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CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

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No. 3 City Council Regular Meeting, Thursday, February 6, 2003, 7:30 o'clock P.M. (E.S.T.)

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PRESIDING

COUNCIL PRESIDENT

JOHN J. LOMBARDI

ROLL CALL

**Present:** Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hasset, Igliazzi, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—15.

**Absent:** None.

**Also Present:** Michael R. Clement, City Clerk, Ralph Guglielmino, City Sergeant, John D'Amico, Senior Assistant City Solicitor, Claire E. Bestwick, First Deputy City Clerk and Sheri A. Petronio, Assistant Clerk.

CITY COUNCIL  
MAY 15 2003  
*Michael R. Clement*

READ

WHEREUPON IT IS ORDERED THAT  
THE SAME BE APPROVED.

## INVOCATION

The Invocation is given by COUNCILMAN  
LUIS A. APONTE.

## 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 Allegiance  
to the Flag of the United States of America.

## APPROVAL OF RECORD

The Journal of Proceedings No. 116 of the  
Regular Meeting of the City Council held  
November 21, 2002, and Posted January 21,  
2003, on that Bulletin Board located on the  
Ground Floor Level of City Hall, is approved  
as printed, on motion of COUNCILMAN  
APONTE, seconded by COUNCILWOMAN  
WILLIAMS.

## ELECTION OF CERTAIN CITY OFFICERS

**Rescission of the Election of COUNCILWOMAN RITA M. WILLIAMS Councilmanic Member to the Board of Contract and Supply.**

**COUNCILMAN APONTE, moves approval of the Rescission, seconded by COUNCILWOMAN WILLIAMS.**

**The motion to Rescind is Sustained.**

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**Election of one (1) Councilmanic Member to the Board of Contract and Supply, pursuant to Section 1007 of the Providence Home Rule Charter of 1980 entitled: "Board of Contract and Supply".**

**COUNCILMAN APONTE casts one ballot for COUNCILMAN DAVID A. SEGAL to be elected as a member of the Board of Contract and Supply, seconded by COUNCILWOMAN WILLIAMS.**

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## APPOINTMENT BY HIS HONOR THE MAYOR

**Communication dated January 14, 2003, 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 reappointing Arline Feldman of 235 Sixth Street, Providence, Rhode Island, as a member of the Board of Licenses for a term to expire in January 2006, and respectfully submits the same for approval.**

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

**The motion to Receive and Refer is Sustained.**

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## **RULE SUSPENSION**

**COUNCILMAN APONTE requests to suspend Rule 14 to take matters out of sequence and take matters 46, 58 and 59 out of sequence, seconded by COUNCILWOMAN WILLIAMS**

## **REPORTS FROM COMMITTEES**

### **RULES COMMITTEE**

**COUNCILWOMAN BALBINA A. YOUNG, Chairwoman**

**Transmits the following with recommendation the same be Approved:**

**Rules of the City Council for the ensuing term January 6, 2003 to January 1, 2007.**

**APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**Referred Back to the Committee on Rules, on motion of COUNCILMAN**

**The motion to Refer Back is Sustained.**

### **COMMITTEE ON FINANCE**

**COUNCILMAN KEVIN M. JACKSON, Chairman**

**Transmits the following with recommendation the same be Approved:**

**Communication from His Honor the Mayor David N. Cicilline dated January 6, 2003, Informing the Honorable Members of the City Council that pursuant to Section 302(b) and**

**603(a) of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Joseph M. Fernandez, of Providence as City Solicitor of the City of Providence and**

respectfully submits the same for your approval. (Pending the approval of this appointment by the City Council, he hereby appoints Mr. Fernandez as Acting City Solicitor for a period not to exceed 90 days).

**Approved, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**The motion to Approve is Sustained.**

## PRESENTATION OF RESOLUTION

**COUNCILMAN SEGAL, COUNCILMAN APONTE, COUNCILMAN JACKSON, COUNCILMAN LUNA, COUNCILWOMAN WILLIAMS and COUNCILWOMAN YOUNG:**

**Resolution Concerning United States Military Action against Iraq.**

*Whereas*, The President has failed to present convincing evidence that Iraq poses a credible military threat to the United States, and

*Whereas*, The Bush administration has failed to articulate a clear strategic objective or outcome of a military attack against Iraq, and such an attack fails to enjoy the support of many of our important allies, and

*Whereas*, Though Saddam Hussein's rule is tyrannical, there is no assurance that his ouster would result in the installation of a free and democratic government in Iraq, and

*Whereas*, A war with Iraq would endanger the lives of Providence residents, loved ones thereof, who serve in the United States Armed Forces — a disproportionate number of them racial and ethnic minorities from economically disadvantaged neighborhoods, and

*Whereas*, The UN has estimated that hastily implemented unilateral action would risk 500,000 or more Iraqi casualties, and

*Whereas*, Such an effort would not ensure an improvement in national security, and

*Whereas*, It has been estimated that the cost to the City of Providence of a war with Iraq would be \$28,000.00, and

*Whereas*, The considerable amount of money required for military action would be far better spent in attending to ongoing crises within Providence and other American cities, and

*Whereas*, The expenditures necessary for war would result in reduced investment in the domestic economy, yielding a deterioration of the public infrastructure, and

*Whereas*, Many labor union locals throughout the country are publicly opposing a U.S. invasion in Iraq and calling for international multi-lateral action that is sanctioned by the United Nations, and

*Whereas*, The Bush administration's saber rattling has distracted the public's attention from many issues of domestic importance, and

*Whereas*, It is not at all clear that the UN weapons inspections have been done, or will be, unsuccessful, and

*Whereas*, International diplomatic efforts should be the preferred means to resolved international conflicts, and

*Whereas*, War should be the last resort, and

*Whereas*, This City Council has been compelled by many organizations and citizens of Providence to speak out about this pressing issue,

*Now, therefore, be it Resolved*, That the City Council of the City of Providence hereby opposes a U.S. invasion of Iraq, but supports instead a genuinely multi-lateral diplomatic approach to the Iraq situation, sanctioned and directed by the United Nations hereby supports the promotion of improved national, and international security via: the multi-lateral monitoring of potential threats to world peace; a commitment to world courts and international justice; and support for international civil rights and environmental watch groups.

*Be it further Resolved*, That the City Council directs the Clerk to provide copies of this resolution to President Bush and our Congressional delegation.

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

**COUNCILMAN IGLIOZZI moves to Table the Resolution, seconded by COUNCILMAN BUTLER, by the following Roll Call Vote:**

**Ayes: Councilmen Allen, Butler, Hassett, Igliazzi and Councilwoman Romano—5.**

**Nays: Council President Lombardi, Councilmen Aponte, DeLuca, Councilwo-**

**man DiRuzzo, Councilmen Jackson, Luna, Mancini, Segal, Councilwomen Williams and Young—10.**

**Absent: None.**

**The motion to Table fails.**

#### **RULE 5. VOTING**

(a) The President of the City Council shall clearly and succinctly state every question before the City Council as a whole.

(b) On all ordinances, resolutions and questions in relation to and involving the expenditure of city funds, the selling and leasing of city property and acting on the Mayor's veto, the vote shall be by roll call.

(c) The "yeas" and "nays" of the members of the council shall, at the request of one-fifth of those present be taken and entered on the records of said City Council. After a roll call vote has been ordered, said roll call shall not be interrupted, delayed or stopped by the President or any other member of the council for any reason whatsoever, including points of order, personal privilege, or for a member to explain his/her vote. After the roll call, and before the President announces the result, any member may change his/her vote. All roll calls shall be taken alphabetically, except that the name of the President of the Council shall be called first. In case of a tie vote, the motion is not carried or passed. A motion to reconsider a vote shall only be made by a member on the prevailing side and may be seconded by any member. Adoption of the reconsideration shall be by a simple majority vote on the motion to reconsider. No motion shall be discussed or debated until it has been seconded. Any member may explain his/her vote during the discussion or debate of any motion or question pending. Any motion may be withdrawn by the mover at any time before the taking of a vote thereon or before an amendment is made to such a motion.

The foregoing Resolution is Read and Passed, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

**Ayes:** Council President Lombardi, Councilmen Aponte, DeLuca, Councilwoman DiRuzzo, Councilmen Jackson, Luna, Mancini, Segal, Councilwomen Williams and Young—10.

**Nays:** Councilman Butler—1.

**Absent:** None.

**Not Voting:** Councilmen Allen, Hassett, Iglizzo and Councilwoman Romano—4.

The motion for Passage is Sustained.

COUNCIL PRESIDENT LOMBARDI  
relinquishes the Chair.

COUNCIL PRESIDENT PRO TEM-  
PORE YOUNG in the Chair.

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## APPOINTMENT BY HIS HONOR THE MAYOR

Communication dated January 13, 2003, 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 Robert A. Walsh, Jr. of 230 Eighth Street,

Providence, Rhode Island, as a member of the Water Supply Board for a term to expire in January 2006. (Mr. Walsh will replace Ms. Mary Nocera, whose term expired in January 2002).

Received.

AT EASE

RECONVENTION

## APPOINTMENTS BY THE PRESIDENT OF THE CITY COUNCIL

Communication from Council President John J. Lombardi, dated January 31, 2003, appointing the following members to the Special Committee on State Legislation: Councilman Luis A. Aponte, Councilman Joseph DeLuca, Councilman John J. Iglizzi, Councilman David A. Segal and Councilwoman Rita M. Williams.

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matter.

Received.

## ORDINANCES SECOND READING

The following Ordinance was in City Council January 16, 2003, Read and Passed the First Time and is returned for Passage the Second Time, as amended:

An Ordinance to adopt the Eagle Square Tax Increment Project Plan, as amended.

*Be it ordained by the City of Providence:*

*Whereas*, The Providence City Council has designated the area within the City described as "Redevelopment Area 1," adopted May 23, 1996, as amended, as a redevelopment area pursuant to Chapters 31-33 of Title 45 of the General Laws of Rhode Island, The Redevelopment Act of 1956 (the "Redevelopment Act"); and

*Whereas*, It is the purpose and intent of the City Council to facilitate redevelopment of Redevelopment Area 1 and other redevelopment areas within the City; and

*Whereas*, The Eagle Square Tax Increment Area, as described in the Eagle Square Tax Increment Project Plan (the "Project Plan"), is within the geographic boundaries of Redevelopment Area 1; and

*Whereas*, The City Council finds that the commercial and residential development, rehabilitation and revitalization of the Eagle Square Tax Increment Area, and initiatives promoting development of affordable housing, job creation, and improvement of municipal infrastructure, as described in the Project Plan, (collectively, the "Project") are in the public interest; and

*Whereas*, The City Council finds that the use of tax increment financing pursuant to Chapter

33.2 of Title 45 of the General Laws of Rhode Island (the "Tax Increment Financing Act") to assist in the financing of the commercial and residential development, rehabilitation and revitalization of the Eagle Square Tax Increment Area, and to assist in the development of affordable housing, job creation and improvement of municipal infrastructure, as described in the Project Plan, are in the public interest; and

*Whereas*, The City Council desires to provide for such tax increment financing in accordance with the Redevelopment Act and the Tax Increment Financing Act; and

*Whereas*, The Tax Increment Financing Act requires as conditions precedent to such tax increment financing that the City Council adopt a redevelopment plan and a project plan, including the designation of a tax increment area, project area, and the calculation of the tax increment to be derived from taxes levied on real and personal property situated or otherwise assignable for purposes of property taxation in the tax increment area; and

*Whereas*, The City Council is required by the Redevelopment Act to make certain findings, determinations and declarations in connection with the adoption of a project plan; and

*Now therefore*, The City Council of the City of Providence hereby makes the following findings, determinations and declarations with regard to the Project Plan required by Sections 45-34-13 — 45-32-18, Section 45-32-20 and Section 45-33.2-4 of the Rhode Island General Laws:

1. That the facilities, programs and other assistance are needed and that the financing of that portion of the Project and the other initiatives in accordance with the Project Plan are in the public interest;

2. With respect to that portion of the Project Plan providing land or other assistance for housing for persons or families of low income, that there is not within the City an adequate supply of low rent housing for persons or families of low income generally, or for veterans, or for persons who are elderly or disabled, as the case may be, available for rents they can afford to pay, that the rents which those persons or families can afford to pay would not warrant private enterprise to provide housing for them;

3. That the Project Area, as defined in the Project Plan, is located in a "blighted and substandard area" as that term is defined in § 45-31-8(3), or that the Project is needed to arrest blight or decay in the city or town and to prevent the area from becoming a blighted and substandard area;

4. That the Project Area, as defined in the Project Plan, would not by private enterprise alone, and without either governmental subsidy or the exercise of governmental powers, be developed or revitalized in a manner so as to prevent, arrest, or alleviate the spread of blight or decay;

5. That the Project Plan will afford a maximum opportunity to privately financed development or revitalization consistent with the sound needs of the city or town as a whole;

6. That the financing of that portion of the Project in accordance with the Project Plan is in the public interest; and

7. That the Project Plan is consistent with *Providence 2000 — The Comprehensive Plan* and is consistent with the approval of the Major Land Development Project for Eagle Square, as approved by the Providence City Plan Commission on November 2, 2001.

*Now, therefore, be it ordained by the City of Providence:*

*Section 1.* The City Council of the City of Providence hereby adopts the Project Plan attached hereto as Exhibit A as the "Eagle Square Tax Increment Project Plan" based upon its finding that with respect to the projects described in the Project Plan, the facilities, programs, financing, and other assistance described therein are needed and authorized pursuant to the Redevelopment Act and the Tax Increment Financing Act and the financing of such projects in accordance with the Tax Increment Financing Act and the Project Plan is in the public interest.

*Section 2.* The City is hereby authorized to and shall take all action necessary to undertake the projects described in the Project Plan including, without limitation, the pledge of tax increments for repayment of revenue bonds issued by the Rhode Island Industrial Facilities Corporation and other indebtedness, all as authorized pursuant to the Act.

*Section 3.* The City is hereby authorized to, and shall take all actions necessary to ensure the payment of tax increment directly to a trustee for the benefit of any tax increment revenue bonds.

*Section 4.* The Urban Redevelopment Plans within the Project Area shall be amended, as needed to be consistent with the Project Plan.

*Section 5.* All proceeds from the implementation of the Eagle Square Tax Increment

Project Plan, in excess of the amount due to the City in property taxes and the amount necessary to pay down the interest and principal of the tax increment financing loan, shall be transferred to the Providence Redevelopment Agency for eligible activities in the project area, subject to approval by the Ward Councilperson.

*Section 6.* The conditions and requirements of the City Plan Commission that were adopted along with the approval of the Major Land Development Project on November 2, 2001, as may be amended from time to time, shall continue to be enforced by the City Plan.

**Read and Passed the Second Time, as amended, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:**

**Ayes: Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzo, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—14.**

**Nays: None.**

**Absent: Council President Lombardi—1.**

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

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**The following Ordinances were in City Council January 16, 2003, Read and Passed the First Time and are severally returned for Passage the Second Time:**

An Ordinance in amendment of and in addition to Chapter 1983-4 of the Ordinance of the City of Providence, approved February 18, 1983 and entitled: "An Ordinance approving and adopting the Official Redevelopment Plan for the Silver Lake Revitalization Project" for the acquisition of Lot 161 on Plat 110, 692 Plainfield Street.

*Be it ordained by the City of Providence:*

1. That Chapter 1983-4 of the Ordinances of the City of Providence, approved February 18, 1983 and entitled, "An Ordinance approving and adopting the Official Redevelopment Plan for the Silver Lake Revitalization Project", as amended, by the following Ordinances of the City of Providence: Chapter 1984-21, approved March 23, 1984, Chapter 1987-9, approved March 11, 1987, Chapter 1992-47, approved November 25, 1992, Chapter 1995-12, approved June 9, 1995, Chapter 1997-11, approved February 23, 1997, and Chapter 1997-45, approved September 11, 1997, is hereby further amended as follows:

A. To the list of designated properties for acquisition in Section 2, entitled, "Proposed Acquisition" under Chapter E, entitled, "Plan Proposals" contained and set forth on Page 19 of that certain booklet entitled "Silver Lake Revitalization Project, Official Redevelopment Plan, 1983", which is a part of the aforementioned Ordinance, the following properties shall be added:

<i>Plat/Lot</i>	<i>Address</i>
110/161	692 Plainfield St.

B. Certain maps of the Official Redevelopment Plan herein identified, "Proposed Acquisition" and "Disposition" shall be amended to include the Proposed Acquisition of the aforementioned lots.

2. That said Chapter 1983-4 of the Ordinances of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

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An Ordinance in amendment of and in addition to Chapter 1986-53 of the Ordinance of the City of Providence, approved October 23, 1986 and entitled: "An Ordinance approving and adopting the Official Redevelopment Plan for the Special Vacant Lot Project" for the acquisition of 57, 63, & 65 Aleppo Street and 14 Pelham Street.

*Be it ordained by the City of Providence:*

1. That Chapter 1986-53 of the Ordinances of the City of Providence, approved October 23, 1986 and entitled, "An Ordinance approving and adopting the Official Redevelopment Plan for the Special Vacant Lot Project" as amended by the following: Chapter 1989-26, approved December 11, 1989, Chapter 1997-3, Chapter 1998-1, approved January 16, 1998, Chapter 1998-29, approved June 10, 1998, Chapter 1998-56, approved December 14, 1998, Chapter 2000-15, approved June 23, 2000, Chapter 2000-16, approved June 23, 2000, Chapter 2000-17, approved June 23, 2000, Chapter 2001-5, approved February 12, 2001, Chapter 2001-6, approved February 12, 2001, Chapter 2001-53, approved December 14, 2001, and Chapter 2002-19, approved June 25, 2002, is hereby further amended as follows:

A. Add the following properties to page 12 of the of Attachment B entitled "A List of Proposed Acquisition and Disposition" as contained and set forth in that certain booklet entitled "Special Vacant Lot Project, Official Redevelopment Plan" which is part of the aforementioned Ordinance.

<i>Plat/Lot</i>	<i>Address</i>
063/548	57 Aleppo St.
063/549	63 Aleppo St.
063/550	65 Aleppo St.
063/553	14 Pelham St.

2. That said Chapter 1986-28 of the Ordinance of the City of Providence as adopted and as heretofore amended, be and the same is hereby ratified and affirmed in all other respects.

3. That this Ordinance shall take effect on its passage and shall be filed with the City Clerk who is hereby authorized and directed to forward a certified copy thereof to the Providence Redevelopment Agency.

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An Ordinance in amendment of and in addition to Chapter 1984-17 of the Ordinance of the City of Providence, approved March 9, 1984, entitled: "An Ordinance approving and adopting the Official Redevelopment Plan for the Upper South Providence Revitalization Project" for the acquisition of Lots 386 & 387 on Plat 45, 25 & 29 Milk Street.

*Be it ordained by the City of Providence:*

1. That Chapter 1984-17 of the Ordinance of the City of Providence, approved March 9, 1984, entitled "An Ordinance approving and

adopting the Official Redevelopment Plan for the Upper South Providence Revitalization Project" as amended by the following Ordinances of the City of Providence: Chapter 1990-31 (December 26, 1990), Chapter 1991-17 (April 26, 1991), Chapter 1992-44 (November 25, 1992), Chapter 1995-13 (June 9, 1995), Chapter 1997-9 (February 26, 1997), Chapter 1998-15 (March 2, 1998), Chapter 1998-51 (October 26, 1998), Chapter 2000-32 (September 29, 2000) and Chapter 2001-21 (June 25, 2001) of the Ordinances of the City of Providence is hereby further amended as follows:

A. Delete the following lots from the acquisition list in Section E. 2 entitled "Proposed Acquisition" as contained and set forth on Page 20 of the certain booklet entitled, "Upper South Providence Official Revitalization Project" which is part of the aforementioned Ordinance.

<i>Plat/Lot</i>	<i>Address</i>
045/386	25 Milk St.
045/387	29 Milk St.

B. All maps of the aforementioned Official Redevelopment Plan shall be amended to indicate the proposed acquisition.

2. That said Chapter 1984-17 of the Ordinance of the City of Providence as adopted and as heretofore amended, is hereby ratified and reaffirmed in all other respects.

3. This ordinance shall take effect upon passage and the City Clerk shall forward a certified copy to the Providence Redevelopment Agency.

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An Ordinance in amendment of Chapter 1987-10 of the Ordinances of the City of

Providence, as approved May 11, 1987, as amended in Chapter 1988-45, November 23, 1988, entitled: "An Ordinance creating and establishing an Economic Development Zone within the City of Providence" pursuant to 3-7-16.4 of the General Laws of the State of Rhode Island, as amended.

*Be it ordained by the City of Providence:*

*Whereas*, The City Council, pursuant to Rhode Island General Laws Section 3-7-16.4, created and established economic development zones 1 through 4 in the city of Providence for the purpose of encouraging commercial investment; and

*Whereas*, The boundaries of said economic development zones were set forth in Exhibit A of Chapter 1988-45, as amended; and

*Whereas*, The Eagle Square TIF District which is located outside economic zone no. 1 requires liquor licenses for the future economic development of the Eagle Square site that are otherwise unavailable; and

*Whereas*, The City Council, in order to address the needs of the Eagle Square development project desires to modify the boundaries of economic zone no. 1 by adding the Eagle Square site to the zone;

*Now, therefore, be it ordained by the City of Providence:*

That economic development zone "Number 1" is hereby amended pursuant to R.I.G.L. 3-7-16.4 to include the area described below as follows:

Beginning at a point in the westerly boundary of Census Tract 8 at the intersection of Aborn Street and I-95; then easterly along Aborn Street until it intersects with Sabin Street; then across Sabin Street to the intersection with Empire Street; then south easterly along Empire and Chestnut Streets to

the intersection with I-95; then easterly along I-95 to the intersection with the Providence River; then northerly along the centerline of the Providence River to a point in the river where the extension of Planet Street intersects with the centerline of the river; then easterly along the extension of Planet Street to the intersection with South Main Street; then northerly along South and North Main Street to the intersection with Park Row East; then westerly along Canal Street to the intersection with Smith Street; then westerly along Smith Street to the intersection with Amtrak mainline; then northerly along the Amtrak mainline to the intersection with Orms Street; then easterly along Orms Street to the intersection with Charles Street; then northerly along Charles Street to the intersection with I-95; then northerly along I-95 to the intersection with the West River; then westerly along the West River to the intersection with Charles Street; then southerly along Charles Street to the intersection with the Amtrak mainline; then southerly along the Amtrak mainline to the intersection with I-95; then southerly along I-95 to the intersection with the extension of Harris Avenue; then westerly along the extension of Harris Avenue and Harris Avenue to the intersection with Atwells Avenue; then at the intersection of Atwells Avenue and Eagle Street, north westerly along Eagle Street until it intersects with Valley Street; then southwesterly along Valley Street until the intersection with Atwells Avenue; then easterly along Atwells Avenue to the intersection with Knight Street; then southerly along Knight Street to the intersection with a line running parallel to Atwells Avenue one hundred (100) feet southerly from the center line of said Atwells Avenue; then along said line, running parallel to Atwells Avenue one hundred (100) feet southerly from the center line of said Atwells Avenue, to the intersection with I-95; then northerly along I-95 to the point of beginning.

Said area is designated Economic Development Zone No. 1 for the purpose of licensing

Class ED Retail Alcoholic Beverages Licenses. Economic Development Zone No. 1 is shown in its entirety on the attached map Attachment A.

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matters.

Collectively Passed the Second Time, on motion of **COUNCILMAN APONTE**, seconded by **COUNCILWOMAN WILLIAMS**, by the following Roll Call Vote:

**Ayes:** Council President Pro Tempore Young, Councilmen Allen, Aponte, Butler,

**DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzo, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwoman Williams—14.**

**Nays:** None.

**Absent:** Council President Lombardi—1.

The motion for Passage the Second Time is Sustained.

## REPORTS FROM COMMITTEES

The following Resolutions were in City Council Thursday, January 16, 2003 and Collectively Passed on a Voice Vote and are returned for Rescission of that vote and for a roll call vote.

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

**COUNCILMAN IGLIOZZI** abstains.

The motion for Passage is Sustained.

**COMMITTEE ON PUBLIC WORKS**  
**COUNCILWOMAN RITA M. WILLIAMS, Chairwoman**  
**and**  
**COMMITTEE ON CITY PROPERTY**  
**COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman**

Jointly transmit the following with recommendation the same be severally  
**Approved:**

Resolution Granting the execution of that certain maintenance agreement by and between the State of Rhode Island and Providence Plantations acting by and through the Rhode Island Department of Transportation and the City of Providence for highway maintenance and access with respect to various bridges and overpasses over certain streets as described in said maintenance agreement.

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Resolution Granting the acquisition, for nominal consideration, of an easement from the State of Rhode Island and Providence Plantations acting by and through the Rhode Island Department of Transportation for the erection and maintenance of a dam or barrier over and across the property in connection with the operation of the Providence Hurricane Barrier; such relocation of the existing easement being made necessary by the relocation of Interstate Route 195; and upon the relocation of such easement to extinguish a portion of the existing Hurricane Barrier easement with Narragansett Electric Company dated April 10, 1961 and recorded in the City of Providence Land Evidence Records in Book 1108 at page 61.

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Resolution Granting the waiver of compensation with respect to the condemnation by the State of Rhode Island of certain property owned by the City of Providence for highway purposes in connection with the relocation of Interstate Route 195 or, in the alternative, to authorize the conveyance, for nominal consideration, of fee title to said property to the State of Rhode Island and Providence Plantations acting by and through the Rhode Island Department of Transportation for highway purposes.

Resolution Granting a waiver of compensation with respect to the condemnation by the State of Rhode Island of certain property owned by the City of Providence for a temporary and permanent sewer easement near India Street, or in the alternative, to authorize the granting, for nominal consideration, of a temporary and permanent sewer easement to the State of Rhode Island and Providence Plantations acting by and through the Rhode Island Department of Transportation to install, construct, use, operate, repair, replace and maintain sewer facilities and appurtenant structures in, under, through, over and upon the property described in the proposed grant of easements.

**COUNCILMAN APONTE moves to dispense with the reading of the foregoing matters.**

**Jointly Referred Back to the Committee on Public Works and the Committee on City Property, on motion of COUNCILMAN DeLUCA, seconded by COUNCILMAN JACKSON, by the following Roll Call Vote:**

**Ayes: Council President Pro Tempore Young, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal, Councilwomen Williams and Young—13.**

**Nays: None.**

**Not Voting: Councilman Igliazzi—1.**

**Absent: Council President Lombardi—1.**

**The motion to Refer Back is Sustained.**

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The following Resolution was in City Council Thursday, January 16, 2003 as a "Matter Not Appearing on the Printed Docket" and approved on a voice vote, and is being returned for rescission of that vote.

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

The motion for Passage is Sustained.

**COUNCILMAN HASSETT:**

Resolution Requesting to amend Resolution Number 358, approved June 26, 1998 to change the name of the "Special Commission to Study the Effect of Non-Taxable Institutions on Providence's Tax Base", to the "Special Commission to Study Tax Exempt

Institutions" and also request the Council President to empanel said commission for the term ending 2007.

COUNCILMAN APONTE moves to take item number 21 to the bottom of the docket, seconded by COUNCILWOMAN WILLIAMS.

## PRESENTATION OF RESOLUTIONS

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

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Adrian Hall Way from Washington Street to Fountain Street from 12:00 o'clock Midnight on Sunday, March 2, 2003 until 12:00 o'clock Noon on Tuesday, March 4, 2003 to accommodate Trinity Repertory Company's Mardi Gras/Carnival Celebration.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Adrian Hall Way from Washington Street to Fountain Street from 12:00 o'clock Midnight on

Sunday, March 2, 2003 until 12:00 o'clock Noon on Tuesday, March 4, 2003 to accommodate Trinity Repertory Company's Mardi Gras/Carnival Celebration.

Resolution In Supprt of the "Bringing America Home Act".

*Whereas*, Rhode Island has increasing numbers of homeless families and children; and

*Whereas*, The number of individuals staying at temporary shelters has increased from 450

per night in 2001 to 600 per night as of January 2003; and

*Whereas*, For the first time in Rhode Island history more than half the current population at shelters are families;

*Whereas*, Forty (40) percent of children in the City of Providence are currently living below the federal poverty threshold; and

*Whereas*, Rhode Island has the highest percentage of children living in poverty of all the states in New England, and;

*Whereas*, An individual Rhode Islander would have to work 86 hours per week at the current minimum wage to afford a 2-bedroom apartment (using 30% of their income to afford a Fair Market Rent of \$687); and

*Whereas*, U.S. Representative John Conyers, Jr., D-Michigan and U.S. Representative Julia Carson, D-Indiana, are introducing the "Bringing America Home Act" before the United States Congress this month, and

*Whereas*, The comprehensive bill proposes to address the homelessness crisis by sending local governments federal funds to expand public transportation; create job apprenticeships; help our working homeless to buy homes; provide childcare vouchers; offer emergency vouchers for those facing evictions; and to establish one-stop homeless centers; and

*Whereas*, Such funding will help Providence and Rhode Island to assist in a substantive way, its citizens in need,

*Now, therefore, be it Resolved*, That the Providence City Council resolves:

*Section 1.* That the Council endorses the Bringing America Home Act.

*Section 2.* That the Council recommends the passage of the Bringing America Home Act by the Rhode Island Congressional Delegation.

*Section 3.* That, upon approval, a copy of this resolution be forwarded to the Honorable Jack Reed and the Honorable Lincoln Chafee, Rhode Island U.S. Senators; and the Honorable Patrick Kennedy, and the Honorable James Langevin, Rhode Island U.S. House of Representatives.

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**COUNCIL PRESIDENT LOMBARDI,  
COUNCIL PRESIDENT PRO TEM-  
PORE YOUNG, COUNCILMAN  
APONTE, COUNCILMAN DeLUCA and  
COUNCILWOMAN WILLIAMS:**

Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of Martin Luther King, Jr. Day, January 2003 to January 2007.

*Resolved*, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Martin Luther King, Jr. Day, January 2003 to January 2007.

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Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of Saint Patrick's Day, March 17, 2003 to March 17, 2006.

*Resolved*, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby

created for the purpose of planning and conducting a proper observance of Saint Patrick's Day, March 17, 2003 to March 17, 2006.

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Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of the Feast of Saint Joseph the Worker, 2003 to 2006.

*Resolved*, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the Feast of Saint Joseph the Worker, 2003 to 2006.

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Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of the Declaration of Independence, July 4, 2003 to July 4, 2006.

*Resolved*, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the Declaration of Independence, July 4, 2003 to July 4, 2006.

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Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of the Municipal Observance of Labor Day, September 2003 to September 2006.

*Resolved*, That a Special Committee of the City Council consisting of Five (5) Members to

be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the Municipal Observance of Labor Day, September 2003 to September 2006.

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Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of the Discovery of America by the Italian Navigator, Cristofaro Colombo, October 2003 to October 2006.

*Resolved*, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the Discovery of America by the Italian Navigator, Cristofaro Colombo, October 2003 to October 2006.

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Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of the Municipal Observance of Armistice Day, November 11, 2003 to November 11, 2006.

*Resolved*, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of the Municipal Observance of Armistice Day, November 11, 2003 to November 11, 2006.

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Resolution Creating a Special Committee for the purpose of planning and conducting a proper observance of Christmas Day, December 25, 2003 to December 25, 2006.

*Resolved*, That a Special Committee of the City Council consisting of Five (5) Members to be appointed by the President thereof, is hereby created for the purpose of planning and conducting a proper observance of Christmas Day, December 25, 2003 to December 25, 2006.

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matters.

Collectively Passed, on motion of **COUNCILMAN APONTE**, seconded by **COUNCILWOMAN WILLIAMS**.

The motion for Passage is Sustained.

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**COUNCILMAN APONTE** and **COUNCILMAN HASSETT** (By Request):

Resolution Requesting the Board of Contract and Supply to authorize the purchase of Assessor's Plat 64, Lot 653 (280 Academy Avenue), within the Special Vacant Lot Project from the Providence Redevelopment Agency for the sum of one dollar (\$1.00) to be transferred to the Parks Department and also to cause any and all taxes to be abated, in whole, including 2002 taxes.

**COUNCIL PRESIDENT PRO TEMPORE YOUNG** Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Sustained.

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**COUNCILMAN BUTLER, COUNCILMAN HASSETT, COUNCILWOMAN ROMANO, COUNCILMAN MANCINI, COUNCILWOMAN DIRUZZO, COUNCILMAN IGLIOZZI and COUNCILMAN DeLUCA:**

Resolution Extending Sincere Congratulations to Charles R. Mansolillo and expressing sincere gratitude and deep appreciation for his many years of service to the City of Providence and also commend him for his tireless effort in employing his talents and skills in the performance of his duties as the Chief Legal Advisor and Attorney for the City of Providence and bestows upon him the high honor and eminent title of "City Solicitor Emeritus" of the City of Providence.

*Whereas*, Charles R. Mansolillo began his career in public service as the youngest member of the Providence delegation in the Rhode Island House of Representatives in 1973, and

*Whereas*, Charles R. Mansolillo subsequently served as a Providence City Councilman from 1975 to 1983 and as Chief of Staff to Mayor Vincent A. Cianci, Jr., in 1983 and 1984, and

*Whereas*, Charles R. Mansolillo also served as a member of the Commission elected to frame the Providence Home Rule Charter adopted by the Providence voters on September 18, 1980, and has since served as a member of the Charter Review Commissions impaneled in 1922 and 2002, and

*Whereas*, Charles R. Mansolillo has served the citizenry of Providence on numerous boards, most notably as Chairman of the Providence Community Action Program and as a Trustee of the Providence Public Library, and

*Whereas*, Charles R. Mansolillo also served the State of Rhode Island as Legal Counsel in the Department of Children and Their Families, and as Director of the Governor's Office of Housing, Energy and Intergovernmental Relations, and as Director of Policy for Governor Edward D. DiPrete, and

*Whereas*, Charles R. Mansolillo has served the City of Providence as City Solicitor for the past eleven years, and as the City Solicitor performed his duties honorably and diligently, generously giving his time, skill and talent in rendering sound advice and counsel to the Mayor, the City Council and City Departments and Boards, and in prosecuting and defending on behalf of the City in the courts of the City, the State of Rhode Island and the United States of America, and

*Whereas*, Charles R. Mansolillo, twenty-second Solicitor to hold that office since its establishment in 1853, has now completed his tenure as City Solicitor.

*Now, therefore, be it Resolved*, That the City Council expresses its sincere gratitude and deep appreciation to City Solicitor Charles R. Mansolillo for his many years of service to the City of Providence and commends him for his tireless effort in employing his talents and skill in the performance of his duties as the Chief Legal Advisor and Attorney for the City of Providence, and

*Be it further Resolved*, That the City Council in recognition of the single commitment and devoted service to the Honorable Charles R. Mansolillo, hereby confers and bestows upon him the high honor and eminent title of "City Solicitor Emeritus" of the City of Providence.

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

**COUNCILMAN LUNA and COUNCILWOMAN YOUNG are recorded as voting "No".**

**The motion for Passage is Sustained.**

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**COUNCILMAN BUTLER (By Request):**

Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting along Metropolitan Road from Webb Street to Rialto Street to 27,500 lumen.

*Resolved*, That the Chief Electrical Inspector is requested to cause the upgrade of street lighting along Metropolitan Road from Webb Street to Rialto Street to 27,500 lumen.

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

**The motion for Passage is Sustained.**

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Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting along Modena Avenue from Smith Street to Isabella Avenue to 27,500 lumen.

*Resolved*, That the Chief Electrical Inspector is requested to cause the upgrade of street lighting along Modena Avenue from Smith Street to Isabella Avenue to 27,500 lumen.

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**COUNCILMAN BUTLER, COUNCILWOMAN ROMANO, COUNCILWOMAN DIRUZZO and COUNCILMAN IGLIOZZI:**

Resolution Extending Sincere Congratulations to Joan Badway, upon being elected Chairwoman of the Providence Democratic City Committee.

*Resolved,* That the Members of the Providence City Council hereby extend their Sincere Congratulations to Joan Badway, upon being elected Chairwoman of the Providence Democratic City Committee.

Resolution Extending Sincere Congratulations to Dr. Jose Gonzalez, upon being elected Vice-Chairman of the Providence Democratic City Committee.

*Resolved,* That the Members of the Providence City Council hereby extend their Sincere Congratulations to Dr. Jose Gonzalez, upon being elected Vice-Chairman of the Providence Democratic City Committee.

Resolution Extending Sincere Congratulations to A. Vincent Iglizzo, upon being re-elected Secretary of the Providence Democratic City Committee.

*Resolved,* That the Members of the Providence City Council hereby extend their Sincere Congratulations to A. Vincent Iglizzo, upon being re-elected Secretary of the Providence Democratic City Committee.

Resolution Extending Sincere Congratulations to Alessandro Montanari, upon being re-elected Treasurer of the Providence Democratic City Committee.

*Resolved,* That the Members of the Providence City Council hereby extend their Sincere Congratulations to Alessandro Montanari, upon being re-elected Treasurer of the Providence Democratic City Committee.

Resolution Extending Sincere Congratulations to Peter P. Marinucci, Sr., upon being re-elected Recording Secretary of the Providence Democratic City Committee.

*Resolved,* That the Members of the Providence City Council hereby extend their Sincere Congratulations to Peter P. Marinucci, Sr., upon being re-elected Recording Secretary of the Providence Democratic City Committee.

Resolution Extending Sincere Congratulations to Hilda M. Mial, upon being re-elected Assistant Treasurer of the Providence Democratic City Committee.

*Resolved,* That the Members of the Providence City Council hereby extend their Sincere Congratulations to Hilda M. Mial, upon being re-elected Assistant Treasurer of the Providence Democratic City Committee.

**COUNCILMAN APONTE moves to dispense with the reading of the foregoing matters.**

**Collectively Passed, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS.**

**The motion for Passage is Sustained.**

**COUNCILMAN HASSETT:**

Resolution Authorizing the Providence Redevelopment Agency to initiate the condemnation of that property located at 551 Chalkstone Avenue, Assessor's Plat 69, Lot 260.

**COUNCIL PRESIDENT PRO TEMPORE YOUNG** Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Sustained.

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**COUNCILMAN MANCINI (By Request):**

Resolution Requesting the Traffic Engineer to cause the installation of a "stop" sign at the intersection of Sunbury Street and Durham Street in Providence's Ward 14.

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Resolution Requesting the Traffic Engineer to cause the replacement of the "no parking" sign located 542 River Avenue.

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matters.

**COUNCIL PRESIDENT PRO TEMPORE YOUNG** Severally Refers the Resolutions to the Committee on Public Works.

The motion to Refer is Sustained.

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Resolution Requesting the Forestry Division of the Parks Department to cause the removal

of that dead tree located at 114 Stansbury Street.

*Resolved*, That the Forestry Division of the Parks Department is requested to cause the removal of that dead tree located at 114 Stansbury Street.

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

The motion for Passage is Sustained.

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**COUNCILWOMAN WILLIAMS (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Elmgrove Avenue between Lloyd Avenue and President Avenue on Saturday, April 12, 2003 between the hours of 6:00 o'clock A.M. to 12:00 o'clock Noon, to accommodate a Road Race sponsored by Running Heritage.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Elmgrove Avenue between Lloyd Avenue and President Avenue on Saturday, April 12, 2003 between the hours of 6:00 o'clock A.M. to 12:00 o'clock Noon, to accommodate a Road Race sponsored by Running Heritage.

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

The motion for Passage is Sustained.

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Resolution Requesting the Traffic Engineer to cause the installation of "no parking to

corner" signs at the intersection of Jenks Street and Pratt Street.

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Resolution Requesting the Traffic Engineer to cause the installation of a "stop" sign on Jenks Street in a westerly direction where it meets Pratt Street.

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Resolution Requesting the Traffic Engineer to cause the installation of a "no bus parking allowed on this street" sign on Alumni Avenue between Hope Street and Morris Avenue and Morris Avenue between Alumni Avenue and Olney Street.

Resolution Requesting the Traffic Engineer to cause the installation of a "no parking school days between 7:30 A.M. to 8:15 A.M. and 2:15 P.M. to 3:45 P.M." sign on Sessions Street between Taft Avenue and the handicapped parking sign in front of Temple Emmanuel.

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matters.

**COUNCIL PRESIDENT PRO TEMPORE YOUNG** Severally Refers the Resolutions to the Committee on Public Works.

The motion to Refer is Sustained.

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## REPORTS FROM COMMITTEES

### COMMITTEE ON PUBLIC WORKS

**COUNCILMAN TERRENCE M. HASSETT, Chairman**

Transmits the following with recommendation the same be severally Approved:

Resolution Granting the abandonment of Wamsutta Place and to transfer all rights, title and interest to the abutting landowner.

*Resolved, Decried and Ordered:*

That the following-named street shown on a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office,

Street line Section Plan No. 064704 dated January 8, 2002."

*Viz:* Wamsutta Place (portion of) as described in Attachment "A" and shown as a cross-hatched area on the accompanying plan and designated by the letters E-F-G-H-E, having ceased to be useful to the public and is proposed to be abandoned as a public highway. Said

abandonment to Petitioner is specifically conditioned precedent upon the following:

1. The Petitioner agrees to tender the amount of seven thousand dollars (\$7,000.00) in legal tender U.S. currency to the City of Providence.

2. The petitioner shall tender to the Providence Water Supply Board all costs and charges necessary and incidental to the abandonment and severance of the Wamsutta Place water distribution system, as the same is offered in a communication from the Providence Water Supply Board dated 30 January 2002.

3. The Petitioner shall convey an easement acceptable to Verizon which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the Petitioner that any such facilities need be relocated in order to comply with an intended use, the Petitioner shall assume all costs of relocation.

4. The City of Providence shall retain for itself, its heirs, successors and assigns an easement on Wamsutta Place which will permit the City to pass and repass either on foot or with necessary vehicles so as to maintain its realty located at the termination of the abandoned portion of Wamsutta Place. Said easement shall run with the land.

5. Neither permanent nor temporary barriers, in any way limiting public safety access, shall be permitted and, further, the petitioner shall meet each of the conditions to which reference is made in that communication from the Providence Fire Prevention Division dated 30 April 2002 which states as follows: "provided permanent barriers are not constructed that would prevent access for fire department

personnel using ground ladders and other firefighting equipment along Wamsutta Place. This access is required so that firefighters can raise ladders for rescue or ventilation operations should there be a fire incident in the buildings that border Wamsutta Place."

6. Petitioner shall comply with all conditions contained herein not later than sixty (60) days from its approval. Upon failure to so comply for any reason, the within resolution shall automatically become a nullity.

*Ordered,* That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

*Ordered,* That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

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Resolution Granting the abandonment of a portion of Syracuse Street.

*Resolved, Decreed and Ordered:*

That the following-named street shown on a cross-hatched area on the accompanying plan entitled "Prov., RI, Department of Public Works - Engineering Office, Street Line Section Plan No. 064718 dated July 12, 2002."

*Viz:* Syracuse Street (portions of) shown as a cross-hatched area on the accompanying plan and designated by the letters (A-B-C-D-A)

having ceased to be useful to the public and is proposed to be abandoned as a Public Highway. Said abandonment is specifically conditioned precedent upon the following:

1. Petitioners shall convey an easement acceptable to Narragansett Electric Company, which will permit retention of its sewer facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation.

2. No permanent construction or other encroachment shall be erected or allowed on the abandoned realty without prior approval of the Providence Fire Department. The same is required so as to permit free access of public safety vehicles as is noted in that correspondence dated October 3, 2002 from Fire Marshal David Costa to the Committee. (copy attached as Exhibit "A").

*Ordered*, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," and it is further

*Ordered*, That after the entry of this order or decree the City Clerk shall cause a notice

thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matters.

Collectively Passed, on motion of **COUNCILMAN APONTE**, seconded by **COUNCILWOMAN WILLIAMS**, by the following Roll Call Vote:

**Ayes: Council President Pro Tempore Young, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwomen Williams—14.**

**Nays: None.**

**Absent: Council President Lombardi—1.**

**The motion for Passage is Sustained.**

**Transmits the following with recommendation the same be Denied:**

Resolution Requesting the Traffic Engineer to post the appropriate street signs to allow parking for the staff members of the Carl G. Lauro School located on the DePasquale Avenue side of the buildings.

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matter.

Denied, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

**Ayes:** Council President Pro Tempore Young, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Luna,

Mancini, Councilwoman Romano, Councilman Segal and Councilwomen Williams—14.

**Nays:** None.

**Absent:** Council President Lombardi—1.

The motion for Denial is Sustained.

## COMMITTEE ON FINANCE COUNCILMAN KEVIN M. JACKSON, Chairman

**Transmits the following with recommendation the same be Adopted, as amended:**

An Ordinance in amendment of Chapter 2002-29, approved August 29, 2002, establishing a

compensation plan for the City of Providence, as amended.

**Transmits the following with recommendation the same be severally Adopted:**

An Ordinance in amendment of Chapter 2002-27, approved August 29, 2002, of the Ordinances of the City of Providence making an appropriation of five hundred fifteen million, four hundred fifty two thousand and twenty seven (\$515,452,027) for the Fiscal Year ended June 30, 2003, as amended.

**COUNCILMAN APONTE** moves to dispense with the reading of the foregoing matters.

Collectively Passed the First Time, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

An Ordinance in amendment of Chapter 2002-28, approved August 29, 2002, establishing a classification plan for the City of Providence, as amended.

**Ayes:** Council President Pro Tempore Young, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwomen Williams—14.

**Nays: None.**

**Absent: Council President Lombardi—1.**

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

## PERSONAL EXPRESSION

**COUNCILMAN DeLUCA requests the privilege of the floor to speak on a point of personal expression and states:**

I don't know if you got this notice in your sewer bill regarding Narragansett Bay Commissions proposal asking the PUC for a 31.1% rate increase. Their budget has increased to 58 million dollars plus a year and this major portion of this 13.8 million dollar increase is to fund Phase I of what is called a CSO Program. A few years ago we got the idea that they are going to dig a bunch of holes underneath parks and places, store extra rain water there until they have a chance to treat it at the treatment plant. I don't know, this sounds like the Captain says lets take the hill and the General says go and the Lieutenant says lets go and the guys are wondering where are we going, we are all going that way and nobody knows why. These CSO's stink in more ways than one, they are going to need ventilation in the neighborhoods that they're in and can you imagine sewer water being stored for days or weeks or months in these huge cement blocks. I know one place that's proposed underneath the Valley Street Park, another one is where the new Button Hole Golf Course is in my ward and in John Igliazzi's ward. I know these are two of the proposed sites. The first thing I want you to know is that not a dime of the CSO's comes from any form of State or Federal Aid. All of the proposed 200

million dollars or whatever it is going to take, big, big bucks is going to come through the rate payer and you see this 31% increase in the rate payer that they are asking for that is only for Phase I which I don't think involves any work yet. This is still an engineering phase, it is money they spent, it is like the mall, they spent 15 million dollars and all they had was a drawing nothing was done so I don't know where that 15 million went. I don't know how many millions these guys have spent on discussion but anyway, I think it is important that we speak up on this. We made a mistake in the 70's and gave up to Narragansett Bay Commission the treatment plant and some of the major inlets but we still are responsible for all the sewers in the City of Providence miles and miles of them to keep them clean, repair them and upgrade them as we go. They are collecting all the money and we are giving them all the customers for nothing there is a little something wrong with that picture and the Solicitor is going to help me out with a copy of that original agreement. I just want you to know that on February 12th they are going to be over here on the East Side at the Jewish Community Center, 401 Elmgrove Avenue and public comment will be asked. This is a series of PUC Public Hearings that is being held by the PUC to hear comment on this 31% increase. I think it is important for as many people as possible to be prepared with it and to knock down the increase for the CSO and

knock out this CSO Project all together because it is going to create nothing but bigger rat holes around our city. There is a better way to do it, I don't mind spending the money, in my opinion they made a mistake with the sewers to begin with to put both rain water and waste water in the same pipe to create a double sewer line where you create a gray water that doesn't need treatment. All the rain water would simple go

into the rivers and into the ocean without treatment and strictly what goes to the treatment plant would be, well the other water. Anyway, it is important for us to get involved in this because down the road you will see your sewer bill probably ten times the amount of your water bill because of this project.

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## AT EASE RECONVENTION

### REPORTS

Annual Report from the Department of Recreation for the year 2002.

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Annual Report from Frank S. Lombardi, Esquire, of the Probate Court of the City of Providence for the fiscal year beginning July 1, 2001 and ending June 30, 2002.

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Annual Report from Louis M. Pavao, Clerk, Municipal Court for revenue collected by the Municipal Court from January 2, 2002 thru December 31, 2002 was four million seven hundred one thousand four hundred one dollars and twenty-one cents (\$4,701,401.21) for violations.

Severally Received.

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## FROM THE CLERK'S DESK

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

Kiera Terrell	Rhode Island Public Transit Authority
Irina Mirsky Zayas	Frances M. Pavao
Lindsay Herron	Elaine A. Knott (V. Edward Formisano, Esquire)
Rachel Daniels	Mary Flynn (John J. Flanagan, Esquire)
Allstate Insurance a/s/o Ruby Sweetwine	Liberty Mutual Insurance a/s/o Debra Reddy
Susanne McManus	Robert J. Marshall
William M. McKenna (Henry H. Katz, Esquire)	Costanzo Saurino
Christopher Bardt	Peter & Lillian Marunicci (John B. Ennis, Esquire)
Jeannie Bucci	Linda S. Quattro
Teresa J. Caldarone	Barbara Evans
Peter E. Schuster	Cheryl R. Ursillo
Margaret R. Marisi	Jessica Bailey
John E. McNulty & Elizabeth Hall	Maria Gonzalez, Julianna Fernandez & Alsenio Fernandez (Domenic J. Carcieri, Esquire)
Janice McCaughey	Christopher J. DiPardo
Cheryl L. Saracen	Nina Axelrod
Pamela Matthews	Prudential Insurance a/s/o Joseph Quinn
American Honda Finance Corporation and American Honda Motor Corporation (David P. Whitman, Esquire)	Lance Powers
Donald F. David, Jr.	Ninothe Dagrín & Jean Dénia (Robert V. Russo, Esquire)
Marie-Paule Gonon	GEICO a/s/o Kerri A. Jacklets

**COUNCIL PRESIDENT PRO TEMPORE YOUNG Severally Refers the Petitions to the Committee on Claims and Pending Suits.**

**The motion to Refer is Sustained.**

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## PRESENTATION OF CITATIONS

*“In Congratulations”*

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

Citations Extending Congratulations.

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

John Butler, in recognition of the celebration of his 39th Birthday on February 6, 2003.

Michael Butler, in recognition of the celebration of his 39th Birthday on February 6, 2003.

Mr. and Mrs. Silvio Gliotone, in recognition of the celebration of their 50th Wedding Anniversary, married on September 6, 1952.

Joan Badway, in recognition of being elected Chairwoman of the Providence Democratic City Committee.

Dr. Jose Gonzalez, in recognition of being elected Vice-Chairman of the Providence Democratic City Committee.

A. Vincent Igliozzi, in recognition of being re-elected Secretary of the Providence Democratic City Committee.

Alessandro Montanari, in recognition of being re-elected Treasurer of the Providence Democratic City Committee.

Peter P. Marinucci, Sr., in recognition of being re-elected Recording Secretary of the Providence Democratic City Committee.

Hilda M. Mial, in recognition of being re-elected Assistant Treasurer of the Providence Democratic City Committee.

Sojourner House Advocacy & Resource Center, in recognition of the Grand Opening of their new facility on Thursday, January 30, 2003.

Joseph Buchanan, in recognition of his successful completion of the “Brothers For Life” Leadership Program.

Orlando DeCarmo, in recognition of his successful completion of the “Brothers For Life” Leadership Program.

Luis Sanchez, in recognition of his successful completion of the “Brothers For Life” Leadership Program.

Arthur Greene, in recognition of his successful completion of the “Brothers For Life” Leadership Program.

Jose Rodriguez, in recognition of his successful completion of the "Brothers For Life" Leadership Program.

Alberto Carrero, in recognition of his successful completion of the "Brothers For Life" Leadership Program.

Joel Escobar, in recognition of his successful completion of the "Brothers For Life" Leadership Program.

Mike Austin, in recognition of his successful completion of the "Brothers For Life" Leadership Program.

Vincent Cooper, in recognition of his successful completion of the "Brothers For Life" Leadership Program.

Robert Cline, in recognition of his successful completion of the "Brothers For Life" Leadership Program.

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

**The motion for Passage is Sustained.**

## PRESENTATION OF RESOLUTIONS

*"In Memorium"*

**COUNCIL PRESIDENT LOMBARDI 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:

Robert J. Drohan, Sr.

Reverend Joseph F. Murphy

David J. Zucconi

Alice M. Barros

Connie Colantonio

Ralph M. Guarniero

Louis G. Roy

Frank Golding

Frances M. Carbone

Eugene "Gino" Chiello

Joseph A. Converse

Luigi Piccirillo

Etta E. Malinou

Caroline Angelosanto

Theresa Cedrone

Tomasso Capuano

Anthony N. Nunes

M. Rosalia Flaherty, RSM

James "Jim" D. Nesbitt

Joan V. Lodge

Raymond J. O'Brien

Rita DeSiderato

Mary Calise

Carrie Calise

James M. "Jake" Reilly

Arthur Laquerre

**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.**

## PRESENTATION OF RESOLUTION

### COUNCILMAN HASSETT:

Resolution Requesting to amend Resolution Number 358, approved June 26, 1998 to change the name of the "Special Commission to Study the Effect of Non-Taxable Institutions on Providence's Tax Base", to the "Special Commission to Study Tax Exempt Institutions" and also request the Council President to empanel said commission for the term ending 2007.

*Resolved*, That the President of the City Council is requested to empanel a "Special Commission to study Tax Exempt Institutions"; and

*Whereas*, This Commission shall be empaneled to examine the City's tax structure and the effect of tax exempt institutions upon the City's tax base; and

*Whereas*, The City of Providence is host to numerous valuable institutions that are excluded from paying property taxes, and said institutions are not precluded from expanding their ownership of additional properties, thereby excluding the institutions from paying property taxes on new acquisitions; and

*Whereas*, The City of Providence is host to many institutions that contribute to the healthy culture and diversity of the Capital City; and

*Whereas*, The City of Providence's primary source of revenue is generated by the tax levy on real estate and tangible property; and

*Whereas*, Any expansion by non-taxable institutions causes an added burden to taxable property owners and threatens the financial capacity of City Government and diminishes the City's capacity to fairly raise sufficient revenue

to provide public safety and other city services; and

*Whereas*, Non-taxable institutions enjoy all of the services that taxable property owners are entitled; and non taxable institutions do not share in the cost of certain public services; and

*Now, therefore, be it Resolved*, That it is in the interest of this City government to examine the tax structure of the City of Providence; the effect of non-taxable institutions on the City's tax base; and to empanel a City Council Commission to explore the tax structure and to instigate discussion of non-taxable institutions' role in generating revenue for the operation of City government. This Commission shall have no less than eleven (11) members, eight (8) of which shall be appointed by the President of the City Council; one (1) member of the Rhode Island House of Representatives, to be appointed by the Speaker of the Rhode Island House of Representatives, and one (1) member of the Rhode Island State Senate, to be appointed by the Majority Leader of the Rhode Island Senate, one (1) member shall be appointed by the Mayor.

This Commission shall have the following membership:

Five (5) members of the City Council;

One (1) member representing tax-exempt institutions;

One (1) member of a taxable business;

One (1) member from a residential property owner;

One (1) member of the Rhode Island House of Representatives;

One (1) member of the Rhode Island State Senate;

One (1) member shall be appointed by the Mayor.

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

**COUNCILMAN HASSETT moves to amend the foregoing Resolution, paragraph eight, line six, "have no less than eleven members, nine would be stricken and replaced with number eight which shall be appointed by the President of the City Council", "by the Majority Leader of the Rhode Island State Senate", one member shall be appointed by the Mayor". "One member of the Mayor's staff shall be stricken", in its place "one member shall be appointed by the Mayor", seconded by COUNCILMAN BUTLER.**

**The motion to Amend is Sustained.**

**Read and Passed, as amended, on motion of COUNCILMAN APONTE, seconded by COUNCILMAN BUTLER.**

**The motion for Passage, as amended, is Sustained.**

## ADJOURNMENT

There being no further business, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn in the memory of James M. "Jake" Reilly at 9:00 o'clock P.M. (E.S.T.) to meet again on THURSDAY, FEBRUARY 20, 2003 at 7:30 o'clock P.M. (E.S.T.).

*Michael R. Clement*

*City Clerk*



