

CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

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No. 103 City Council Special Meeting, Monday, July 29, 2002, 6:00 o'clock P.M. (E.D.T.)

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PRESIDING

COUNCIL PRESIDENT

IN CITY COUNCIL

JOHN J. LOMBARDI

APPROVED:

CLERK

ROLL CALL

Present: Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—14.

Absent: None.

Also Present: Michael R. Clement, City Clerk, Claire E. Bestwick, First Deputy City Clerk, Lori L. Hagen, Assistant Clerk, Charles R. Mansolillo, City Solicitor and Ralph Guglielmino, City Sergeant.

## INVOCATION

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

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

COUNCILMAN TERRENCE M. HASSET  
leads the members of the City Council and  
the Assemblage in the Pledge of Allegiance  
to the Flag of the United States of America.

## CALL FOR SPECIAL MEETING COMMUNICATION FROM COUNCIL PRESIDENT JOHN J. LOMBARDI

Request, filed with the City Clerk, dated  
July 24, 2002, requesting a Special  
Meeting of the City Council be called on  
the 29th Day of July, 2002 at 6:00 o'clock  
P.M. (E.D.T.).

July 24, 2002

Honorable Michael R. Clement  
City Clerk  
City Hall  
Providence, RI 02903

Dear Mr. Clement:

In accordance with the Provisions of Section  
406 of the Providence Home Rule Charter of  
1980, I am this day calling a Special Meeting  
of the Providence City Council to be held on  
Monday, July 29, 2002 at 6:00 p.m. in the City  
Council Chamber, City Hall for the purpose of  
acting upon the following:

An Ordinance Providing for the Assessment  
and Collection of 2002 Taxes in a sum not less

than Two Hundred Twenty Million Dollars (\$220,000,000) and not more than Two Hundred Forty Million Dollars (\$240,000,000) being based on One Hundred Percent (100%) of the 2002-2003 Fiscal Year Tax Collections.

An Ordinance in Amendment of Chapter 2001-50, approved October 29, 2001, of the Ordinances of the City of Providence making an Appropriation of Five Hundred Fourteen Million, Six Hundred Seventy Three Thousand, Five Hundred Ninety Six Dollars (\$514,673,596.00) for the fiscal year ending June 30, 2003, as Amended.

An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Ordinance Chapter 2001-51, approved October 29, 2001, as Amended.

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 2001-34, approved October 29, 2001, as Amended.

An Ordinance in Amendment of Chapter 2002-8, approved March 12, 2002 entitled: "An Ordinance Amending Certain Sections of Article X of Chapter 21 of the Code of Ordinances" entitled: "Property Tax Classification for the City", as Amended.

Respectfully,

JOHN J. LOMBARDI  
*Council President*

Received.

## WARRANT FOR SPECIAL MEETING

Warrant of the City Clerk to the City Sergeant with return certification that he has notified each member of the City Council of the Special Meeting called for the 29th day of July, 2002 at 6:00 o'clock P.M. (E.D.T.) in the Chamber of the City Council, City Hall.

July 24, 2002

*To Ralph Guglielmino, City Sergeant:*

Whereas, Council President John J. Lombardi has, pursuant to Section 406 of the

Providence Home Rule Charter of 1980, respectfully requested the City Clerk, in writing, to call a Special Meeting of the City Council to be held on the 29th day of July, 2002 A.D., at 6:00 o'clock P.M. (E.D.T.) for the purpose of enacting the following:

An Ordinance Providing for the Assessment and Collection of 2002 Taxes in a sum not less than Two Hundred Twenty Million Dollars (\$220,000,000) and not more than Two Hundred Forty Million Dollars (\$240,000,000) being based on One Hundred Percent (100%) of the 2002-2003 Fiscal Year Tax Collections.

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An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Ordinance Chapter 2001-51, approved October 29, 2001, as Amended.

An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 2001-34, approved October 29, 2001, as Amended.

An Ordinance in Amendment of Chapter 2002-8, approved March 12, 2002 entitled: "An Ordinance Amending Certain Sections of Article X of Chapter 21 of the Code of Ordinances" entitled: "Property Tax Classification for the City", as Amended.

You are accordingly commanded and required to summon each Member of the City Council to that Special Meeting, as Called.

*Hereof, Fail Not, and make a true return of this Warrant, with your doings thereon.*

Given under my Hand and Official Seal of the City of Providence, State of Rhode Island and Providence Plantations this 24th Day of July, 2002 A.D.

MICHAEL R. CLEMENT  
*City Clerk*

I, Ralph Guglielmino, City Sergeant, do hereby certify that I have notified each Member of the City Council of the Special Meeting scheduled to be held on Monday, July 29, 2002 at 6:00 o'clock P.M., (E.D.T.) in the Chamber of the City Council, City Hall, Providence, in accordance with the subject warrant by delivering to each member, a copy thereof.

RALPH GUGLIELMINO  
*City Sergeant*

July 24, 2002

Received.

AT EASE  
RECONVENTION

## REPORTS OF COMMITTEE

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

**Transmits the following with Recommendation the Same be Severally Adopted, as Amended:**

An Ordinance in Amendment of Chapter 2001-50, approved October 29, 2001, of the Ordinances of the City of Providence making an Appropriation of Five Hundred Fourteen Million, Six Hundred Seventy Three Thousand, Five Hundred Ninety Six Dollars (\$514,673,596.00) for the fiscal year ending June 30, 2003, as Amended.

**Read and Passed the First Time and Referred Back to the Committee on Finance, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:**

**Ayes:** Council President Lombardi, Councilmen Allen, Aponte, Hassett, Iglizzi, Jackson, Mancini, Councilwomen Romano, Williams and Young—10.

**Noes:** Councilmen Butler, DeLuca, Councilwomen DiRuzzo and Nolan—4.

**Absent:** None.

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

**An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing**

Ordinance Chapter 2001-51, approved October 29, 2001, as Amended.

**Read and Passed the First Time and Referred Back to the Committee on Finance, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:**

**Ayes:** Council President Lombardi, Councilmen Allen, Aponte, Hassett, Iglizzi, Jackson, Mancini, Councilwomen Romano, Williams and Young—10.

**Noes:** Councilmen Butler, DeLuca, Councilwomen DiRuzzo and Nolan—4.

**Absent:** None.

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

**An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 2001-34, approved October 29, 2001, as Amended.**

**Read and Passed the First Time and**

**Referred Back to the Committee on Finance, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:**

**Ayes: Council President Lombardi, Councilmen Allen, Aponte, Hassett, Igliozi, Jackson, Mancini, Councilwomen Romano, Williams and Young—10.**

**Noes: Councilmen Butler, DeLuca, Councilwomen DiRuzzo and Nolan—4.**

**Absent: None.**

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

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**An Ordinance in Amendment of Chapter 2002-8, approved March 12, 2002 entitled: "An Ordinance Amending Certain Sections of**

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

**An Ordinance Providing for the Assessment and Collection of 2002 Taxes in a sum not less than Two Hundred Twenty Million Dollars (\$220,000,000) and not more than Two Hundred Forty Million Dollars (\$240,000,000) being based on One Hundred Percent (100%) of the 2002-2003 Fiscal Year Tax Collections.**

**Read and Passed the First Time, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:**

**Ayes: Council President Lombardi,**

**Article X of Chapter 21 of the Code of Ordinances" entitled: "Property Tax Classification for the City", as Amended.**

**Read and Passed the First Time, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:**

**Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozi, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—14.**

**Noes: None.**

**Absent: None.**

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

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**Councilmen Allen, Aponte, Butler, Hassett, Igliozi, Jackson, Councilwomen Romano, Williams and Young—10.**

**Noes: Councilman DeLuca, Councilwoman DiRuzzo, Councilman Mancini and Councilwoman Nolan—4.**

**Absent: None.**

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

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## ADJOURNMENT

There being no further business, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 6:37 o'clock P.M. (E.D.T.) to meet again on WEDNESDAY, JULY 31, 2002 at 6:30 o'clock P.M. (E.D.T.).

*Michael R. Clement*

City Clerk



CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

---

No. 104 City Council Special Meeting, Wednesday, July 31, 2002, 6:30 o'clock P.M. (E.D.T.)

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PRESIDING

COUNCIL PRESIDENT

IN CITY COUNCIL

JOHN J. LOMBARDI

OCT 3 2002

APPROVED:

CLERK

ROLL CALL

Present: Council President Lombardi,  
Councilmen Allen, Aponte, Butler, DeLuca,  
Councilwoman DiRuzzo, Councilmen Has-  
sett, Igliozi, Jackson, Mancini, Council-  
women Nolan, Romano and Williams—13.

Absent: Councilwoman Young—1.

Also Present: Michael R. Clement, City  
Clerk, Claire E. Bestwick, First Deputy City  
Clerk, Sheri A. Petronio, Assistant Clerk,  
Raymond Dettore, Deputy City Solicitor and  
Ralph Guglielmino, City Sergeant.



## INVOCATION

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

## CALL FOR SPECIAL MEETING COMMUNICATION FROM COUNCIL PRESIDENT JOHN J. LOMBARDI

Request, filed with the City Clerk, dated  
July 29, 2002, requesting a Special  
Meeting of the City Council be called on  
the 31st Day of July, 2002 at 6:30 o'clock  
P.M. (E.D.T.).

July 29, 2002

Honorable Michael R. Clement  
City Clerk  
City Hall  
Providence, RI 02903

Dear Mr. Clement:

In accordance with the Provisions of Section  
406 of the Providence Home Rule Charter of  
1980, I am this day calling a Special Meeting  
of the Providence City Council to be held on  
Wednesday, July 31, 2002 at 6:30 p.m. in the  
City Council Chamber, City Hall for the  
purpose of acting upon the following:

An Ordinance Providing for the Assessment  
and Collection of 2002 Taxes in a sum not less

than Two Hundred Twenty Million Dollars (\$220,000,000) and not more than Two Hundred Forty Million Dollars (\$240,000,000) being based on One Hundred Percent (100%) of the 2002-2003 Fiscal Year Tax Collections.

An Ordinance in Amendment of Chapter 2002-8, approved March 12, 2002 entitled: "An Ordinance Amending Certain Sections of Article X of Chapter 21 of the Code of

Ordinances" entitled: "Property Tax Classification for the City", as Amended.

Respectfully,

JOHN J. LOMBARDI  
*Council President*

Received.

## WARRANT FOR SPECIAL MEETING

**Warrant of the City Clerk to the City Sergeant with return certification that he has notified each member of the City Council of the Special Meeting called for the 31st day of July, 2002 at 6:30 o'clock P.M. (E.D.T.) in the Chamber of the City Council, City Hall.**

July 29, 2002

*To Ralph Guglielmino, City Sergeant:*

*Whereas*, Council President John J. Lombardi has, pursuant to Section 406 of the Providence Home Rule Charter of 1980, respectfully requested the City Clerk, in writing, to call a Special Meeting of the City Council to be held on the 31st day of July, 2002 A.D., at 6:30 o'clock P.M. (E.D.T.) for the purpose of enacting the following:

An Ordinance Providing for the Assessment and Collection of 2002 Taxes in a sum not less than Two Hundred Twenty Million Dollars

(\$220,000,000) and not more than Two Hundred Forty Million Dollars (\$240,000,000) being based on One Hundred Percent (100%) of the 2002-2003 Fiscal Year Tax Collections.

An Ordinance in Amendment of Chapter 2002-8, approved March 12, 2002 entitled: "An Ordinance Amending Certain Sections of Article X of Chapter 21 of the Code of Ordinances" entitled: "Property Tax Classification for the City", as Amended.

You are accordingly commanded and required to summon each Member of the City Council to that Special Meeting, as Called.

*Hereof*, Fail Not, and make a true return of this Warrant, with your doings thereon.

Given under my Hand and Official Seal of the City of Providence, State of Rhode Island and Providence Plantations this 29th Day of July, 2002 A.D.

MICHAEL R. CLEMENT  
*City Clerk*

warrant by delivering to each member, a copy thereof.

I, Ralph Guglielmino, City Sergeant, do hereby certify that I have notified each Member of the City Council of the Special Meeting scheduled to be held on Wednesday, July 31, 2002 at 6:30 o'clock P.M., (E.D.T.) in the Chamber of the City Council, City Hall, Providence, in accordance with the subject

RALPH GUGLIELMINO  
*City Sergeant*

July 29, 2002

Received.

## ORDINANCES SECOND READING

**The following Ordinances were in City Council July 29, 2002, Read and Passed the First Time, and are Severally Returned for Passage the Second Time:**

An Ordinance in Amendment of Chapter 2002-8, approved March 12, 2002 entitled: "An Ordinance Amending Certain Sections of Article X of Chapter 21 of the Code of Ordinances" entitled: "Property Tax Classification for the City", as Amended.

*Be It Ordained by the City of Providence:*

**Section 1.** Section 21-181 of Article X entitled "Property tax classification" is hereby amended to read as follows:

The City of Providence hereby adopts a system of classification of taxable property in conformity with the provisions of Section 44-5-11.8 of the General Laws effective for taxes assessed as of December 31, 2000. The system of classification of taxable property and homestead exemption adopted in accordance with Section 44-5-11.8 shall continue until terminated by ordinance adopted by the City Council.

**Section 2.** Section 21-182 of Article X entitled "Apportionment of taxes" is hereby amended to read as follows:

(a) The tax classification plan is hereby adopted with the following limitations:

(1) The designated classes of property shall be limited to the four classes as defined in subsection (b).

(2) The effective tax rate applicable to any class shall not exceed by 50% the rate applicable to any other class.

(3) Any tax rate changes from one year to the next shall be applied such that the same percentage rate change is applicable to all classes.

(4) Notwithstanding subdivisions (a)(2) and (a)(3), the tax rate applicable to wholesale and

retail inventory within Class 3 as defined in subsection (b) are governed by section 44-3-19.1.

(5) Notwithstanding subdivisions (a)(2) and (a)(3), tax rates applicable to motor vehicles within Class 4 as defined in subsection (b) are governed by section 44-34.1-1.

(6) The provisions of chapter 35 of this title relating to property tax and fiscal disclosure applies to the reporting of and compliance with these classifications.

(b) Classes of property

(1) Class 1: Residential real estate consisting of no more than five (5) dwelling units, land classified as open space, and dwellings on leased land including mobile homes. This Class may also include residential properties containing partial commercial or business uses and residential real estate of more than five (5) dwelling units. A homestead exemption is authorized within this Class as follows: (a) owner-occupied residential real estate may be granted an exemption in an amount not to exceed thirty-three (33%) percentum of the assessed valuation; except that owner-occupied residential real estate consisting of more than five (5) units may be granted an exemption in an amount not to exceed thirty-three (33%) percentum of the assessed valuation attributable to the first five (5) units. Owner-occupied mixed use real estate may be granted an exemption in an amount not to exceed thirty-three (33%) percentum of the assessed valuation attributable to the first five (5) units of the residential portion of such real estate; or (b) in the case of non-owner-occupied residential real estate consisting of five (5) dwelling units or less an exemption in an amount not to exceed thirteen (13%) percentum of the assessed valuation may be granted. Non-owner-occupied residential real estate consisting of more than five (5) dwelling units may be granted an exemption in an amount not to exceed thirteen (13%) percentum of the assessed valuation

attributable to the first five (5) units. Non-owner-occupied mixed use real estate may be granted an exemption in an amount not to exceed thirteen (13%) percentum of the assessed valuation attributable to the first five (5) units of the residential portion of such real estate. The actual effective rate applicable to property qualifying for the homestead exemption shall be construed as the standard rate for this Class against which the maximum rate applicable to another Class shall be determined. The percentage reduction in valuation of residential real estate pursuant to the homestead exemption shall apply to residential real estate containing five (5) or less dwelling units. In the case of multiple dwellings containing more than five (5) dwelling units, the percentage reduction in valuation shall be applied to the result of dividing the assessed valuation by the number of dwelling units in the multiple dwelling and multiplying the quotient by five (5).

The granting of an application for a owner-occupied or non-owner-occupied homestead exemption as referenced above as (a) or (b) is subject to the following limitations:

(i) To be eligible for an (a) or (b) type homestead exemption, effective as to the Assessment date of December 31st at midnight an applicant must file with the City Assessor no later than April 1st a homestead exemption application, together with a declaration and present evidence, under oath or affirm, as to the owner-occupied or non-owner-occupied status together with any other proof of residency or ownership which may be required by the City Assessor, except that for the assessment year ending December 31, 2000 the City Assessor may utilize the data collected during the revaluation of real property for the assessment date of December 31, 2000 to establish the applicable type of homestead exemption.

(ii) Only natural person(s) are qualified to receive the type (a) owner-occupied residential

real estate homestead exemption. Real property which is partially or wholly owned by a business; an institution, a non-profit organization, a financial institution that has foreclosed on real estate, including HUD and Rhode Island Housing and Mortgage Finance Corporation or any other such public or private entity do not qualify for a type (a) owner-occupied homestead exemption.

(iii) Only a natural person(s) may qualify for one type (a) owner-occupied homestead exemption in the City of Providence at any one point in time.

(iv) The homestead exemption (a) or (b) attaches to the owner(s) of the real property not to the real property itself. If the owner-occupancy status changes, the tax will be prorated as of the date of the change in ownership.

(v) The City Assessor shall deny an application for the homestead exemption filed under either type (a) or (b) if the City Assessor determines that an execution of record based upon a judgment of the Housing Court for a real estate code violation(s) against the applicant remains unsatisfied.

(vi) In the event the property granted an exemption is sold or transferred during the year for which the homestead exemption is claimed, the exemption is void for that portion of the year following the sale or transfer. The buyer or transferee shall be liable to the City of Providence for any tax benefit received after the date of sale or transfer.

(vii) If the taxpayer knowingly gives misinformation as to ownership and/or occupancy of the real estate on his/her application for a homestead exemption, the City Assessor may, in such event, remove the homestead exemption and recalculate the tax for the period in question and in addition

charge the taxpayer the maximum interest permitted by law.

(viii) The City Assessor is empowered to promulgate any further rules and regulations which he/she deems necessary to carry out the intent and purpose of this ordinance as it relates to the homestead exemption.

(2) Class 2: Commercial and industrial real estate, residential properties containing partial commercial or business uses and residential real estate of more than five (5) dwelling units. Properties containing partial commercial or business uses and residential real estate of more than five (5) dwelling units may be included in Class 1.

(3) Class 3: All ratable tangible personal property.

(4) Class 4: Motor vehicles and trailers subject to the excise tax created by title 44, chapter 34.

(c) Notwithstanding the provisions of subsection (a)(2) and (a)(3) the City of Providence, pursuant to Section 44-5-11.8(c) of the Rhode Island General Laws adopts a tax rate on all Class 3 ratable tangible personal property, in accordance with the following schedule:

Date of Assessment — Tax rate on all ratable tangible personal property shall not exceed the percentages as indicated below:

December 31, 2000 — 120% more than the effective tax rate applicable to any other class.

December 31, 2001 — 106% more than the effective tax rate applicable to any other class.

December 31, 2002 — 92% more than the effective tax rate applicable to any other class.

December 31, 2003 — 78% more than the effective tax rate applicable to any other class.

December 31, 2004 — 64% more than the effective tax rate applicable to any other class.

December 31, 2005 — 50% more than the effective tax rate applicable to any other class.

*Section 3.* Section 21-183 of Article I entitled "Apportionment of levies" is hereby repealed.

*Section 4.* This Ordinance shall take effect upon its passage.

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

**Ayes:** Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Hassett, Igliozzi, Jackson, Mancini, Councilwomen Romano and Williams—11.

**Noes:** Councilwomen DiRuzzo and Nolan—2.

**Absent:** Councilwoman Young—1.

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

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An Ordinance Providing for the Assessment and Collection of 2002 Taxes in a sum not less than Two Hundred Twenty Million Dollars (\$220,000,000) and not more than Two Hundred Forty Million Dollars (\$240,000,000) being based on One Hundred Percent (100%) of the 2002-2003 Fiscal Year Tax Collections.

*Be it ordained by the City of Providence:*

*Section 1.* The City Council of the City of

Providence hereby orders the assessment and collection of a tax on the ratable real estate and tangible personal property as well as orders the assessment and collection of an excise tax on all registered motor vehicles, in a sum not less than Two Hundred Twenty Million Dollars (\$220,000,000) and not more than Two Hundred Forty Million Dollars (\$240,000,000) being based on One Hundred Percent (100%) of the 2002-2003 Fiscal Year Tax Collections, as amended; said tax is for ordinary expense charges for the payment of interest and indebtedness in whole or in part of said City and for other purposes authorized by law.

*Section 2.* The City Assessor shall assess and apportion said tax on inhabitants and ratable real estate and tangible personal property of said City as of the 31st day of December, A.D. 2001 at midnight, Eastern Standard Time, as well as assess and apportion said excise tax on the owners of registered motor vehicles in the City of Providence during calendar year 2001, according to law, and shall on completion of said assessment, date and sign the same, and shall make out and certify to the City Collector of the City of Providence on or before the 15th day of June, A.D. 2002, a complete listing containing (1) the names of persons taxed and the total value of all the real estate taxed to each person; (2) the amount of personal estate except manufacturers' machinery and equipment assessed against each person; and (3) the amount of said motor vehicle excise assessment against each person on said real estate, personal estate and motor vehicle opposite the name of the person or persons assessed.

The assessment of real estate, personal estate and motor vehicles shall appear on separate lists.

Said taxes shall be due and payable on and between the first day of July, A.D. 2002, next and the twenty-fourth day of July, A.D. 2002, next, and all taxes remaining unpaid on said

last named day shall carry until collected, a penalty at the rate of twelve percentum (12%) per annum upon such unpaid real estate, personal estate and excise taxes.

Said taxes may be paid in four installments, the first installment of twenty-five per centum (25%) on or before the twenty-fourth day of July, A.D. 2002, next and the remaining installments as follows:

Twenty-five per centum (25%) on the twenty-fourth day of October, A.D. 2002.

Twenty-five per centum (25%) on the twenty-fourth day of January, A.D. 2003.

Twenty-five per centum (25%) on the twenty-fourth day of April, A.D. 2003.

Each installment period successively and in order, shall be free from any charges for interest. Provided, however, the option to pay taxes in quarterly installments shall not apply to any tax levied in an amount not in excess of \$100.00. If the first installment, or any succeeding installment of taxes, is not paid by the last day of the respective installment period or periods as they occur, then the whole tax or remaining unpaid balance of the tax, as the case may be, shall immediately become due and payable and shall carry, until collected, a penalty at the rate of twelve percentum (12%) per annum on said real estate, personal estate, and excise taxes.

The City Collector, shall by advertisement in a public newspaper of the City, notify all persons assessed to pay their respective taxes at his/her office; said Collector shall attend daily during said periods, Saturdays, Sundays, and Holidays excepted, at his/her office from eight-thirty o'clock A.M. to four o'clock P.M. to receive taxes.

*Section 3.* This Ordinance is enacted

pursuant to Rhode Island General Laws 44-5-2(a).

*Section 4.* This Ordinance shall take effect upon its passage.

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

**Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Hassett, Iglizzi, Jackson, Councilwomen Romano and Williams—9.**

**Noes: Councilman DeLuca, Councilwoman DiRuzzo, Councilman Mancini and Councilwoman Nolan—4.**

**Absent: Councilwoman Young—1.**

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

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**On Motion of COUNCILWOMAN DiRUZZO, seconded by COUNCILMAN BUTLER, it is Voted to Reconsider Item Number Six on the Docket.**

**Read and Passed the Second Time, on motion of COUNCILMAN HASSETT, seconded by COUNCILWOMAN NOLAN, by the following Roll Call Vote:**

**Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzi, Jackson, Mancini, Councilwomen Nolan, Romano and Williams—13.**

**Noes: None.**

Absent: Councilwoman Young—1.

The motion for Passage the Second Time, is Sustained.

## ADJOURNMENT

There being no further business, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 6:45 o'clock P.M. (E.D.T.) to meet again on THURSDAY, AUGUST 1, 2002 at 7:30 o'clock P.M. (E.D.T.).

*Michael R. Clement*

City Clerk





July 31]

2099

[2002

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CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

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No. 105 City Council Regular Meeting, Thursday, August 1, 2002, 7:30 o'clock P.M. (E.D.T.)

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PRESIDING

COUNCIL PRESIDENT

IN CITY COUNCIL

OCT 3 2002

APPROVED:

JOHN J. LOMBARDI

CLERK

ROLL CALL

**Present:** Council President Lombardi, Councilmen Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—12.

**Absent:** Councilmen Allen and Igliazzi—2.

**Also Present:** Michael R. Clement, City Clerk, Claire E. Bestwick, First Deputy City Clerk, Sheri A. Petronio, Assistant Clerk, Charles R. Mansolillo, City Solicitor and Ralph Guglielmino, City Sergeant.

## INVOCATION

The Invocation is given by COUNCILWOMAN PATRICIA K. NOLAN.

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

COUNCILWOMAN BALBINA A. YOUNG  
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 July 24, 2002, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, he is this day re-appointing Mr. Stanley Weiss of 140 Prospect Street, Providence, Rhode Island 02906, as a Member of the Providence Public Building Authority for a term to expire in July, 2007 and respectfully submits the same for your approval.

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

The motion to Receive and Refer, is Sustained.

Communication dated July 24, 2002, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, he is this day re-appointing Ms. Nancy Derrig, Superintendent of Public Parks, Boathouse, Roger Williams Park, Providence, Rhode Island 02905, as a Member of the Providence Tourism Council for a term to expire in December, 2004.

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Communication dated July 24, 2002, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1107 of the Providence Home Rule Charter of 1980, he is

this day re-appointing Mr. Thomas J. Anton of 13 Constitution Hill, Providence, Rhode Island 02904, as a Member of the Providence Housing Authority for a term to expire in July, 2007.

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Communication dated July 24, 2002, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, he is this day re-appointing H. Lebaron Preston of 251 Olney Street, Providence, Rhode Island 02906, as a Member of the Capitol Center Commission for a term to expire in June, 2006.

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Communication dated July 24, 2002, Informing the Honorable Members of the City Council that pursuant to the Articles of Incorporation of the Providence Plan, he is this day re-appointing Commissioner John J. Partington, Public Safety Complex, Providence, Rhode Island 02903, as a Member of the Providence

Plan Board of Directors for a term to expire on June 30, 2007.

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Communication dated July 24, 2002, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1108 of the Providence Home Rule Charter of 1980, he is this day re-appointing Mr. Robert H. Montecalvo of 375 Lloyd Avenue, Providence, Rhode Island 02906, as a Member of the Providence Redevelopment Agency for a term to expire in July, 2007.

**COUNCILWOMAN WILLIAMS, moves to Dispense with the Reading of the foregoing Matters.**

**COUNCIL PRESIDENT LOMBARDI, Receives the foregoing Several Communications.**

**The motion to Receive, is Sustained.**

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## PRESENTATION OF ORDINANCES

### **COUNCIL PRESIDENT LOMBARDI:**

An Ordinance relating to Animals and Husbandry.

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

**The motion to Refer is Sustained.**

An Ordinance Establishing a Tax Stabilization Plan for Artist Group, LLC.

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An Ordinance Establishing a Tax Stabilization Plan for the Abingdon at Westminster Crossing Condominium Associates, LLC, as Amended.

An Ordinance Establishing a Tax Stabilization Plan for Peerless/Keen Partners.

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**COUNCILWOMAN DiRUZZO (By Request):**

An Ordinance to Adopt the Eagle Square Tax Increment Project Plan.

**COUNCILWOMAN WILLIAMS moves to dispense with the reading of the foregoing matters.**

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

**The motion to Refer is Sustained.**

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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.

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

**The motion to Refer is Sustained.**

**COUNCILWOMAN DiRUZZO:**

An Ordinance Establishing a Tax Stabilization Plan for Monohasset Mill, LLC.

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**COUNCILMAN HASSETT:**

An Ordinance Establishing a Tax Stabilization Plan for Promenade Building Associates, LLC.

**COUNCILWOMAN WILLIAMS moves to dispense with the reading of the foregoing matters.**

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

**The motion to Refer is Sustained.**

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**COUNCILWOMAN NOLAN and COUNCILWOMAN YOUNG:**

An Ordinance entitled Providence External Review Authority (PERA).

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

**The motion to Refer is Sustained.**

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## PRESENTATION OF RESOLUTIONS

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

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Wilson Street between Dexter Street and Harrison Street, Harrison Street between Wilson Street and Lester Street and Lester Street between Harrison Street and Dexter Street, on Thursday, August 15, 2002, between the hours of 3:00 o'clock p.m. to 6:00 o'clock p.m., to accommodate the Annual Community Outdoor Barbecue.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Wilson Street between Dexter Street and Harrison Street, Harrison Street between Wilson Street and Lester Street and Lester Street between Harrison Street and Dexter Street, on Thursday, August 15, 2002, between the hours of 3:00 o'clock p.m. to 6:00 o'clock p.m., to accommodate the Annual Community Outdoor Barbecue.

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Union Street between Washington Street and Fountain Street, on Friday, August 2, 2002, at 6:00 o'clock a.m. (all day August 3 and 4) through Monday, August 5, 2002 at 12:00 o'clock Noon, to accommodate a weekend Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Union Street between Washington Street and Fountain Street, on Friday, August 2, 2002, at 6:00 o'clock a.m. (all day August 3 and 4) through Monday, August 5, 2002 at 12:00

o'clock Noon, to accommodate a weekend Block Party.

**COUNCILWOMAN WILLIAMS moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by COUNCILMAN DeLUCA.**

**The motion for Passage is Sustained.**

### **COUNCILMAN ALLEN and COUNCILMAN APONTE (By Request):**

Resolution requesting to Cancel or Abate, in whole the taxes assessed upon Assessor's Plat 28, Lot 78 (249 Carpenter Street), in accordance with Rhode Island General Law Section 44-7-43, in the amount of Twenty Seven Thousand Seven Hundred Twenty Two Dollars and Four Cents (\$27,722.04), or any taxes accrued, including 2001 taxes, at the request of the Providence Redevelopment Agency.

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

**The motion to Refer is Sustained.**

### **COUNCILMAN ALLEN (By Request):**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Linwood Avenue between Cranston Street and Dexter Street and Althea Street between Cranston

Street and Dexter Street, on Saturday, July 27, 2002, between the hours of 10:00 o'clock a.m. to 12:00 o'clock Noon, to accommodate a Neighborhood Clean-Up.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Linwood Avenue between Cranston Street and Dexter Street and Althea Street between Cranston Street and Dexter Street, on Saturday, July 27, 2002, between the hours of 10:00 o'clock a.m. to 12:00 o'clock Noon, to accommodate a Neighborhood Clean-Up.

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Daboll Street between Elmwood Avenue and Bucklin Street, on Saturday, August 10, 2002, between the hours of 10:00 o'clock a.m. to 4:00 o'clock p.m., to accommodate a Community Fair/Fundraising Event to promote non-violence in the Community.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Daboll Street between Elmwood Avenue and Bucklin Street, on Saturday, August 10, 2002, between the hours of 10:00 o'clock a.m. to 4:00 o'clock p.m., to accommodate a Community Fair/Fundraising Event to promote non-violence in the Community.

**COUNCILWOMAN WILLIAMS moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by COUNCILMAN DeLUCA.**

**The motion for Passage is Sustained.**

Resolution requesting His Honor the Mayor to

execute on behalf of the City of Providence an Indemnification Agreement with the YMCA of Greater Providence.

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**COUNCILMAN ALLEN:**

Resolution requesting the City Administration not to enter into a Tax Treaty with the US Gen New England Incorporated's Manchester Street Power Station until an appraisal is completed by an Independent Appraiser to determine the fair market value of this type of Special Purpose Property.

**COUNCILWOMAN WILLIAMS moves to dispense with the reading of the foregoing matters.**

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

**The motion to Refer is Sustained.**

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**COUNCILMAN APONTE (By Request):**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Richardson Street between Prairie Avenue and Thurbers Avenue, on Wednesday, July 31, 2002, between the hours of 12:30 o'clock a.m. to 8:00 o'clock p.m., to accommodate the dedication of an Art Park.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Richardson Street between Prairie Avenue and Thurbers Avenue, on Wednesday, July 31, 2002, between the hours of 12:30 o'clock a.m. to 8:00 o'clock p.m., to accommodate the dedication of an Art Park.

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

**The motion for Passage is Sustained.**

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**COUNCILMAN BUTLER (By Request):**

Resolution requesting the Traffic Engineer to cause the installation of a "Stop" Sign at Moorland Avenue and Wyndham Avenue on the Moorland Avenue side.

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Resolution requesting the Traffic Engineer to review Whitford Avenue for the installation of "Stop" Signs, Traffic Calming and Speed Bumps from Home Avenue to Mount Pleasant Avenue.

**COUNCILWOMAN WILLIAMS moves to dispense with the reading of the foregoing matters.**

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

**The motion to Refer is Sustained.**

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**COUNCILMAN BUTLER:**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Whitford Avenue from Freese Street to Mount Pleasant Avenue, on Thursday, July 25, 2002, between the hours of 5:30 o'clock p.m. to 8:30 o'clock p.m., to accommodate a Political Rally for Senator David V. Igliazzi.

*Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Whitford Avenue from Freese Street to Mount Pleasant Avenue, on Thursday, July 25, 2002, between the hours of 5:30 o'clock p.m. to 8:30 o'clock p.m., to accommodate a Political Rally for Senator David V. Igliazzi.*

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**COUNCILMAN IGLIOZZI (By Request):**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Eastwood Avenue between Webster Avenue and Dewey Street, on Thursday, July 4, 2002, between the hours of 12:00 o'clock p.m. to 11:00 o'clock p.m., to accommodate a Neighborhood Block Party.

*Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Eastwood Avenue between Webster Avenue and Dewey Street, on Thursday, July 4, 2002, between the hours of 12:00 o'clock p.m. to 11:00 o'clock p.m., to accommodate a Neighborhood Block Party.*

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Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Dorchester Avenue between Ralph Street and Deborah Street, on Saturday, August 3, 2002, between the hours of 2:00 o'clock p.m. to 6:00 o'clock p.m., to accommodate a Block Party.

*Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Dorchester Avenue between Ralph Street and Deborah Street, on Saturday, August 3, 2002, between the hours of 2:00 o'clock p.m. to 6:00 o'clock p.m., to accommodate a Block Party.*

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**COUNCILMAN JACKSON (By Request):**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Pleasant Street between North Main Street and Camp Street, on Monday, July 22, 2002, between the hours of 10:00 o'clock a.m. to 1:00 o'clock p.m., to accommodate the Grand Opening of Pleasant Street Water Park.

*Resolved,* That the Traffic Engineer is requested to prohibit motor vehicle traffic along Pleasant Street between North Main Street and Camp Street, on Monday, July 22, 2002, between the hours of 10:00 o'clock a.m. to 1:00 o'clock p.m., to accommodate the Grand Opening of Pleasant Street Water Park.

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Camp Street between Abbott Street and Locust Street and Cypress Street between Ivy Street and Knowles Street, on Saturday, June 20, 2002, between the hours of 10:00 o'clock a.m. to 6:00 o'clock p.m., to accommodate the Grand Opening Celebration for Mount Hope Learning Center.

*Resolved,* That the Traffic Engineer is requested to prohibit motor vehicle traffic along Camp Street between Abbott Street and Locust Street and Cypress Street between Ivy Street and Knowles Street, on Saturday, June 20, 2002, between the hours of 10:00 o'clock a.m. to 6:00 o'clock p.m., to accommodate the Grand Opening Celebration for Mount Hope Learning Center.

**COUNCILWOMAN WILLIAMS moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by COUNCILMAN DeLUCA.**

**The motion for Passage is Sustained.**

Resolution requesting the City Solicitor to settle any litigation brought against the City of Providence, its officers, agents and employees by the Fire Department retirees who retired between December 20, 1991 and June 30, 1995.

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

**The motion to Refer is Sustained.**

**COUNCILMAN MANCINI (By Request):**

Resolution requesting the Traffic Engineer to cause the installation of a Handicapped Sign in front of 55 Hazael Street.

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

**The motion to Refer is Sustained.**

**COUNCILWOMAN NOLAN (By Request):**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Cadillac Drive starting at the intersection of Cadillac Drive and Niagara Street and ending at the Thomas Early Park, on Thursday, July 18, 2002, between the hours of 12:00 o'clock p.m. to Sunday, July 21, 2002 at 10:00 o'clock p.m., to accommodate a Carnival.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Cadillac Drive starting at the intersection of Cadillac Drive and Niagara Street and ending at the Thomas Early Park, on Thursday, July 18, 2002, between the hours of 12:00 o'clock p.m. to Sunday, July 21, 2002 at 10:00 o'clock p.m., to accommodate a Carnival.

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Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Emerson Street between Gallatin Street and Sumter Street, on Sunday, August 11, 2002, between the hours of 10:30 o'clock a.m. to 11:00 o'clock p.m., to accommodate a Neighborhood Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Emerson Street between Gallatin Street and Sumter Street, on Sunday, August 11, 2002, between the hours of 10:30 o'clock a.m. to 11:00 o'clock p.m., to accommodate a Neighborhood Block Party.

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Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Hamilton Street between Ontario Street and Congress Avenue, on Saturday, August 10, 2002, between the hours of 9:00 o'clock a.m. until Sunday, August 11, 2002 until 11:00 o'clock p.m., to accommodate a Neighborhood Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Hamilton Street between Ontario Street and Congress Avenue, on Saturday, August 10, 2002, between the hours of 9:00 o'clock a.m. until Sunday, August 11, 2002 until 11:00

o'clock p.m., to accommodate a Neighborhood Block Party.

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Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Niagara Street between Atlantic Avenue and Lexington Avenue and Adelaide Avenue between Niagara Street and Emerson Street, on Saturday, August 31, 2002, between the hours of 8:00 o'clock a.m. to 5:00 o'clock p.m., to accommodate a Neighborhood Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Niagara Street between Atlantic Avenue and Lexington Avenue and Adelaide Avenue between Niagara Street and Emerson Street, on Saturday, August 31, 2002, between the hours of 8:00 o'clock a.m. to 5:00 o'clock p.m., to accommodate a Neighborhood Block Party.

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Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Gallatin Street between Melrose Street and Elmwood Avenue and Gallatin Street between Ruskin Street and Kipling Street, on Saturday, August 3, 2002, between the hours of 10:00 o'clock a.m. to 11:00 o'clock p.m., to accommodate a Neighborhood Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Gallatin Street between Melrose Street and Elmwood Avenue and Gallatin Street between Ruskin Street and Kipling Street, on Saturday, August 3, 2002, between the hours of 10:00 o'clock a.m. to 11:00 o'clock p.m., to accommodate a Neighborhood Block Party.

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**COUNCILWOMAN ROMANO (By Request):**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Newcomb Street between Admiral Street and Clym Street, on Saturday, August 24, 2002, between the hours of 3:00 o'clock p.m. to 9:00 o'clock p.m., to accommodate a Birthday Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Newcomb Street between Admiral Street and Clym Street, on Saturday, August 24, 2002, between the hours of 3:00 o'clock p.m. to 9:00 o'clock p.m., to accommodate a Birthday Party.

Resolution requesting the Traffic Engineer to cause the installation of "Slow Children" Signs along Keene Street.

Resolution requesting the Traffic Engineer to cause the installation of "Four-Way Stop" Signs at Halsey Street and Prospect Street.

Resolution requesting the Traffic Engineer to cause the installation of "25 Miles Per Hour" Speed Limit Signs along Prospect Street.

**COUNCILWOMAN WILLIAMS (By Request):**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Brown Street between Creighton Street and Barnes Street, on Friday, August 16, 2002, between the hours of 10:00 o'clock a.m. to 12:00 o'clock p.m., to accommodate a Wedding.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Brown Street between Creighton Street and Barnes Street, on Friday, August 16, 2002, between the hours of 10:00 o'clock a.m. to 12:00 o'clock p.m., to accommodate a Wedding.

**COUNCILWOMAN WILLIAMS** moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by **COUNCILMAN DeLUCA**.

The motion for Passage is Sustained.

Resolution requesting the Traffic Engineer to cause the installation of a Zebra Striped Pedestrian Crosswalk at the location of the Brown Street Playground.

Resolution requesting the Traffic Engineer to cause the installation of a Zebra Striped Pedestrian Crosswalks where Morris Avenue and Sessions Street meet.

**COUNCILWOMAN WILLIAMS** moves to dispense with the reading of the foregoing matters.

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

The motion to Refer is Sustained.

**COUNCILWOMAN WILLIAMS:**

Resolution Amending Resolution No. 48, approved February 18, 1997 relative to the Creation of an Education Committee, to delete "two (2) Parents to be selected by the community-wide Parents Teachers Association" and add "two (2) Parents to be selected by the District Wide Parents Teachers Association Leadership Advisory Committee."

*Resolved*, That Resolution No. 48, approved February 18, 1997 relative to the Creation of an Education Committee, is hereby amended to delete "two (2) Parents to be selected by the community-wide Parents Teachers Association" and add "two (2) Parents to be selected by the District Wide Parents Teachers Association Leadership Advisory Committee."

**COUNCILWOMAN YOUNG (By Request):**

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Lester Street between A Street and Dodge Street, on Saturday, July 13, 2002, between the hours of 12:00 o'clock p.m. to 8:00 o'clock p.m., to accommodate a Neighborhood Memorial.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Lester Street between A Street and Dodge Street, on Saturday, July 13, 2002, between the hours of 12:00 o'clock p.m. to 8:00 o'clock p.m., to accommodate a Neighborhood Memorial.

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Gordon Avenue between Public Street and Saratoga Street, on Saturday, August 10, 2002, between

the hours of 12:00 o'clock p.m. to 6:00 o'clock p.m., to accommodate a Memorial for Sarah Brown.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Gordon Avenue between Public Street and Saratoga Street, on Saturday, August 10, 2002, between the hours of 12:00 o'clock p.m. to 6:00 o'clock p.m., to accommodate a Memorial for Sarah Brown.

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Comstock Avenue between Broad Street and Prairie Avenue, on Sunday, August 18, 2002, between the hours of 12:00 o'clock p.m. to 6:00 o'clock p.m., to accommodate a Neighborhood Block Party.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Comstock Avenue between Broad Street and Prairie Avenue, on Sunday, August 18, 2002, between the hours of 12:00 o'clock p.m. to 6:00 o'clock p.m., to accommodate a Neighborhood Block Party.

Resolution requesting the Traffic Engineer to prohibit motor vehicle traffic along Harvard Avenue between Broad Street and Taylor Street, on Wednesday, July 31, 2002, between the hours of 5:00 o'clock p.m. to 9:30 o'clock p.m., to accommodate The Center.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Harvard Avenue between Broad Street and Taylor Street, on Wednesday, July 31, 2002, between the hours of 5:00 o'clock p.m. to 9:30 o'clock p.m., to accommodate The Center.

Resolution requesting the Chief Electrical Inspector to cause the upgrade of street lighting along Gilmore Street, in its entirety, to 27,500 lumen.

*Resolved*, That the Chief Electrical Inspector is requested to cause the upgrade of street lighting along Gilmore Street, in its entirety, to 27,500 lumen.

Inspector to upgrade the street lighting along Arch Street, in its entirety, to 27,500 lumen.

*Resolved*, That the Chief Electrical Inspector is requested to upgrade the street lighting along Arch Street, in its entirety, to 27,500 lumen.

**COUNCILWOMAN WILLIAMS moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by COUNCILMAN DeLUCA.**

Resolution requesting the Chief Electrical

**The motion for Passage is Sustained.**

## REPORTS FROM COMMITTEES

### COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman COMMITTEE ON CITY PROPERTY

**Transmits the following with recommendation the same be Approved, as Amended:**

Resolution requesting His Honor, the Mayor to execute a lease of land owned by the City of Providence and located along Allens Avenue (Assessor's Plat 55, Lot 136) with Stephen Broomfield, d/b/a J. Broomfield & Sons, Inc., for a period of three years with two three-year option terms available.

*Resolved*, That His Honor, the Mayor, is hereby authorized to execute an Amendment to the Lease which was passed on August 2, 2001 and approved August 10, 2001 for the land owned by the City of Providence and located along Allens Avenue as part of Assessor's Plat 55 of Lot 136, a legal description is included in

the attached Lease Agreement (see files of City Council, this date), to Stephen Broomfield, d/b/a J. Broomfield & Sons, Inc., for a period of three years with two three-year option terms available. The rent for the first three-year term shall be \$150.00 per month, for the second three-year term, the rent shall be \$175.00 per month; and for the third three-year term, the rent shall be negotiated, but shall not be less than the rent for the first three-year term, in accordance with the attached Lease. The terms and conditions, as amended, and included in the attached Lease have been approved by the Committee on City Property of the City Council and are subject to such other terms and conditions as may be

prescribed by His Honor, the Mayor, and the City Solicitor.

**Read and Passed, as Amended, on motion of COUNCILWOMAN WILLIAMS, seconded by COUNCILMAN DeLUCA, by the following Roll Call Vote:**

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

**Hassett, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—12.**

**Nays: None.**

**Absent: Councilmen Allen and Iglizzi—2.**

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

**Transmits the following with recommendation the Same Be Severally Approved:**

Resolution requesting the Committee on City Property to convey the empty lot located at 317 Amherst Street (Assessor's Plat 63, Lot 30) to the Providence Redevelopment Agency for development by Habitat for Humanity.

*Resolved,* That the Committee on City Property is requested to convey the empty lot located at 317 Amherst Street (Assessor's Plat 63, Lot 30) to the Providence Redevelopment Agency for development by Habitat for Humanity.

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Resolution requesting the Committee on City Property to consider accepting the vacant lots from the owners who wish to convey the properties located at Assessor's Plat 80, Lot 105 (14 Bullock Avenue) and Assessor's Plat

80, Lot 106 (10 Bullock Avenue) to the City of Providence.

*Resolved,* That the Committee on City Property is requested to consider accepting the vacant lots from the owners who wish to convey the properties located at Assessor's Plat 80, Lot 105 (14 Bullock Avenue) and Assessor's Plat 80, Lot 106 (10 Bullock Avenue) to the City of Providence.

**COUNCILWOMAN WILLIAMS moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by COUNCILMAN DeLUCA.**

**The motion for Passage is Sustained.**

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

**Transmits the following with Recommendation—  
the Same be Severally Approved:**

Resolution requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 69, Lot 314, 171 Chad Brown Street, in accordance with Rhode Island General Law, Section 44-7-23, in the amount of Two Thousand Four Hundred Sixty-Three Dollars and Ninety-Eight Cents (\$2,463.98), or any interest accrued, including 2001 taxes, for the location of a new affordable home to be built by the Smith Hill Community Development Corporation, as part of their new home ownership program.

*Resolved*, That the taxes assessed upon Assessor's Plat 69, Lot 314, 171 Chad Brown Street, are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law, Section 44-7-23, in the amount of Two Thousand Four Hundred Sixty-Three Dollars and Ninety-Eight Cents (\$2,463.98), plus any interest accrued, including 2001 taxes, for the location of a new affordable home to be built by the Smith Hill Community Development Corporation, as part of their new home ownership program.

Resolution requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 69, Lot 485, 69-71 Pekin Street, in accordance with Rhode Island General Law, Section 44-7-23, in the amount of Three Thousand Eight Hundred Sixty-Eight Dollars and Sixty-Seven Cents (\$3,868.67), or any interest accrued, including 2001 taxes, for the

location of a new affordable home to be built by the Smith Hill Community Development Corporation, as part of their new home ownership program.

*Resolved*, That the taxes assessed upon Assessor's Plat 69, Lot 485, 69-71 Pekin Street, are hereby cancelled, in whole, in accordance with Rhode Island General Law, Section 44-7-23, in the amount of Three Thousand Eight Hundred Sixty-Eight Dollars and Sixty-Seven Cents (\$3,868.67), plus any interest accrued, including 2001 taxes, for the location of a new affordable home to be built by the Smith Hill Community Development Corporation, as part of their new home ownership program.

**Read and Passed, on motion of COUNCILWOMAN WILLIAMS, seconded by COUNCILMAN DeLUCA, by the following Roll Call Vote:**

**Ayes: Council President Lombardi, Councilmen Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Jackson, Mancini, Councilwomen Nolan, Romano, Williams and Young—12.**

**Noes: None.**

**Absent: Councilmen Allen and Igliazzi—2.**

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

**COUNCILWOMAN RITA M. WILLIAMS, Chairwoman  
and  
COUNCILMAN JOSEPH DeLUCA, Vice-Chairman  
COMMITTEE ON PUBLIC WORKS**

**Transmit the following with Recommendation  
the Same be Severally Approved:**

**Resolution Granting the Realignment of  
Certain Curbing along Charles Street.**

*Whereas*, Petitioner, Carpiionato Properties, Inc., by David C. Chamberland, has petitioned the City of Providence for permission to realign the curbing along Charles Street adjacent to Plat 100, Lot 50; and

*Whereas*, Said petition is sought in connection with significant development along the Charles Street site; and

*Whereas*, Said petition is sought in order to alleviate congestion and promote the safe flow of vehicular and pedestrian traffic,

*Now, therefore, be it Resolved*, That Petitioner is granted permission to realign the curbing along Charles Street (adjacent to Plat 100, Lot 50) marked as the shaded area A-B-C-A on the attached map (Exhibit "A"). Said grant is specifically conditioned upon the following:

1. Petitioner shall convey to the City of Providence at no cost sufficient realty along Charles Street so as to maintain sidewalk width and pedestrian accessibility. Further, at its sole cost, Petitioner will construct said sidewalk to the specifications of the Director of the Department of Public Works.

2. Petitioner, at its sole expense, shall erect appropriate traffic control signals. Said signals shall conform to Manual on Uniform Traffic

Control Devices and to the requirements of the Traffic Control Engineer.

3. Petitioner shall provide to the Director of the Department of Public Works "as built" plans of the improvements.

4. For such grant and other good and valuable consideration, Petitioner shall indemnify and hold harmless the City of Providence its agents, officers, servants, and employees, from any and all claims, demands, suits and compromise, both for damage to property and damages to persons, of whatever kind which may result from the realignment of said curbing.

5. Petitioner shall do all breakout and rehabilitation of the public ways in conformity with the proposed rules and regulations of the Department of Public Works and such breakout and rehabilitation shall be in a good and workmanlike manner and shall be to the approval of the Director of that department.

6. Petitioner shall provide an insurance policy in an amount not less than One Hundred Thousand Dollars (\$100,000.00) and said policy shall name the City of Providence, its agents, servants, officers and employees, as additional-named insureds and shall provide coverage during realignment.

7. Such other terms and conditions as may be imposed by His Honor, the Mayor, and the City Solicitor.



Resolution Granting permission for a fuel dispensing permit to be located at 399 Broadway, Providence, Rhode Island.

*Whereas*, Joseph C. Najim and George S. Abdul Massih and J.L.C. Plus Service, Inc. (hereinafter "Applicant") is the owner of realty located at 399 Broadway, Providence, Rhode Island (Plat 33, Lot 11); and

*Whereas*, Applicant seeks to install underground gasoline and diesel storage tanks with a total capacity of 20,000 gallons and to undertake other ancillary construction.

*Now, therefore, be it Resolved*, That Applicant is authorized to install two (2) underground storage tanks (1 existing and 1 additional) with a total capacity of 20,000 gallons (i.e., increase underground storage capacity by 10,000 gallons) and to undertake other ancillary improvements listed in its application attached hereto provided, however, that:

1. All construction is undertaken consistent with the plans presented to the City Council Committee on Public Works, the Department of Public Safety, the Department of Public Works, and the Department of Inspection and Standards as those plans may be modified by any of the same.

2. The Applicant shall obtain appropriate permits from any federal and/or state regulatory agency and, further, shall perform any remediation of environmental damage at or originating at the situs which is necessary so as to satisfy the legal requirements of any governmental body or agency.

3. In the event that the construction requires obstruction or displacement of the public way, Applicant shall, for the duration of such obstruction or displacement, obtain the necessary permits, execute an indemnification and hold-harmless agreement satisfactory to

the City Solicitor and shall provide insurance (or, if self-insured, a certificate of financial responsibility) in an amount of not less than one hundred thousand dollars (\$100,000.00) listing the City of Providence, its agents, officers, servants, employees, and assigns as additional named insureds. Such policy shall be acceptable to the City Solicitor.

4. Applicant agrees, and that agreement shall be manifested by Applicant, that undertaking any construction pursuant to this Resolution, any statement(s) or representation(s) made to any municipal department, board or committee are made a part of this Resolution and any authorization granted hereunder are specifically conditioned upon compliance with said statement(s) and/or representation(s).

5. All work performed hereunder shall be done in a good and workmanlike manner, shall be commenced and completed forthwith and Applicant shall obtain any necessary permits.

6. All work contemplated herein shall be completed not more than one hundred twenty (120) days after and in the event said work is not so completed, this Resolution shall automatically and without further action by the city, be rescinded and any grant hereunder voided; unless prior to that time a request is made to the Providence City Council.

7. Nothing herein shall be construed to contradict or limit or modify any ruling or declaration of the Providence Zoning Board.

8. To the extent applicable, the conditions imposed hereunder shall run to any successor in interest to the proposed gasoline station or other buildings.

9. Such other conditions as His Honor, the Mayor, and the City Solicitor may impose.

Resolution Granting the Abandonment of a portion of Mutual Street from its intersection with Devine Street running northeast to its end at State Service Road #1.

*Resolved, Decreed and Ordered:*

That the following-named street shown as a cross-hatched area on the accompanying map entitled "Prov., RI, DPW-Engineering Office, Street line Section Plan Number 064686 dated November 15, 2001.

VIZ: Mutual Street (portion of) as described in Attachment "A" and 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. The Petitioner agrees to tender the amount of Twenty-Five Thousand Eight Hundred Forty-Five Dollars (\$25,845.00) in legal tender U.S. Currency to the City of Providence.

2. The Petitioner shall not erect or permit the erection of any permanent construction or barrier across the abandoned area which would in any way impede access to public safety vehicles.

3. The petitioner shall convey an easement acceptable to the Providence Water Supply Board 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 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.

5. The petitioner shall convey an easement acceptable to the Narragansett Electric Company 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.

6. The petitioner shall convey an easement acceptable to Providence Gas Company 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.

7. The City of Providence shall retain for itself, its heirs, successors and assigns full sewer easements on East George Street 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.

8. 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 and without further action of the City Council or the Mayor 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.

**COUNCILWOMAN WILLIAMS moves to dispense with the reading of the foregoing matters and moves passage of the Several Resolutions, seconded by COUNCILMAN DeLUCA.**

**The motion for Passage is Sustained.**

## COMMUNICATIONS AND REPORTS

Report of Michael R. Clement, City Clerk, of all moneys received, transmitted to and credited by the City Collector for the fiscal quarter of April 1, 2002 to and including June 30, 2002.

Report of Michael R. Clement, City Clerk, of all moneys received, transmitted to and credited by the City Collector for the fiscal year ending June 30, 2002.

Annual Report from Nancy L. Derrig,

Superintendent of the Parks Department for the year 2001.

Communication from Anne T. Quintero, dated July 26, 2002, Informing the Honorable Members of the City Council that she is this day submitting her resignation as a member of the Providence Review Commission, effective immediately.

**COUNCILWOMAN WILLIAMS moves to dispense with the reading of the foregoing matters.**

**COUNCIL PRESIDENT LOMBARDI  
Receives the Several Reports and  
Communication.**

**The motion to Receive, is Sustained.**

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## FROM THE CLERK'S DESK

Certificates from the City Assessor (Nos. 13F and 14F), recommending the Same be severally cancelled, pursuant to the provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, as Amended.

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

Eva Gomez Ruiz (Laura S. Cameron, Esquire)

GEICO a/s/o Kathleen Perry

Chris Walker

Helen Pisano (D. Anthony Parks, Esquire)

John Joseph Madden III

Wanskuck Mills Complex, LLC (Edward L. Maggiacomo, Esquire)

Wanskuck Hall Realty, Inc. (Edward L. Maggiacomo, Esquire)

Progressive Insurance a/s/o Karen Koehler

Deborah A. Giacobbi

Marie R. Ricci

James S. Hassell (Nicholas Gorham, Esquire)

Yea-Mo Yang

Rosemarie Bolger

Helmsman Management Services a/s/o  
United Parcel Service, Inc.

Gregory Chihosky (Richard S. Pollock,  
Esquire)

Andrew C. Jones

Carlton Amaral

Artin H. Coloian (Patricia K. Rocha, Esquire)

Joanne E. Leeuwenburgh

Preston Murphy (Christopher E. Fay,  
Esquire)

Justin Murphy (Christopher E. Fay, Esquire)

Claims Management Services a/s/o Verizon

Claims Management Services a/s/o Verizon

Claims Management Services a/s/o Verizon

Jing Ming Xu (Stephen E. Breggia, Esquire)

Joanne E. de Medeiros

Richard Koconis d/b/a Rich Koconis

Design Photography (Jeanne M. Scott,  
Esquire)

Eleanor A. Doumato

Nancy Mendes

Carlos Ramos Torres (Christopher E. Fay,  
Esquire)

**COUNCILWOMAN WILLIAMS moves to  
dispense with the reading of the foregoing  
matters.**

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

**The motion to Refer is Sustained.**

## 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:

Solanchy Rodriguez, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Barbara Pena, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Stephanie DaLomba, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Anotnia Parra, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Angela Sanchez, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Myishia Johnson, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Ahyieh Mansue, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Gary Altera, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Wonmein Wonleh, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Stanley Larngar, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Eugene Mammie, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Lisandro Sanchez, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Kitland Juste, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Fernando Campbell, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Theo Martins, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Ruben Cadet, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Johny Dure, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Christian Goodlin, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Tim Olasanoye, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Passion Rollins, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Amelia Garway, in recognition of coordinating the most successful citywide event "Providence Summerfest 2002".

Maggie Scarborough and Gregory DelSesto, in recognition of the celebration of the birth of their daughter, born on April 26, 2002.

Marco and Desiree Sandoval, in recognition of the celebration of the birth of their daughter, born on July 8, 2002.

Hugh T. Clements, Jr., Providence Police Department, in recognition of being promoted to the Rank of Lieutenant.

Frank McVay, in recognition of the celebration of his retirement after serving the Department of Labor and Training with thirty years of dedicated service to the citizens of the State of Rhode Island.

Portuguese National Basketball Team, in recognition of their participation in the International Basketball Competition with the United States Basketball Team.

Linda Ohsberg, in recognition of the celebration of her retirement after thirty-one years of dedicated State service.

Nancy B. Hardy, in recognition of the celebration of her retirement after twenty seven years of dedicated service to the City of Providence.

Daniel Joseph Grzych, in recognition of the celebration of his 50th Birthday, born on July 2, 1952.

Lombard J. Gasbarro, in recognition of the celebration of his retirement after forty eight years of dedicated service to Gasbarro Brothers, Inc.

Frank S. Lombardi, in recognition of the celebration of his 40th Birthday on July 11, 2002.

Tiffany Chan, in recognition of the celebration of her birthday and graduation from LaSalle Academy.

Aram "Ace" O'Hanian, in recognition of the celebration of his 85th Birthday and with the

best wishes of the City of Providence for many more.

Jasmine Washington, Laurel Hill Avenue School, in recognition of her achievement of attaining a report card with Straight A Grades.

Severally Read and Collectively Passed,

on motion of COUNCILWOMAN WILLIAMS, seconded by COUNCILMAN BUTLER.

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:

Mary Benevides

Fritjof Axel Johanson

Jean H. Ardito

Vincent "Brownie" Luongo

Joseph A. Spetrini

Donald R. Catalano

Kenneth D. Lancellotti, Jr.

Maria Anne Tocco

Robert L. Ranallo

Raffalena Anzevino

Victor D. Cipriano

Elizabeth A. Bogosian

Sarah M. Reis

Irene Gianfrancesco

Robert L. Buehne

Kathleen E. Cardente

Filomena Umberto

Rachel Petronio

Gilda Albanese

Donald R. Koehn

Elizabeth F. Wardell

Sofia Arias-Almonte

Lombard J. Gasbarro

Vincent "James" Fascitelli

Peter Mario Martone

A. Archie Finklestein

COUNCILWOMAN WILLIAMS, seconded  
by COUNCILMAN BUTLER.

The motion for Passage is Sustained.

Severally Read and Collectively Passed,  
by a Unanimous Rising Vote, on motion of

## ADJOURNMENT

There being no further business, on  
motion of COUNCILWOMAN WILLIAMS,  
seconded by COUNCILMAN BUTLER, it is  
voted to adjourn at 7:45 o'clock P.M. (E.D.T.)  
to meet again on THURSDAY, SEP-  
TEMBER 5, 2002 at 7:30 o'clock P.M.  
(E.D.T.).

*Michael R. Clement*

City Clerk





CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

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No. 106 City Council Special Meeting, Monday, August 19, 2002, 5:30 o'clock P.M. (E.D.T.)

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PRESIDING

COUNCIL PRESIDENT

IN CITY COUNCIL

OCT 3 2002

APPROVED:

JOHN J. LOMBARDI

CLERK

ROLL CALL

Present: Council President Lombardi,  
Councilmen Allen, Aponte, Butler, DeLuca,  
Councilwoman DiRuzzo, Councilmen Has-  
sett, Mancini, Councilwomen Nolan,  
Romano, Williams and Young—12.

Absent: Councilmen Iglioizzi and Jack-  
son—2.

Also Present: Michael R. Clement, City  
Clerk, Claire E. Bestwick, First Deputy City  
Clerk, Sheri A. Petronio, Assistant Clerk  
and Charles R. Mansolillo, City Solicitor.

## INVOCATION

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

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

COUNCILMAN JOSEPH DeLUCA leads  
the members of the City Council and the  
Assemblage in the Pledge of Allegiance to  
the Flag of the United States of America.

## CALL FOR SPECIAL MEETING COMMUNICATION FROM COUNCIL PRESIDENT JOHN J. LOMBARDI

Request, filed with the City Clerk, dated  
August 15, 2002, requesting a Special  
Meeting of the City Council be called on  
the 19th Day of August, 2002 at 5:30  
o'clock P.M. (E.D.T.).

August 15, 2002

Honorable Michael R. Clement  
City Clerk  
City Hall  
Providence, RI 02903

Dear Mr. Clement:

In accordance with the Provisions of Section  
406 of the Providence Home Rule Charter of  
1980, I am this day calling a Special Meeting  
of the Providence City Council to be held on  
Monday, August 19, 2002 at 5:30 p.m. in the City  
Council Chamber, City Hall for the purpose of  
acting upon the following:

An Ordinance in Amendment of Chapter 564,  
of the Ordinances of the City of Providence,

entitled: "The City of Providence Zoning Ordinance", approved June 27, 1994, as Amended by Amending Providence Zoning District Map Number 56 of the Official Zoning Map by Changing the Zoning District Designation of certain Lots from W-2 to W-2 with an I-2 Floating Zone.

Report from the Charter Review Commission.

Respectfully,

JOHN J. LOMBARDI  
*Council President*

Received.

## WARRANT FOR SPECIAL MEETING

Warrant of the City Clerk to the City Sergeant with return certification that he has notified each member of the City Council of the Special Meeting called for the 19th day of August, 2002 at 5:30 o'clock P.M. (E.D.T.) in the Chamber of the City Council, City Hall.

August 15, 2002

*To Ralph Guglielmino, City Sergeant:*

Whereas, Council President John J. Lombardi has, pursuant to Section 406 of the Providence Home Rule Charter of 1980; respectfully requested the City Clerk, in writing, to call a Special Meeting of the City Council to be held on the 19th day of August, 2002 A.D., at 5:30 o'clock P.M. (E.D.T.) for the purpose of enacting the following:

An Ordinance in Amendment of Chapter 564, of the Ordinances of the City of Providence, entitled: "The City of Providence Zoning Ordinance", approved June 27, 1994, as

Amended by Amending Providence Zoning District Map Number 56 of the Official Zoning Map by Changing the Zoning District Designation of certain Lots from W-2 to W-2 with an I-2 Floating Zone.

Report from the Charter Review Commission.

You are accordingly commanded and required to summon each Member of the City Council to that Special Meeting, as Called.

Hereof, Fail Not, and make a true return of this Warrant, with your doings thereon.

Given under my Hand and Official Seal of the City of Providence, State of Rhode Island and Providence Plantations this 15th Day of July, 2002 A.D.

MICHAEL R. CLEMENT  
*City Clerk*

I, Ralph Guglielmino, City Sergeant, do hereby certify that I have notified each Member

of the City Council of the Special Meeting scheduled to be held on Monday, August 19, 2002 at 5:30 o'clock P.M., (E.D.T.) in the Chamber of the City Council, City Hall, Providence, in accordance with the subject warrant by delivering to each member, a copy thereof.

RALFH GUGLIELMINO  
City Sergeant

August 15, 2002

Received.

## ORDINANCE SECOND READING

The following Ordinance was in City Council March 21, 2002, Read and Passed the First Time and Referred Back to the Committee on Ordinances, and is Returned for Passage the Second Time:

An Ordinance in Amendment of Chapter 564, of the Ordinances of the City of Providence, entitled: "The City of Providence Zoning Ordinance", approved June 27, 1994, as Amended by Amending Providence Zoning District Map Number 56 of the Official Zoning Map by Changing the Zoning District Designation of certain Lots from W-2 to W-2 with an I-2 Floating Zone.

*Be it Ordained by the City of Providence:*

*Section 1.* Chapter 564 of the Ordinances of the City of Providence, entitled: "The City of Providence Zoning Ordinance" approved June 27, 1994, as amended, is hereby amended by changing the zoning district designation of the following lots of the Zoning District Map 56 of the Official Zoning Maps from W-2 to W-2 with an I-2 Floating Zone:

Lots 300, 308, 315, 330, 292, 74 and 257.

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

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

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Mancini, Councilwomen Nolan, Romano, Williams and Young—12.

Noes: None.

Absent: Councilmen Igliozzi and Jackson—2.

The motion for Passage the Second Time, is Sustained.

## REPORT

Report from the Charter Review Commission.

The motion to Receive and Refer, is Sustained.

**COUNCIL PRESIDENT LOMBARDI**  
Receives and Refers the Report to the  
Committee on Ordinances.

## ADJOURNMENT

There being no further business, on motion of COUNCILMAN ALLEN, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 6:00 o'clock P.M. (E.D.T.) to meet again on TUESDAY, AUGUST 20, 2002 at 6:00 o'clock P.M. (E.D.T.).

*Michael R. Clement*

City Clerk



