of the City Council voted on May 18, 1994 to advertise for sale the Port of Providence in its entirety; and

Whereas, Said committee desires to include specific language in that advertisement (see attached) including, but not limited to, restrictions; and

Whereas, Section 416 of the Providence Home Rule Charter requires said deed restrictions to be established by a majority vote of the City Council;

Now Therefore, Be It Resolved, That pursuant to said Section, the following restrictions are hereby placed on the use of the Port of Providence in its entirety:

1. Prohibition of passenger shipping at the site;

2. Prohibition of eating and/or drinking establishments at the site;

This motion is seconded by COUNCILMAN IGLIOZZI.

3. Prohibition of casino gambling at the site.

COUNCILMAN LOMBARDI desires to be recorded as voting "No."

COUNCILMAN GLAVIN moves that the Resolution be amended in Section 4 lines 1 and 2 by inserting the following Section 416 of the Providence Home Rule Charter:

COUNCILMAN GLAVIN moves the Resolution be Read and Passed, as Amended.

"1. Prohibition of passenger shipping at the site;

This motion being seconded by COUNCILMAN IGLIOZZI, is Put to vote and passed.

2. Prohibition of eating and/or drinking establishments at the site;

COUNCILMAN FENTON desires to be recorded as voting "No".

3. Prohibition of casino gambling at the site."

The motion for Passage, as Amended, is thereupon Sustained.

COMMUNICATIONS AND REPORTS

FROM THE PORT OF PROVIDENCE:

Severally Received.

Monthly Statistical Report for March, 1994.

Received.

FROM MARK J. LOMAZZO, COMMISSIONER/ BOARD OF CANVASSERS:

FROM THE CITY ASSESSOR:

Certificates (Nos. 22X and 23X) Recommending the same be severally cancelled pursuant to the provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of the State of Rhode Island, 1956 as Amended.

Communication dated May 3, 1994, Informing the City Council that pursuant to the Home Rule Charter Conflict of Interest Provision, he is actively engaged in securing business with various City Agencies as an Insurance Broker and Principal of G & L Insurance Associates, Inc.

Received.

FROM THE CLERK'S DESK ELECTION

Election of Three (3) Members to the Juvenile Hearing Board.

COUNCIL PRESIDENT PETROSINELLI calls for Nominations for Three (3) Members of the Juvenile Hearing Board.

COUNCILMAN DILLON places in nomination the name of Ann Marie Ritchie, 27 Ansel Avenue, Providence, Rhode Island.

This nomination is seconded by COUNCILMAN GLAVIN.

COUNCILMAN DeLUCA places in nomination the names of Kenneth Brown of 130 Evergreen Street, Providence, Rhode Island and Ruth Abreu Rosales, 31 Joslin Street, Providence, Rhode Island.

The several nominations are seconded by COUNCILMAN IGLIOZZI.

COUNCIL PRESIDENT PETROSINELLI calls for further nominations and there being none, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN IGLIOZZI, it is Voted that Nominations be Closed and the Clerk is directed to cast one ballot for each nomination.

The Clerk casts one ballot as directed.

COUNCIL PRESIDENT PETROSINELLI thereupon declares KENNETH BROWN, elected to a One (1) Year Term, RUTH ABREU ROSALES and ANN MARIE RITCHIE Alternates to One (1) Year Terms on the JUVENILE HEARING BOARD.

Petitions for Compensation for Injuries and Damages, viz;

Cosimo A. D'Elia, Sr.

Lynn M. Traupman

Mary Ann Gallo-Zammarelli

Bob LaCanfora

Nationwide Ins. Co., a/s/o Donald Dannunzio

North American Broadcasting Co., Inc.

Anthony Mollo

Roger F. Jadosz

Roberta A. Squillante

Terry C. Thompson, Jr.

Amica Ins. Co., a/s/o Heidi Winkler-Loomis

Brian J. Lataille

Continental Loss Adjusting a/s/o SNA, Inc.

Leann Cady

Patrick Sharadani

Thelma Lewis

Kathleen E. Langton

David F. White

Debra A. Brown

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

The motion to Refer, is Sustained.

PERSONAL PRIVILEGE

COUNCILMAN CLARKIN requests the privilege of the Floor to speak on a Point of Personal Privilege and states:

"We have these books on our desk. This booklet is called Downcity Providence. This is The Old Harbor Plan, Providence Preservation and Providence 2000. All of these booklets are on how to improve the City of Providence. Today, I pick up the paper and I see articles regarding good Old Providence and how three kids from North

Providence came into our City and painted graffiti. Two weeks ago, kids from Jamestown came into Providence and painted graffiti. I'm not too smart but they must be in cars and I would think if they are seen in their cars, grab the cars and put them away for a couple of months as evidence.

"That's all, I have to say."

PRESENTATION OF RESOLUTIONS

"In Congratulations"

COUNCIL PRESIDENT PETROSINELLI
and the MEMBERS of the CITY COUNCIL:

Citations Extending Congratulations.

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

Richard O. Rafanovic, in recognition of his appointment to the State Water Resources Board.

Mr. and Mrs. John A. Poganowski, in recognition of the celebration of their 50th Wedding Anniversary.

Esek Hopkins PTA and the Rhode Island National Guard, in recognition of hosting and sponsoring the Annual Heritage Olympics.

Alex Rose, in recognition of winning the Rhode Island Writing Contest Sponsored by the Rhode Island Council of Teachers of English and Rhode Island College.

Anne Ewens, in recognition of winning the Rhode Island Writing Contest Sponsored by the Rhode Island Council of Teachers of English and Rhode Island College.

Tiffany Rosenberg, in recognition of winning the Rhode Island Writing Contest Sponsored by the Rhode Island Council of Teachers of English and Rhode Island College.

John Magyar, in recognition of winning the Rhode Island Writing Contest Sponsored by the Rhode Island Council of Teachers of English and Rhode Island College.

Brendan Elliott, in recognition of winning the Rhode Island Writing Contest Sponsored by the Rhode Island Council of Teachers of English and Rhode Island College.

Domingos (Mingo) R. Lopes "Forty Year Member" in recognition of his retirement from the International Longshoremen's Association.

Americo J. Izzi, in recognition of his retirement after many years of dedicated service as Assistant Executive Director of the Wanskuck Boys' Club.

William "Billy" Volpe, in recognition of being such a great guy and is always ready with a joke and a helping hand for others. A great musician

and always has been a joy with his music to the Senior Citizens of Providence.

Albert Ricci, in recognition of his 50 years at the Better Bake Shop on Smith Street.

Lynne and Frank Pazienza, in recognition of the celebration of the birth of their daughter, Alysse Katherine Pazienza, born on March 22, 1994, weighing 7 lbs. 3 oz.

Arthur A. Coia, President of the Laborer's International Union of North America, in recognition of being the recipient of the Verrazzano Day Award.

Providence College Women's Softball Team, in recognition of winning the 1994 Big East Championship.

Colleen Devine, in recognition of her graduation from the Rhode Island College School of Social Work, May, 1994.

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

The motion for Passage, is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

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

Resolutions Extending Sympathy.

Resolved, That the Members of the City Council extend their sincere sympathy to the families of the following:

Al Millard, Jr.

Jennie P. Nunes

Ann M. Beaudry

John M. Buco

Michelina Giovannucci

Earl E. Ayers

Rev. Jessie M. Beatty

Frank "Cappy" Capobianco

John S. L. McBurnie

Vincent Prattico, Jr.

Anna Tramonti

Donald F. Cotoia

John A. Alves

Emelia M. "Millie" Vierra

Helen A. Joly

Charlotte R. Carpenter

Oscar Mitchell, Sr.

Sylvia Stizza

Michael P. Campopiano

Paul S. Cimini

Alfred Mendosa, Sr.

Albert N. Palmiscano

Rose Forte

Anna Accioli

Wanita M. Osborne

Clyde W. Roberts

Yvonne Savoie

Rose Luca

Ida E. Adams

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

The motion for Passage, is Sustained.

MATTERS NOT APPEARING ON THE PRINTED DOCKET

**On motion of COUNCILMAN GLAVIN,
seconded by COUNCILMAN LOMBARDI, it
is Voted to Suspend Rule 16 of the Rules of
the City Council in order to allow the
introduction of the following matters not
appearing on the Printed Docket.**

PRESENTATION OF RESOLUTIONS

**COUNCIL PRESIDENT PETROSINELLI,
COUNCILWOMAN FARGNOLI and COUN-
CILMAN GLAVIN:**

Resolution that the City Council opposes and urges defeat by the General Assembly of House Bill (94-H 9042), An Act relating to Alcoholic Beverages — Retail Licenses.

Resolved, That the City Council opposes and urges defeat by the General Assembly of House Bill (94-H 9042), An Act relating to Alcoholic Beverages — Retail Licenses.

**Read and Passed, on motion of COUNCIL-
MAN GLAVIN, seconded by COUNCILMAN
LOMBARDI.**

The motion for Passage, is Sustained.

COUNCILMAN DeLUCA:

Resolution Commending Herman Ramos for his

act of bravery and compassion in saving the life of five-year-old Tommy Ducharme.

Resolved, That the Members of the City Council hereby commend Herman Ramos for his act of bravery and compassion in saving the life of five-year-old Tommy Ducharme.

Resolution Commending Ivette Lopez for her act of bravery and compassion in saving the life of five-year-old Tommy Ducharme.

Resolved, That the Members of the City Council hereby commend Ivette Lopez for her act of bravery and compassion in saving the life of five-year-old Tommy Ducharme.

**Severally Read and Collectively Passed,
on motion of COUNCILMAN GLAVIN, sec-
onded by COUNCILMAN LOMBARDI.**

The motion for Passage, is Sustained.

REPORTS FROM COMMITTEE

COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

Transmits the following with Recommendation the same be Adopted:

An Ordinance in Amendment of and in Addition to Chapter 1044 of the Ordinances of the City of Providence, approved July 12, 1956, and entitled: "An Ordinance approving and Adopting the Official Redevelopment Plan for the West River Project No. U.R. R.I. 1-6" for the revision of the regulations and controls in the West River and Silver Spring Industrial Parks.

Be it ordained by the City of Providence:

1. That Chapter 1044 of the Ordinance of the City of Providence approved July 12, 1956 and entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for the West River Project No. UR R.I. 1-6" as amended by the following ordinances of the City of Providence: Chapter 1142 (September 6, 1957); Chapter 1191 (March 21, 1958); Chapter 1366 (October 7, 1960); Chapter 1666 (December 4, 1964); Chapter 1972-45 (September 11, 1972); Chapter 1974-10 (March 22, 1974); Chapter 1984-11 (February 10, 1984); Chapter 1987-7 (March 11, 1987); Chapter 1988-11 (November 10, 1988); and, Chapter 1991-9 (March 28, 1991) is hereby amended as follows:

A. Paragraph b. under Chapter B, Section 4 entitled "Regulations and Controls to be Applied" on Page 10 of the Official Redevelopment Plan of Chapter 1984-11 approved February 10, 1984 and as amended, is hereby deleted in its entirety.

B. Part a. Permitted Uses of Section 4. Regulations and Controls to be applied under Chapter B. Planning Proposals, is amended by adding the following:

1. For parcels 1, 2 and 3b as shown on Map B "Proposed Acquisition and Disposition" in the Silver Spring Industrial Park, C-2 General Commercial uses and C-1 Limited Commercial uses of the City of Providence Zoning Ordinance shall be the only uses permitted. All C-2 uses and C-1 uses shall be subject to the same limitations and controls as to use as specifically set forth in the C-2 Zone and C-1 Zone respectively.

2. Parcel Q as shown on Map A "Acquisition and Disposition" in the West River Industrial Park shall also permit Office/Retail uses.

3. For parcels 10, 11, 12, 13, and 14 as shown on Map B "Proposed Acquisition and Disposition" in the Silver Spring Industrial Park, on retail trade use not to exceed 130,000 square feet of floor area as defined under Use Code 57 of the Zoning Ordinance of the City of Providence.

Read and Passed, the First Time, and Referred Back to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN LOMBARDI, by the following Roll Call Vote:

Ayes: Council President Petrosinelli, Councilmen Clarkin, DeLuca, Councilwomen DiRuzzo, Fagnoli, Councilmen Glavin, Igliozzi, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Williams and Young—13.

Noes: None.

Absent: Councilmen Dillon and Fenton—2.

**The motion for Passage, the First Time, and
to Refer Back to Committee, is Sustained.**

ADJOURNMENT

**There being no further business, on
motion of COUNCILMAN GLAVIN, second-
ed by COUNCILMAN LOMBARDI, it is
voted to adjourn at 9:30 o'clock P.M. to meet
again on THURSDAY, JUNE 2, 1994 at 7:30
o'clock P.M.**

Michael R. Clement

City Clerk

May 19]

2047

[1994