

CITY OF PROVIDENCE RHODE ISLAND



CITY COUNCIL JOURNAL OF PROCEEDINGS

No. 1 City Council Regular Meeting, Thursday, January 6, 2005, 7:30 o'clock P.M. (E.S.T.)

PRESIDING

COUNCIL PRESIDENT

JOHN J. LOMBARDI

ROLL CALL

Present: COUNCIL PRESIDENT LOMBARDI,
COUNCILMEN APONTE, BUTLER, DeLUCA,
COUNCILWOMAN DiRUZZO, COUNCILMEN
HASSETT, IGLIOZZI, LUNA, MANCINI,
COUNCILWOMAN ROMANO, COUNCILMAN
SEGAL, COUNCILWOMEN WILLIAMS and
YOUNG-13.

Absent: COUNCILMAN ALLEN and COUN-
CILMAN JACKSON - 2.

(SUBSEQUENTLY COUNCILMAN JACKSON
JOINS THE MEETING)

Also Present: Adrienne G. Southgate,
Deputy 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 JUL 28 A 11:15
DEPT. OF CITY CLERK
PROVIDENCE, R.I.

FILED

INVOCATION

The Invocation is given by COUNCILWOMAN BALBINA A. YOUNG.

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

COUNCILMAN JOHN J. IGLIOZZI
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 JACKSON JOINS THE MEETING.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated December 9, 2004, Informing the Honorable Members of the City Council that pursuant to Section 302(b) 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 appointing Thomas E. Deller of

331 River Avenue, Providence, Rhode Island 02908, as a member of the Providence Public Building Authority for a term to expire in July 2009, and respectfully submits the same for your approval. (Mr. Deller will replace Ms. Kyle A. McDonald whose term has expired)

Communication dated December 9, 2004, Informing the Honorable Members of the City Council that pursuant to Section 302(b) 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 appointing John Simmons of 3 Regency Plaza, Apt. 412-E, Providence, Rhode Island 02903, as a member of the Providence Public Building Authority for a term to expire in July 2008, and respectfully submits the same for your approval. (Mr. Simmons will fill an existing vacancy on the board)

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.

Communication dated December 21, 2004, Informing the Honorable Members of the City Council that pursuant to Section 42-99-4 of the Rhode Island General Laws, he is this day appointing Mr. Michael Mello of 47 Grotto Avenue, Providence, Rhode Island 02906, as a member of the Convention Center Authority for a term to expire on June 30, 2008.

COUNCIL PRESIDENT LOMBARDI Receives the foregoing Communication.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT LOMBARDI:

Resolution Extending Sincere Best Wishes to Michael Bianco upon his retirement after 30 years of dedicated service to the City of Providence.

Resolved, That the Members of the Providence City Council hereby Extend Sincere Best Wishes to Michael Bianco upon his retirement after 30 years of dedicated service to the City of Providence.

Read and Passed, on Motion of Councilman Aponte, seconded by COUNCILWOMAN WILLIAMS.

The Motion for Passage is Sustained.

COUNCIL PRESIDENT LOMBARDI and COUNCILMAN BUTLER:

Resolution Requesting City Leaders to cause the return of the 8 foot monument bearing the Ten Commandments to Roger Williams Park.

COUNCILMAN DeLUCA Moves to Refer the Resolution to the Committee on City Property, seconded by COUNCILMAN BUTLER.

**COUNCIL PRESIDENT LOMBARDI
RELINQUISHES THE CHAIR**

**ACTING COUNCIL PRESIDENT PRO
TEMPORE YOUNG IN THE CHAIR**

**COUNCIL PRESIDENT LOMBARDI
RETURNS TO THE CHAIR**

**COUNCILMAN APONTE and COUN-
CILMAN JACKSON (By Request):**

Resolution Adopting the "Variable Rate Debt
and Interest Rate SWAP Guidelines".

**COUNCIL PRESIDENT LOMBARDI
Refers the Resolution to the Committee
on Finance.**

COUNCILMAN SEGAL (By Request):

Resolution Requesting the Traffic Engineer
to cause the installation of a "Four-Way
Stop" Sign at Ives Street and Power Street.

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

REPORTS FROM COMMITTEE

COMMITTEE ON FINANCE

COUNCILMAN KEVIN JACKSON, Chairman

**Transmits the Following with Re-
commendation the Same be Severally
Approved, As Amended:**

Communication from His Honor the
Mayor dated November 24, 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.
Stephen Durkee of 40 Dexter Street,
Providence, Rhode Island 02909, as a
member of the City Plan Commission for a
term to expire in January 2010, and

respectfully submits the same for your
approval.

Communication from His Honor the
Mayor dated November 28, 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 re-appointing Steven M. Nappa of 21 Barnes Street, Providence, Rhode Island 02906, as a member of the Building Board of Review, for a term to expire in January 2010, and

respectfully submits the same for your approval.

**Transmits the Following with Re-
commendation the Same be Severally
Approved:**

Communication from His Honor the Mayor dated November 24, 2004, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1102 of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing Andrew J. Annaldo of 2 Beloit Street, Providence, Rhode Island 02908, as a member of the Board of Licenses for a term to expire in January 2008, and respectfully submits the same for your approval.

Communication from His Honor the Mayor dated November 24, 2004, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1102 of

the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing Stephen Daniels of 20 Ruthven Street, Providence, Rhode Island 02906, as a member of the Board of Licenses for a term to expire in January 2008, and respectfully submits the same for your approval.

**COUNCILMAN APONTE Moves to
Dispense with the Reading of the
foregoing matters and Moves to Receive
and Approve the Several Communications,
seconded by COUNCILWOMAN
WILLIAMS.**

PERSONAL EXPRESSION

COUNCILWOMAN WILLIAMS Requests the privilege of the floor to speak on a point of Personal Expression and states:

Mr. President I would like to speak in response to a recent letter of my colleague Councilman John Iglioizzi which was sent to Commissioner McWalters and copies were sent to the Council, Mayor, Superintendent and the media. There was an article in the Journal and on television. It was announced that Councilman Iglioizzi wanted to sell Hope High School. Besides being short sighted and simplistic it is insulting to the residents of the East Side and the Alumni of Hope High School. Hasn't the East Side lost enough schools already? Currently there are only two elementary schools, one middle school and one public high school. The residents of the East Side pay the highest taxes and we should not give up hope that all the children on the East Side might have the opportunity and deserve to have the right to a good education in the public schools. The suggestion proposed by Councilman Iglioizzi is tantamount to throwing the baby out with the bath water. I have eight brothers and sisters who graduated from Hope High School. There are many proud Alumni of Hope High School. It is a valued and loved institution. Did you know that almost fifty years ago there was a recommendation to close Classical High School because it was an elitist school? That effort was fought vigorously by my friend Former Representative Sherwin Capstein and other East Siders. Over the years we have struggled to meet the needs of all of our students. The children with

disabilities, those with English as a second language, the college bound and even now we're looking to constantly find a way to prepare our children for the current work force needs. In addition, the following are reasons why the idea put forth by Councilman Iglioizzi is wrong. Hope High School is not in his ward and he has no right to make such an outlandish recommendation for someone else's ward. Councilman Jackson and I with the approval of the residents of the East Side of Providence through the bond money invested millions of dollars to improve the fields, playground, tennis courts and green space at Hope High School. The Gilbane Company is right now evaluating the existing school buildings and that work needs to be completed. Hope High School is an historic structure which is well built and though it may need maintenance and repairs it would be fool hardy to demolish the building which is a landmark in the City. The problems and concerns about the programming at Hope High School is being dealt with by the Commissioner of Education, the school Superintendent and the Teachers Union and that process should continue to be worked out through the proper channels. I think it is dreadful and presumptuous for an individual Councilman and his constituents to try to impose such an off the wall suggestion like the one proposed by Mr. Iglioizzi from another part of the City especially when the motivation is to capture a headline which I believe this was all about. Thank you.

PERSONAL EXPRESSION

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

First I rise on a Point of Personal Expression but I also thought there was a rule of the body that there was no personal attacking of each Council Member and I will abide by that rule and I will respect your position. I think what is interesting about it, is actually I want to say thank you because I'll tell you why. One of the major attempts I was trying to do is to spur debate and discussion about how to make the school system better and by you taking the time, energy and effort to what you wrote here today shows that you thought about it, you thought about the problems and concerns and by the way so do I. In fact if you remember a few years ago when I was trying to build three new schools in my neighborhood some of you and you in particular, you voted against those schools and that was in my neighborhood but that was okay. I didn't think that was an issue that was your prerogative but you know what? The three prong proposal is very simple. Hope High School is an antiquated building and it is going to take thirty million dollars to renovate it. It's on eighteen acres on the East Side overlooking the beautiful City of Providence. Most of the acres are vacant except for Hope High for a few acres. The Assessor has valued it at over 30 million dollars so what we're trying to do is we sell the property or sell a

portion of the property. We could still build one of the small Charter Schools on the portion of that property but we don't have to. Second, we relocate possibly all three of the proposed Charter Schools in the neighborhoods. As we all know 95% of the kids that go to Hope High I guess are being bused in and as you also realize that dropout rate has dropped out dramatically and one of the issues that was talked about was there is not enough busing. So we always talk about neighborhood schools so maybe we should try to get these high schools into the neighborhoods where the kids live. Third, as part of this innovative and I believe a very bold proposal was the idea to get a public and private partnership. I know this discussion is a little heavy but the understanding that we were able to move rivers as well as by the way two years ago this administration along with this Council's support was able to get these institutions, the very ones that I have been talking about here to help pay in lieu of taxes. No one ever thought that was going to happen and you know what was interesting about that, it was a Councilman from another ward who was putting pressure on most of the institutions that were not in his ward but we all understood the bigger picture which was to try to help the City of Providence. My proposal is about trying to get Brown University, Johnson & Wales, RISD, these are extremely high caliber internationally known institutions of higher learning. They have more

expertise in those halls of education than any of us could ever imagine. My proposal is about tapping into that expertise. Getting them motivated, getting them involved, creating and adopting for example a Vocational Charter High School that Johnson and Wales would do. You know being a plumber and electrician and a mechanic are extremely honorable professions. My grandfather, he bent wrought iron and I will tell you something. It is very lucrative and these are professions that are in need in this country and there is nothing wrong with giving our kids that option. When did that become such a bad thing? Next, arts, we're the Renaissance City that all of us at any given time as you Councilwoman Williams have stood up there and said we're the Renaissance City and we're proud of our arts program. Well, let's put our money where our mouth is and let's try to get an Arts High School. Let's try to get RISD motivated and get involved into our system and to provide an outlet for our kids. This isn't about you, it's not about me, it's not about this Council and it's not about any individual. This is a bitter problem, we have 28,000 students in the City of Providence and by the way folks that's about the population of the Town of Johnston. We need to get these kids the best education as possible and provide opportunities to them and give them different options. This isn't about an Alumni issue. Being that parochial is what's getting us into that problem. This is not a parochial issue, this is a

bigger issue. These 28,000 students live in all our areas and we should do everything we can to provoke discussion, try to change old mentalities that aren't working and they to get people motivated so we can maybe try something new. No one said you have to do this proposal but what it's about is discussion and trying new things. You know what's before the City of Providence right now is two things. We had numerous hearings by the way at Hope High, numerous hearings. The School Department presented their position which was simply saying let's stay the course or McWalters said he would like to take it over and appoint a Super Principal. Those two options aren't enough. Our kids deserve more and that's what this is about and to devalue any idea to try to make our school systems better devalues oneself, not the person you're trying to devalue and it saddens me that you can't think out of the box. Whoever thought you would ever have the rivers and the mall. Whoever thought you would ever have Masonic Temple being renovated or GTECH. Well folks, no one ever thought that but we thought out of the box together trying to make things happen and make this City the best place to live. That's what it is all about and that's why I proposed the proposal to try to get us all in this discussion and hopefully to motivate us all and think about other ideas. Thank you.

COMMUNICATION AND REPORT

Communication from J. Michael Bennett, PE., Deputy Chief Engineer, Rhode Island Department of Transportation, Department of Environmental and Intermodal Planning, dated December 6, 2004, submitting the Construction and Maintenance Agreement for the Landscape Improvements to North Main Street.

COUNCIL PRESIDENT LOMBARDI Refers the Communication to the Committee on Public Works.

Report from Alex D. Prignano, Director of Finance, submitting the fifth Annual Report.

COUNCIL PRESIDENT LOMBARDI Receives the foregoing Report.

FROM THE CLERK'S DESK

Petition from C. Lab Associates, Inc. & Cornerstone Holding, LLC, requesting a zoning change for Assessor's Plat, 115, Lot 595 (349 Killingly Street), Assessor's Plat 115, Lot 594 (42 Milo Street), and Assessor's Plat 115, Lot 593 (50 Milo Street) from an R-1 to an R-2 Zone.

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

Petition from First Providence Hotel Investors, LLC, requesting a temporary construction easement over city property to locate a new Ballroom in the air space above Aborn Street, and a permanent easement to locate the columns that will support the proposed ballroom on the sidewalks adjacent to Aborn Street.

Petition from First Providence Hotel Investors, LLC, requesting a temporary construction easement over city property to reconstruct/rehabilitate the existing Parking Garage, and a permanent easement to permit the installation of below-grade foundation footings for the Parking Garage on City property.

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

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

PERSONAL EXPRESSION

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

This mornings paper I read that the City intends on bypassing the Committee on Ordinances to institute a Pilot Program for Overnight Permit Parking. Again, we're looking at the Charter and the Code of Ordinances. Any change that would allow On Street Parking at night must come before the Committee on Ordinances. No matter what the administration says it must come before the Ordinance Committee. So with that being said I hope that the four who intend on putting this forward would introduce a resolution or an ordinance that would come before that body so that we can follow the rules of this Council. Thank you.

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

Just a matter of clarification. The article today spoke about a proposal within the Planning Department funded by several Council people to commission a study and to hire a consultant to look into the possibility of Overnight Off Street Parking. At the appropriate time that would be after the consultant is hired, after all the due diligence and research is done that information will be shared with the entire Council and if there is any ordinance forthcoming it will come to this Council but the spirit of it was to begin the process, to have the opportunity to look at a possible Pilot Project and if it does require any changes in the ordinance which I'm sure it does those will be dealt with at the appropriate time.

**Petitions for Compensation for Injuries
and Damages, viz:**

First Recovery Group
a/s/o Neighborhood Health Plan of Rhode
Island/Karen Morel

Conway Toliver
(Peter M. Iascone, Esquire)

John F. O'Donnell

Rufina M. Ganeto

Anthony Pella

Angel Santos Garcia

William I. and Mary M. Swift

Deanna Aguilera
(Dino A. Brosco, Esquire)

Stiles Gilmore
(Michael P. Lynch, Esquire)

Raymond Albert Santilli

Eola Baker

Michael G. Capone and Daniel A. Capone
(Augustus Charos, Jr., Esquire)

Matthew Dobbrow

Flora de Pena

Leslie Turner

George Strange
(Richard M. Sands, Jr., Esquire)

Daniel Morgan
(Christopher E. Fay, Esquire)

Delores Robinson
(Christopher E. Fay, Esquire)

Stanley Lewis
(Edward A. Shapira, Esquire)

Marilyn E. Soscia

Mee Her Xiong

Maeyra Lopez p.p.a. Pablo Lopez
(Christopher E. Fay, Esquire)

David Chaves

Donna McGowan
(Jonathan L. Stanzler, Esquire)

Peerless Insurance Company
a/s/o Esteben Guerrero

Stephanie Laprade

Joseph O. Andrade, Jr.

J. Louis Nielsen

**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
COUNCIL:**

Resolution Extending Congratulations.

Resolved, That the Members of the City Council hereby Extend their Sincere Congratulations to the following:

Michael and Cindy Stanley, in recognition of the celebration of their twenty-fifth wedding anniversary, Married on November 4, 1979.

Mary Jones, in recognition of being the recipient of the Ethel Bond Memorial Consumer Award for her dedication and service to the Providence Community Health Center, Inc. and for more that thirty years of volunteerism at the Center.

EKO Club Canada, in recognition of their guidance, understanding, direction and moral support rendered to all sons and daughters of Lagos State.

EKO Club California, in recognition of their guidance, understanding, direction and moral support rendered to all sons and daughters of Lagos State.

EKO Club Dallas, in recognition of their guidance, understanding, direction and moral support rendered to all sons and daughters of Lagos State.

The Lagosian of Chicago, in recognition of their guidance, understanding, direction and

moral support rendered to all sons and daughters of Lagos State.

EKO Club of Houston, in recognition of their guidance, understanding, direction and moral support rendered to all sons and daughters of Lagos State.

EKO Club of Maryland, in recognition of their guidance, understanding, direction and moral support rendered to all sons and daughters of Lagos State.

EKO Club of Minnesota, in recognition of their guidance, understanding, direction and moral support rendered to all sons and daughters of Lagos State.

EKO Club of New Jersey, in recognition of their guidance, understanding, direction and moral support rendered to all sons and daughters of Lagos State.

EKO Club of New York, in recognition of their guidance, understanding, direction and moral support rendered to all sons and daughters of Lagos State.

Attorney O. J. Lawal, in recognition of his leadership and community involvement with the EKO Club International.

Felix Lopez, in recognition of the professionalism he displayed when making deliveries to Club 650, therefore, we, the members of the Providence City Council, would like to give kudos to him and Centrex for a job well done.

Jose Severino, in recognition of his leadership in the Latino Community in the City of Providence.

Jill Sokness, in recognition of the celebration of her thirty ? birthday on Monday, December 20, 2004.

The Honorable Francisco Ogando, in recognition of his appointment as Vice Consulate of the Dominican Republic in the Community of Providence, Rhode Island.

The Honorable Mariano Moria, Governor of the Province of San Pedro de Macoris, Dominican Republic, in recognition of his support of economic and political development of Dominicans in the State of Rhode Island and his welcomed visit to our community.

Michael Bianco, in recognition of the celebration of his retirement after thirty years of dedicated service to the City of Providence.

David Corsetti, in recognition of the celebration of his 30th Birthday, born January 4, 1975.

Benjamin Hardy, in recognition of the celebration of his graduation from Framingham College on Sunday, January 9, 2005.

Frances Alexakos and Britt Bell, in recognition of the celebration of the happy occasion of their marriage on Saturday, January 8, 2005.

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

The Motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

**COUNCIL PRESIDENT LOMBARDI and
the 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.

Gaetano "Guy" Alba

Florence Weintraub

Elda A. Capece

Vito Moreno, Sr.

Joseph R. Cocci

Teresa D'Anella

Ashot Grigorian

Gilda Volpe

Ida Scudieri

R. Madeline Bucci

Thomas J. McGarry

Helen J. Neil

Myles E. O'Donnell

David G. Collins, Sr.

Elizabeth Boyajian

Irving W. Irons, Jr.

Edward L. MacDonald, III

Norma J. Potenza

Rita J. Vanasee

Joseph V. McAtee

**Severally Read and Collectively
Passed, by a Unanimous Rising Vote, on
Motion of COUNCILMAN APONTE,
seconded by COUNCILMAN DeUCA.**

The Motion for Passage is Sustained.

MATTERS NOT APPEARING ON THE PRINTED DOCKET

On Motion of COUNCILMAN APONTE, seconded by COUNCILMAN BUTLER, it is voted to Suspend Rule 16-B of the City Council Rules in order to allow the introduction of the Following Matters Not Appearing on the Printed Docket.

PRESENTATION OF ORDINANCE

COUNCILMAN APONTE (By Request):

An Ordinance in Amendment of Chapter 2004-28, As Approved June 14, 2004, Entitled: "An Ordinance Amending Chapter 9

of the Code of Ordinances of the City of Providence, Entitled: 'Fire Prevention and Protection', As Amended".

PRESENTATION OF RESOLUTION

COUNCILMAN LUNA (By Request):

Resolution Requesting to cancel or abate the taxes on Assessor's Plat 52, Lot 182 (100 Niagara Street), in accordance with Rhode Island General Law 44-7-23, in the amount of Nine Thousand Nine Hundred Forty One Dollars and Ninety Two (\$9,941.92) Cents.

COUNCILMAN APONTE Moves to Refer the foregoing Ordinance and Resolution to the Committee on Finance, seconded by COUNCILMAN BUTLER.

ADJOURNMENT

There being no further business, on Motion of COUNCILMAN APONTE, seconded by COUNCILMAN BUTLER it is voted to adjourn the meeting at 8:20 o'clock P.M. (E.S.T.), to meet again on THURSDAY, JANUARY 20, 2005 at 7:30 o'clock P.M. (E.S.T).

Michael R. Clement

MICHAEL R. CLEMENT
CITY CLERK



CITY OF PROVIDENCE RHODE ISLAND



CITY COUNCIL JOURNAL OF PROCEEDINGS

No. 2 City Council Regular Meeting, Thursday, January 20, 2005, 7:30 o'clock P.M. (E.S.T.)

PRESIDING

COUNCIL PRESIDENT

JOHN J. LOMBARDI

ROLL CALL

**Present: COUNCIL PRESIDENT LOMBARDI,
COUNCILMEN APONTE, BUTLER, DeLUCA,
COUNCILWOMAN DIRUZZO, COUNCILMEN
HASSETT, IGLIOZZI, JACKSON, LUNA,
MANCINI, COUNCILWOMEN ROMANO,
WILLIAMS and YOUNG - 13.**

**Absent: COUNCILMAN ALLEN and COUN-
CILMAN SEGAL - 2.**

**Also Present: Adrienne G. Southgate,
Deputy 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.**

IN CITY COUNCIL

APPROVED:

Ann M. Stein CLERK

INVOCATION

**The Invocation is given by LYMAN
J. WILLIAMS.**

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

**COUNCILMAN KEVIN JACKSON Leads
the Members of the City Council and the
Assemblage in the Pledge of Allegiance to
the Flag of the United States of America.**

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated January 10, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1101 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Mr. Everett Bianco of 170 Gentian Avenue, Providence, Rhode Island 02908, as a member of the Water Supply Board for a term to expire in January, 2009. (Mr. Bianco will be replacing Joel Landry whose term has expired)

Communication dated January 10, 2005, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the

Providence Home Rule Charter of 1980, as amended, and Rhode Island Public Law of 1980, Chapter 84, he is this day re-appointing Mr. Paul Brooks of 375 Benefit Street, Providence, Rhode Island 02903, as a member of the Providence Tourism Council for a term to expire in December, 2006.

Communication dated January 10, 2005, 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 45-24.1-3, as well as the Zoning

Ordinance 501.1(c), he is this day re-appointing Ms. Erin Chace of 78 East Orchard Avenue, Providence, Rhode Island 02906, as a member of the Historic District Commission for a term to expire in September, 2006.

Communication dated January 10, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 815 of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing Mr. Allan Edwards of 101 Benefit Street, Providence, Rhode Island 02906, as a member of the Board of Investment Commissioners for a term to expire in January, 2008.

Communication dated January 10, 2005, Informing the Honorable Members of the City Council that pursuant to Article III Sec. 3.03-3.06(a) and 3.08(a), he is, in his capacity as Mayor of the City of Providence, re-appointing Ms. Barbara Fields of 200 Sessions Street, Providence, Rhode Island 02906, as a member of the Public Sector of the Board of Directors of the Providence Community Action Program, Inc. for a term to expire in January, 2007.

Communication dated January 10, 2005, Informing the Honorable Members of the City Council that pursuant to Article III Sec. 3.03-3.06(a) and 3.08(a), he is, in his capacity as Mayor of the City of Providence, re-appointing Mr. Tenny Gross of 22 Stamford Avenue, Providence, Rhode Island 02907, as a member of the Public Sector of the Board of Directors of the Providence Community Action Program, Inc. for a term to expire in January, 2007.

Communication dated January 10, 2005, 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 45-24.1-3, as well as the Zoning Ordinance 501.1(c), he is this day re-appointing Mr. Neal Kaplan of 44 Jewett Street, Providence, Rhode Island 02908, as a member of the Historic District Commission for a term to expire in September, 2006.

Communication dated January 10, 2005, Informing the Honorable Members of the City Council that pursuant to Article III Sec. 3.03-3.06(a) and 3.08(a), he is, in his capacity as Mayor of the City of Providence, re-appointing Mr. Paul MacDonald, Executive Director, Health Services Insurance Plan, Teamsters Local 251, 1201 Elmwood Avenue, Providence, Rhode Island 02907, as a member of the Public Sector of the Board of Directors of the Providence Community Action Program, Inc. for a term to expire in January, 2007.

Amended Communication dated January 7, 2005, Informing the Honorable Members of the City Council that pursuant to Section 42-99-4 of the Rhode Island General Laws, he is this day appointing Mr. Michael Mello of 47 Grotto Avenue, Providence, Rhode Island 02906, as a member of the Convention Center Authority for a term to expire on June 30, 2008. (Michael Mello will be replacing Joan Countryman, whose term has expired)

Communication dated January 10, 2005, 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 45-24.1-3, as well as the Zoning Ordinance 501.1(c), he is this day re-appointing Ms. Tina Regan of 60 Bainbridge Avenue, Providence, Rhode Island 02909, as a member of the Historic District Commission for a term to expire in September, 2006.

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

COUNCIL PRESIDENT LOMBARDI Receives the Several Communications.

Communication dated January 12, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Kenneth Brown of 130½ Evergreen Street, Providence, Rhode Island 02906, as a member of the Human Relations Commission for a term to expire in January 2007, and respectfully submits the same for your approval. (Mr. Brown will replace Brett Davey, whose term has expired)

Communication dated January 12, 2005, 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 re-appointing Anthony Michael Catauro of 565 Mount Pleasant Avenue, Providence, Rhode Island 02908, as a member of the Zoning Board of Review for a term to expire in January 2010, and respectfully submits the same for your approval.

Communication dated January 12, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and

1103 of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing Sister Angela Daniels, C.P., of 791 Potters Avenue, Providence, Rhode Island 02907, as a member of the Human Relations Commission for a term to expire in January 2008, and respectfully submits the same for your approval.

Communication dated January 12, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day re-appointing Mary Dean of 31 Chaucer Street, Providence, Rhode Island 02908, as a member of the Human Relations Commission for a term to expire in January 2008, and respectfully submits the same for your approval.

Communication dated January 12, 2005, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) of the Providence Home Rule Charter of 1980, as amended, and Section 8-17 of the Code of Ordinances, he is this day appointing Mr. William P. Rampone of 475 Sharon Street, Providence, Rhode Island 02908, to the Providence Housing Court as Associate Judge for a term to expire on the First Monday in January, 2008, and respectfully submits the same for your approval. (Mr. Rampone will replace Judge Joseph Abbate, 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.

ORDINANCE SECOND READING

The Following Ordinance was in City Council November 18, 2004, Read and Passed the First Time; in City Council December 2, 2004 and Referred Back to the Committee on Ordinances and is Returned for Passage the Second Time, As Amended:

An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence Entitled: "The City of Providence Zoning Ordinance", Approved June 27, 1994, As Amended. (114 Wayland Avenue)

Be it ordained by the City of Providence:

Section 1: Chapter 27 of the Code of Ordinances of the City of Providence, entitled "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended is further amended by changing the zoning district designation of Lot 89 on Zoning District Map 14 of the Official Zoning Maps from R-3 to C-2, as shown on the accompanying map.

Section 2: The following limitations on the use and development of Lot 24, Zoning District Map 14 shall be noted on the face of the Official Zoning Map and recorded in the property records:

- a. The subject property is limited to professional office uses only.
- b. The above listed condition shall be recorded in the official property

records and noted on the face of the Official Zoning Map.

Section 3: This Ordinance shall take effect upon passage.

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

AYES: COUNCIL PRESIDENT LOMBARDI, COUNCILMEN APONTE, BUTLER, DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMEN HASSETT, IGLIOZZI, JACKSON, LUNA, MANCINI, COUNCILWOMEN ROMANO, WILLIAMS and YOUNG - 13.

NAYES: NONE.

ABSENT: COUNCILMAN ALLEN and COUNCILMAN SEGAL - 2.

The Motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCE

COUNCILWOMAN WILLIAMS:

An Ordinance Amending Section 17-33 in Article I of Chapter 17 of the Code of Ordinances Entitled: "Officers and Employees".

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

PRESENTATION OF RESOLUTIONS

**COUNCIL PRESIDENT LOMBARDI,
COUNCILMEN ALLEN, APONTE,
DeLUCA, COUNCILWOMAN DiRUZZO,
COUNCILMEN HASSETT, IGLIOZZI,
JACKSON, LUNA, MANCINI, COUN-
CILWOMAN ROMANO, COUNCILMAN
SEGAL, COUNCILWOMEN WILLIAMS
and YOUNG:**

Resolution Extending Sincere Best Wishes for a Happy Birthday to Councilman Patrick K. Butler on January 26, 2005.

Resolved, That the Members of the Providence City Council hereby Extend Sincere Best Wishes for a Happy Birthday to Councilman Patrick K. Butler on January 26, 2005.

**COUNCIL PRESIDENT LOMBARDI,
COUNCILMEN ALLEN, APONTE,
BUTLER, DeLUCA, COUNCILWOMAN
DiRUZZO, COUNCILMEN HASSETT,
IGLIOZZI, JACKSON, LUNA, MANCINI,**

**COUNCILWOMAN ROMANO, COUN-
CILMAN SEGAL, COUNCILWOMEN
WILLIAMS and YOUNG:**

Resolution Congratulating Joseph P. Hassett, Jr., upon his selection as a member of the 2005 Rhode Island Interscholastic League Hall of Fame.

Resolved, That the Members of the Providence City Council hereby Congratulate Joseph P. Hassett, Jr., upon his selection as a member of the 2005 Rhode Island Interscholastic League Hall of Fame.

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

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

PRESIDENT LOMBARDI Requesting the Traffic Engineer to cause the installation of a "Four-Way Stop" Sign at the intersection of Washington Street and Winter Street.

COUNCILMAN HASSETT: **COUNCIL PRESIDENT LOMBARDI Refers the Resolution to the Committee on Public Works.**

Requesting the Traffic Engineer to cause the motor vehicle traffic to become Two-Way along Fern Street.

COUNCILMAN APONTE and COUNCILMAN HASSETT (By Request):

Requesting the Traffic Engineer to cause the installation of a "No Right Turn" Sign at that point along Candace Street wherein traffic from the rear parking area of the Russell J. Boyle Funeral Home located at 331 Smith Street shall be directed consistent with One Way restrictions along Candace Street.

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 48, Lot 437 (130 Potters Avenue), along with any associated interest, penalties and intervening taxes, in accordance with Rhode Island General Law Section 44-7-23 and the property is declared exempt in accordance with Rhode Island General Law 45-32-40, in the amount of One Thousand Six Hundred Forty Five Dollars and Seventy Three (\$1,645.73) Cents.

COUNCILMAN APONTE (By Request):

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 48, Lot 332 (76 Ocean Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of One Thousand Three Hundred Thirteen Dollars and Seventy Three (\$1,313.73) Cents, or any taxes accrued including 2003 taxes, plus any interest accrued.

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 HASSETT:

Resolution Requesting the Traffic Engineer to cause the motor vehicle traffic to become Two-Way along Fern Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "No Right Turn" Sign at that point along Candace Street wherein traffic from the rear parking area of the Russell J. Boyle Funeral Home located at 331 Smith Street shall be directed consistent with One Way restrictions along Candace Street.

COUNCILMAN JACKSON (By Request):

Resolution Requesting the Chief Electrical Inspector to cause the installation of street lighting along that unnamed gangway that runs from 435-443 Hope Street to 192-196 and 198 Morris Avenue and between Montague Street and Doyle 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.

COUNCILWOMAN WILLIAMS and COUNCILMAN APONTE:

Resolution Requesting the Tax Assessor to apply the Homestead Exemption to various homeowners for the 2004 tax roll.

Thousand Six Hundred Fifty Two Dollars and Ninety Two (\$4,652.92) Cents, or any taxes accrued, including 2002 taxes, plus any interest accrued, at the request of Youth In Action, Inc.

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

COUNCILWOMAN YOUNG (By Request):

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 45, Lot 554 (51 Marlborough Avenue), in accordance with Rhode Island General Law, Section 44-7-23, in the amount of Four

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

COMMUNICATIONS AND REPORTS

Communication from Louis M. Pavo, Clerk, Municipal Court, dated January 4, 2005, submitting the annual report of revenue collected for the period of January 2, 2004 thru December 31, 2004, in the amount of Six Million Six Hundred Sixty Two Thousand One Hundred Fifty Dollars and Sixty (\$6,662,150.60) Cents for violations.

Communication from Christopher Delvaile, Manager-Office of Planning and Policy, Providence Housing Authority, dated January 3, 2005, submitting the annual report for Fiscal Year 2004.

Communication from Councilman Patrick K. Butler, dated January 11, 2005, Informing the Honorable Members of the City Council that he is this day appointing Mr. John Hearn of 42 Hilltop Avenue, Providence, Rhode Island 02908, to the Providence External Review Authority (PERA), for a term of one year. (Mr. Hearn will be replacing Mr. Daniel Driscoll, whose term has expired)

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

COUNCIL PRESIDENT LOMBARDI Receives the Several Communications.

FROM THE CLERK'S DESK

Petition from Nelson Amparo, requesting a Zoning Change for Assessor's Plat 59, Lot 884 (1387 Broad Street), from an R-1 to an R-2 Zone.

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

Petitions for Compensation for Injuries and Damages, viz:

Simon A. Rhyner

William DeChristofaro

Richard Bolvin

Carmen Reyes

American Commerce Insurance Company
a/s/o Nello Pitts

Arnold H. Herman, M.D.

GEICO
a/s/o Kimberly Susi

Ralph Howe

Deborah A. Lea

Teresa Anderson
(Alan F. Cathers, Esquire)

New England Gas Company

New England Gas Company

New England Gas Company

Raymond F. Bryer

Suzanne Sylvia

Ellen Frankel, M.D.

Mario Aguirre
(Seth Adam Perlmutter, Esquire)

Frank Schepisi

Rosemarie Campanile

Kathleen A. Pearce

St. Mary's Home for Children

David R. Couto

Phyllis Goble

Robert Midura
(David J. Szerlag, Esquire)

Randy F. Bryant

Jonathan Osorio

Alicia St. Jean

Melissa Benevides

Mark Karis

Amica Mutual Insurance Company
a/s/o Gary K. Santos

PRESIDENT State Farm Insurance Company
 Several Petitioners Debra Grider
 on Claims and Pending
 Michael Schwartz

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

COUNCIL
 Refers the
 Committee on

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

COUNCIL
 Resolution R
 to cause the
 Two-Way a

COUNCILMAN APONTE and COUN-
IL PRESIDENT LOMBARDI

PRESENTATION OF RESOLUTIONS

"In Congratulations"

COUNCIL PRESIDENT LOMBARDI and
MEMBERS OF THE CITY
COUNCIL
 Tuesday, January 11, 2005 at
 1:18 AM, weighing 9 lbs. 11 oz.

Resolution Extending Congratulations.

Resolution in recognition of the
 birth of the
 That the Members of the City
 Council hereby Extend their Sincere
 Congratulations to the following:

Alex Prignano, in recognition of the
 celebration of his fiftieth birthday, born
 January 7, 1955.

Kuo-tung Yang, in recognition of being
 named the Director General of the Taipei
 Economic and Cultural Office in Boston.

Alberta Nota Joseph Montanaro, in recognition of
 the celebration of his fiftieth birthday, born
 Saturday, January 28, 1955.
 weighing 7 lb. 11 oz.

Mr. and Mrs. Vincent Murphy, in
 recognition of the birth of their grandson,
 the birth of Julian Michael Cardenas, born Tuesday,
 January 11, 2005 at 1:18 AM, weighing 9 lbs.
 11 oz.

Requesting to cancel or abate, in
 whole, the taxes assessed upon Assessor's
 Plat Maryellen 37 and Edward Cardenas, in
 recognition of the birth of their son, Julian
 Michael, born Tuesday, January 11, 2005 at
 1:18 AM, weighing 9 lbs. 11 oz. 7-23 and the
 property is declared exempt in accordance
 with Joseph Tamelleo, in recognition of the
 celebration of his retirement after thirty
 years of dedicated service to the City of
 Providence.

Amable Aristy Castro, in recognition of
 honoring the citizens of the City of
 Providence with his memorable visit.

Resolution Requesting to cancel or abate
 Edward Beard, in recognition of the
 celebration of his sixty-fifth birthday, born
 January 20, 1940, Rhode Island General Law
 Section 44-7-23, in the amount of One
 The Edward and Alberta Nota, in recognition
 of the birth of their grandson, Nicholas
 Thomas Masse, born Saturday, January 1,
 2005 at 1:47 PM, weighing 7 lb. 11 oz.

CO Thomas and Jeannine Masse, to in
 recognition of the birth of their son, Nicholas
 Thomas, born Saturday, January 1, 2005 at
 1:47 PM, weighing 7 lb. 11 oz.

Resolution R
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COUNCIL

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COUNCIL
 Dispute
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COUNCIL
 Refers the
 Committee on

Paul D'Agostino, in recognition of the celebration of his retirement after twenty-three years of dedicated service to the Department of Transportation for the State of Rhode Island.

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 COUNCIL:

Resolution Extending Sympathy.

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

Edna L. Rodio

Guido A. "Guy" Caputo

Orlando "Lonnie" Bisbano

Santina Simonelli-Messina

Ennio "Zook" Zuccolo

Mary Alice Santos

Joseph A. Casalino

Celeste M. Walaska

Carl Antonelli

Pasquale Olivo

Frank R. "Sheikie" Spirito

Molle Retsinas

Angelina Santomaro

Lena Pari

Assunta "Susie" Magnatta

Raymond T. "Massi" DeFusco, Sr.

Dena Luongo

Barbara M. Drury

Adeline "Addie" Zuccarelli

Joseph S. Albanese, Sr.

Thomas C. Almond, Jr.

Antonio "Tony" Tedeschi

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

The Motion for Passage is Sustained.

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 order to allow the
introduction of the Following Matter Not
Appearing on the Printed Docket.

PRESENTATION OF ORDINANCE

COUNCILMAN HASSETT:

An Ordinance In Amendment Of Chapter
2004-3, No. 3 Dated January 16, 2004,
Establishing and Granting A Tax
Stabilization Plan for Capitol Hill Properties,
LLC, with Respect to Assessor's Plat 19, Lot
102 of the City of Providence, and Hereby
Establishing and Granting A Revised Tax
Stabilization Plan for Intercontinental Fund

IV Waterplace, LLC, Successor in interest to
Capitol Hill Properties, LLC with Respect to
the same Parcel

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 7:50 o'clock P.M. (E.S.T.), to meet again on THURSDAY, FEBRUARY 3, 2004 at 7:30 o'clock P.M. (E.S.T).

Michael R. Clement

MICHAEL R. CLEMENT
CITY CLERK



January 20)

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(2005

