

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 38 City Council Regular Meeting, Thursday, May 17, 1984, 8:00 P.M. (E.D.T.)

IN CITY COUNCIL
JUN 7 1984

APPROVED:

PRESIDING

[Signature] CLERK

COUNCIL PRESIDENT PRO TEMPORE

LOUIS R. STRAVATO

ROLL CALL

Present: Council President Pro Tempore Stravato, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Farmer, Glavin, Griffin, O'Connor, Petrosinelli and Pitts—14.

Absent: Councilman President Paolino—1.

INVOCATION

The Invocation is given by COUNCILMAN THOMAS F. O'CONNOR, JR.

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

~~READ~~ COUNCILMAN THOMAS M. GLAVIN
leads the Members of the City Council and
the Assemblage in the Pledge of Allegiance
to the Flag of the United States of America.

APPROVAL OF RECORDS

The Journal of Proceedings No. 36 of the Special Meeting of the City Council held April 25, 1984 and Posted May 7, 1984 and No. 37 of the Regular Meeting of the City Council held May 2, 1984 and Posted May 15, 1984, on that Bulletin Board located on the Ground Floor Level of City Hall, are Severally Approved as Printed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

COMMUNICATION FROM HIS HONOR THE MAYOR

Communication, dated May 14, 1984, informing the Honorable City Council of His Resignation as One of the City Council's elected members of the Board of Park Commissioners.

I respectfully request that you accept my resignation as one of the City Council's elected members of the Providence Board of Park Commissioners.

May 14, 1984

Respectfully,

The Honorable Members
The City Council of the
City of Providence
City Hall
Providence, Rhode Island 02903

Joseph R. Paolino, Jr.
Mayor of Providence

Received.

Dear Honorable Members:

ELECTION OF CERTAIN CITY OFFICER

ONE COUNCILMANIC MEMBER TO THE BOARD OF PARK COMMISSIONERS:

COUNCIL PRESIDENT PRO TEMPORE STRAVATO calls for nominations for One Member to the Board of Park Commissioners and COUNCILMAN GLAVIN nominates COUNCILMAN NICHOLAS W. EASTON.

This nomination is seconded by COUNCILWOMAN BRASSIL.

COUNCIL PRESIDENT PRO TEMPORE STRAVATO calls for further nominations and there being none, on motion of COUNCILMAN GLAVIN, seconded by COUN-

CILWOMAN BRASSIL, it is Voted that nominations be Closed and the Clerk is directed to Cast One Ballot for COUNCILMAN NICHOLAS W. EASTON.

The Clerk Casts One Ballot as Directed.

COUNCIL PRESIDENT PRO TEMPORE STRAVATO thereupon declares COUNCILMAN NICHOLAS W. EASTON duly elected as a Councilmanic Member of the Board of Park Commissioners for the remainder of the Term Ending on the First Monday in January, 1987, caused by the resignation of His Honor, Mayor Joseph R. Paolino, Jr.

PRESENTATION OF ORDINANCES

COUNCILWOMAN FARGNOLI and COUNCILMAN ANNALDO (By Request):

An Ordinance Amending the Appropriation Ordinance Chapter 1983-38, approved July 10, 1983, relative to the Water Supply Board.

An Ordinance Establishing the Classes of Position, the Maximum Number of Employees and the Number of Employees in Certain Classes in the Water Supply Board and Repealing Ordinance Chapter 1983-40, approved August 26, 1983.

An Ordinance Establishing a Compensation Plan for the Water Supply Board and Repealing Chapter 1983-39, approved August 26, 1983 as amended.

COUNCILMAN FARMER (By Request):

An Ordinance Establishing a Compensation Plan for the School Department and Repealing Chapter 1983-34, approved August 12, 1983, as Amended.

An Ordinance Establishing the Classes of Positions the Maximum Number of Employees and the Number of Employees in Certain Classes in the School Department, and Repealing

Ordinance Chapter 1983-33, approved August 12, 1983, as Amended.

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

The motion to Refer is Sustained.

COUNCILMAN FARMER and COUNCILWOMAN BRASSIL:

An Ordinance in Amendment of Chapter 17 of the Code of Ordinances of the City of Providence entitled "Officers and Employees."

Referred to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer is Sustained.

COUNCILMAN PITTS:

An Ordinance on the Registration of Firearms.

Referred to Committee on Ordinances, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT PRO TEMPORE STRAVATO (By Request):

Resolution requesting the City Forester to cause the removal of that tree stump along 31 King Philip Street, and the sidewalk to be repaired.

Resolved, That the City Forester is requested to cause the removal of that tree stump along 31 King Philip Street, and the sidewalk to be repaired.

Whereas, On May 5, 1984 Huntington Towers celebrated the tenth anniversary of its opening, and

Whereas, In those ten years this housing complex has provided a safe, clean, and affordable home for a very fine group of elderly and handicapped residents, and

Whereas, Huntington Towers and its residents have had a very positive effect on the surrounding West End neighborhood, and

Whereas, Huntington Towers has recently undergone substantial renovations, which has made it the world's first totally energy-efficient building, and have included security and smoke detection systems for the safety and comfort of the residents,

Now, Therefore Be It Resolved, That the City Council of the City of Providence does hereby extend to the Malloy Family, Owners, Mr. and Mrs. Harold Tidd, Managers, and to the residents of Huntington Towers, particularly those twenty-six "ten year veterans", who have lived in the complex since its inception, its heartfelt congratulations and sincere best wishes for continued success in the future, and

Be It Further Resolved, That the City Clerk is directed to cause a duly engrossed copy of this Resolution to be transmitted to Huntington Towers to give evidence of the actions heretaken, and to make public the many accomplishments of Mr. Thomas Aquinas Malloy, whose "humble and soft-spoken" demeanor have ever caused him to avoid the limelight.

COUNCILMAN ANNALDO (By Request):

Resolution requesting the Chief Electrical Inspector to upgrade the Street lighting along Tidd Street.

Whereas, There have been numerous break-ins along Tidd Street, and recently residents have been assaulted and robbed in their driveway, and

Whereas, The street lighting along the area does not have the intensity needed to illuminate the area, and

Now, Therefore Be It Resolved, That the Chief Electrical Inspector is hereby requested to cause the street lights along Tidd Street to be upgraded to improve the lighting along said street.

COUNCILMAN DILLON:

Resolution extending the Congratulations of the Members of the City Council to Huntington Towers upon the Celebration of their Tenth Anniversary.

Resolution extending the Congratulations of the Members of the City Council to Leroy Brennan.

Whereas, Leroy Brennan is being honored by his many friends at a testimonial in his honor on May 20, 1984, and

Whereas, It is altogether fitting that homage be paid to a man of such integrity, astuteness and charm, and

Whereas, In his younger years, Mr. Brennan was a boxer of considerable renown, and

Whereas, He later turned to the political arena where bouts last longer than fifteen rounds, where rabbit punches and cheap shots are not prohibited and where there are often no distinctions between amateurs and professionals, and

Whereas, In this arena Roy Brennan has emerged as a true champion of the people, and a champion of the Democratic Party,

Now, Therefore, Be It Resolved, That the City Council of the City of Providence, Rhode Island extends to Leroy Brennan its heartfelt congratulations for his many years of service to the people of the City, and on the occasion of his testimonial on May 20, 1984 expresses its sincere best wishes for many years of continued good health and happiness.

Resolution extending the Congratulations of the Members of the City Council to Club 650 upon the Occasion of their 12th Anniversary.

Whereas, The Club 650 began twelve years ago as the Club 21, a small and informal group but a group with a common goal: The members cared; they cared about each other, they cared about their neighborhood and they cared about children, and

Whereas, From that small group evolved a very successful West Elmwood Intruders Football Program, a Cheerleading Program, and the Club 650 Building on Potters Avenue,

Now Therefore Be It Resolved, That the City Council hereby commends the Club 650 for its many past accomplishments, and extends congratulations on its Twelfth Anniversary Celebration as well as best wishes to its members for continued success in the future.

COUNCILMAN EASTON:

Resolution requesting the Traffic Engineer to cause the Installation of "No Parking — Midnight to 4:00 A.M." signs along Gallatin, Warrington and Sumter Streets, from Broad Street to Niagara Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Parking — Midnight to 4:00 A.M." signs along Gallatin, Warrington and Sumter Streets, from Broad Street to Niagara Street.

COUNCILWOMAN FARGNOLI (By Request):

Resolution requesting the Director of Public Works to cause the Potholes along Grosvenor Avenue to be repaired.

Resolved, That the Director of Public Works is requested to cause the potholes along Grosvenor Avenue to be repaired.

Resolution requesting the Director of Public Works to cause that damaged cement sidewalk along 171 Home Avenue to be Repaired.

Resolved, That the Director of Public Works is requested to cause that damaged cement sidewalk along 171 Home Avenue to be repaired.

Resolution requesting the Traffic Engineer to Prohibit Motor Vehicle Traffic Along Whitford Avenue, from Smith Street to River Avenue, on Sunday, May 27, 1984, between the Hours of 12:00 o'clock Noon to 8:00 o'clock P.M., to Accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Whitford Avenue, from Smith Street to River Avenue, on Sunday, May 27, 1984, between the hours of 12:00 Noon to 8:00 o'clock P.M., to accommodate a Neighborhood Block Party.

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

The motion for Passage is Sustained.

COUNCILMAN O'CONNOR (By Request):

Resolution requesting the Traffic Engineer to close off Prairie Avenue from Blackstone Street north to Somerset Street and from Tanner Street east one third of the way down Dudley Street past Prairie Avenue, on Saturday, May 19, 1984 from 11:30 o'clock A.M. to 3:15 o'clock P.M. for the purpose of the renaming ceremony in Honor of Rosa Parks.

Referred to Committee on Urban Re-development, Renewal and Planning, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer is Sustained.

COUNCILMAN PETROSINELLI, COUNCIL PRESIDENT PRO TEMPORE STRAVATO and COUNCILMAN ANNALDO:

Resolution expressing the Best Wishes of the Members of the City Council to John Anzivino for a Complete and Speedy Recovery from his recent illness.

Resolved, That the Best Wishes of the Members of the City Council are hereby expressed to John Anzivino for a Complete and Speedy Recovery from his recent illness.

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

The motion for Passage is Sustained.

REPORTS FROM COMMITTEE

COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

Transmits the following with Recommendation the Same be Severally Adopted:

An Ordinance Establishing a City of Providence Contract Negotiation Board.

and Referral Back to Committee on Finance is Sustained.

COUNCILMAN GLAVIN moves that the Ordinance be Read and Passed the First Time and Referred Back to Committee on Finance.

An Ordinance in Amendment of Chapter 17 of the Code of Ordinances of the City of Providence Entitled, "Officers and Employees".

This motion is seconded by COUNCILMAN DILLON.

COUNCILMAN ANNALDO moves that the Ordinance be Read and Passed the First Time.

An Ordinance in Amendment of Section 21-28 of the Code of Ordinances of the City of Providence, entitled, "Duty to let Contract by Advertisement and Bid".

This motion is seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage the First Time and Referral Back to Committee on Finance, having precedence over the motion for Passage the First Time, is Put to Vote and Passed, by the following Roll Call Vote:

An Ordinance in Amendment of and in Addition to Chapter 21 of the Code of Ordinances of the City of Providence entitled, "Revenue and Finance".

Ayes: Council President Pro Tempore Stravato, Councilwoman Brassil, Councilmen Cola, Dillon, Easton, Glavin, O'Connor and Petrosinelli—8.

Noes: Councilman Annaldo, Councilwomen DiRuzzo, Fagnoli, Councilmen Farmer, Griffin and Pitts—6.

An Ordinance in Amendment of and in Addition to Chapter 21 of the Code of Ordinances of the City of Providence entitled, "Revenue and Finance".

Absent: Councilman President Paolino—1.

The motion for Passage the First Time

An Ordinance in Amendment of and in Addition to Article 1 of Chapter 17 of the Code of Ordinances of the City of Providence, entitled, "Officers and Employees".

Read and Passed the First Time, and Referred Back to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Stravato, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Griffin, O'Connor, Petrosinelli and Pitts-14.

Absent: Councilman President Paolino-1.

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

An Ordinance Amending Chapter 1983-32, entitled: "An Ordinance Establishing a Compensation Plan for the City of Providence," as approved July 10, 1983, relative to Director of Public Works.

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

Ayes: Council President Pro Tempore Stravato, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Griffin, O'Connor, Petrosinelli and Pitts-14.

Absent: Councilman President Paolino-1.

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

Council President Pro Tempore Stravato declares that the Council Stand at Ease at 8:35 o'clock P.M. to Reconvene at the Call of the Chair.

RECONVENTION

Council President Pro Tempore Stravato reconvenes the City Council at 8:45 o'clock P.M. (E.D.T.) and directs the Clerk to Call the Roll to ascertain if there is a Quorum Present:

Present: Council President Pro Tempore Stravato, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Griffin, O'Connor, Petrosinelli and Pitts—14.

Absent: Councilman President Paolino—1.

Resolution requesting His Honor the Mayor to institute a Lottery System for the Selection of Summer and Seasonal Employment.

Resolved, That His Honor the Mayor is requested to institute a lottery system for the selection of summer and seasonal employment.

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

COUNCILMAN GRIFFIN, COUNCILWOMAN DIRUZZO and COUNCILMAN COLA desire to be recorded as voting "No".

COUNCILWOMAN BRASSIL moves that the foregoing Resolution be Reconsidered.

This motion is seconded by COUNCILMEN O'CONNOR and DILLON.

COUNCILMAN GLAVIN is recorded as voting "No".

COUNCILWOMAN DIRUZZO requests a Roll call Vote on the Reconsideration of the foregoing Resolution.

The Roll is Called as follows:

Ayes: Councilwoman Brassil, Councilman Cola, Councilwoman DiRuzzo, Councilmen Farmer, Griffin, O'Connor and Petrosinelli—7.

Noes: Council President Pro Tempore Stravato, Councilman Annaldo, Councilmen Dillon and Easton, Councilwoman Fargnoli, Councilman Glavin and Councilman Pitts—7.

Absent: Councilman President Paolino--
1.

The motion for Passage is Sustained.

The motion for Reconsideration is Not Sustained.

The following were in City Council, Read and Passed the First Time, Referred to Committee on Finance, and are returned with recommendation of passage the Second Time:

An Ordinance in Amendment of Chapter 1983-30, approved July 10, 1983, by Transferring the Sum of One Hundred Thousand (\$100,000.00) Dollars from Unemployment Compensation Account (1-013-3-91) to Waste Collection Equipment Rentals Account (1-005-07-1-64).

Be It Ordained By The City Of Providence:

Section I. Section 2-42 of the Code of Ordinances of the City of Providence entitled "City Council Internal Auditor" is hereby amended by adding at the end thereof the following:

Be It Ordained By The City Of Providence:

Section 1. Chapter 1983-30 of the Ordinances of the City of Providence, approved July 10, 1983, entitled: "An Ordinance Making an Appropriation of One Hundred Sixty-Nine Million, Seven Hundred Ninety-Six Thousand, Two Hundred Forty Dollars and Ninety-six Cents (\$169,796,240.96) for the Fiscal Year ending June 30, 1984" is hereby amended by transferring the sum of One Hundred Thousand Dollars (\$100,000) from Unemployment Compensation Account (1-013-3-91) to Waste Collection Equipment Rentals Account (1-005-07-1-64) to be used exclusively for Spring Clean-Up.

"No director of any department or other officer or employee of the City shall take any action or omit to take any action which in any way prevents the internal auditor from obtaining direct access in such manner as the internal auditor deems appropriate to any records or information under the control of said department including, without limitation, that the internal auditor shall not be required to take any action through any department director or with the prior consent of any department director."

Sec. 2. This Ordinance shall take effect upon its Passage.

Sec. II. This Ordinance shall take effect upon its passage.

Severally Read and Collectively Passed, on motion of COUNCILWOMAN BRASSIL, seconded by COUNCILMAN O'CONNOR, by the following Roll Call Vote:

An Ordinance in Amendment of Section 2-42 of the Code of Ordinances of the City of Providence, entitled "City Council Internal Auditor".

Ayes: Council President Pro Tempore Stravato, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwoman DiRuzzo, Councilman

Easton, Councilwoman Fagnoli, Councilmen Farmer, Glavin, Griffin, O'Connor, Petrosinelli and Pitts—14.

Absent: Councilman President Paolino—1.

The motion for Passage the Second Time is Sustained.

An Ordinance to Authorize the Issue of a \$1,805,000.00 Refunding Bond.

COUNCILWOMAN BRASSIL moves that the Ordinance be Amended as follows:

Line 2, following the word "dated", delete June 15, and insert in lieu thereof, December 15.

Line 3, delete "1984" and insert in lieu thereof 1983 and delete "1985" and insert in lieu thereof, 1984.

Line 10, following the word "dated", delete December 15, 1983 and insert in lieu thereof, June 15, 1984 and following the word "June" delete "15, 1984" and insert in lieu thereof, 14, 1985.

This motion being seconded by COUNCILMAN GLAVIN, is put to Vote and Passed.

The motion to Amend is Sustained.

Be It Ordained By The City Of Providence:

Section 1. The sum of \$1,805,000 shall be borrowed for the purpose of refunding the

\$1,805,000 Public Improvement Bond dated December 15, 1983, payable June 15, 1984. The amounts to be refunded are \$160,000 borrowed under Chapter 8 of the Public Laws of 1967; Chapter 181 of the Public Laws of 1971, and Ordinance Number 1982-65; \$200,000 under Chapter 51 of the Public Laws of 1972 and Ordinance Number 1982-67; and \$1,445,000 under Chapter 90 of the Public Laws of 1974 and Ordinance Number 1982-66. The City Treasurer, with the approval of the Mayor and the Committee on Finance, is authorized to issue a \$1,805,000 refunding bond dated June 15, 1984, payable June 14, 1985, pursuant to Section 45-12-5.2 of the General Laws, and to determine the interest rate and other terms and details of the bond.

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

Read and Passed the Second Time, as Amended, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN BRASSIL, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Stravato, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Farmer, Glavin, Griffin, O'Connor and Petrosinelli—12.

Absent: Council President Paolino, Councilmen Annaldo and Pitts—3.

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

The following Ordinance was in City Council, Read and Passed the First Time, Referred to Committee on Finance and is returned with recommendation of Adoption, as Amended:

An Ordinance in Amendment of and in Addition to Article 1 of Chapter 17 of the Code of Ordinances of the City of Providence, Entitled: "Officers and Employees, as Amended."

Be It Ordained By The City Of Providence:

Section 1. Chapter 17 of the Code of Ordinances of the City of Providence entitled "Officers and Employees" is hereby amended by adding to Article 1 thereof the following:

Section 17-29. Statements of Other Employment.

(a) Each existing employee of the City of Providence shall, within 30 days after the effective date of this ordinance and each person hereafter entering into employment with the City of Providence shall, at the time of commencing employment with the City of Providence, execute and deliver to the Personnel Director of the City of Providence a certified statement setting forth the following information:

1. Whether the employee has any employment other than his or her employment with the City of Providence.
2. If so, the name and address of the other employer, the nature of such employment and the number of hours and times per week spent on such other employment.
3. Whether the employee has any other source of income which is payable on account of said employee's performance of services other than services performed as an employee of the City of Providence.
4. If so, the identification (including name and address) of the source of such income, the nature of services performed and the number of hours and times each week during which such services must be performed.

(b) Any employee of the City of Providence shall, within 15 days after any change in

circumstances which renders said employee's existing statement under Section 17-29(a) incorrect or incomplete in any respect, file an amended form setting forth the correct and complete information.

(c) Any employee who fails to file and maintain on file an accurate statement required by Section 17-29(a) and (b), shall be subject to disciplinary action including, without limitation, termination of employment and all benefits associated therewith and shall be guilty of an offense under this Code of Ordinances, punishable as set forth in Section 1-10 of this Code of Ordinances.

(d) The Personnel Director of the City of Providence shall, upon the effective date of this Ordinance, prepare a form or statement consistent herewith, shall thereupon and from time to time thereafter provide such statement to each existing and new employee of the City of Providence and shall maintain all such statements on file. All such statements shall be public records of the City Providence.

(e) No employee shall be adversely affected in the terms and conditions of his or her employment solely on account of filing or maintaining an accurate certified statement under Section 17-29(a) and (b), above.

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

Read and Passed the Second Time, as Amended, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMEN BRASSIL and FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Stravato, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Griffin, O'Connor and Petrosinelli—12.

**Absent: Council President Paolino,
Councilmen Annaldo and Pitts—3.**

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

**The following is Transmitted with
Recommendation of Adoption:**

An Ordinance in Amendment of and in Addition to Article I of Chapter 17 of the Code of Ordinances of the City of Providence entitled, "Officers and Employees", as Amended.

man Cola, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Griffin, O'Connor and Petrosinelli—11.

Read and Passed the First Time on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMEN BRASSIL and FARGNOLI, by the following Roll Call Vote:

Absent: Councilman President Paolino, Councilmen Annaldo, Dillon and Pitts—4.

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

Ayes: Council President Pro Tempore Stravato, Councilwoman Brassil, Council-

The following was in City Council, Read and Passed the First Time, Referred Back to Committee on Finance and Is Returned with Recommendation of Adoption the Second Time:

An Ordinance in Amendment of and in Addition to Article XIX of the Code of Ordinances of the City of Providence, entitled: "Elections".

Sec. 2. This Ordinance shall take effect upon its Passage.

Be It Ordained By The City Of Providence:

Section 1. Article XIX of the Code of Ordinances of the City of Providence, entitled: "Electors," by adding Sec. 2-302, as follows:

Read and Passed the Second Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMEN BRASSIL and FARGNOLI, by the following Roll Call Vote:

Sec. 2-302. Purging of Voter's Lists. The Board of Canvassers shall take immediate action to purge the voter's list of all voters who are registered at the address they do not reside at in accordance with (84-S 208) (Substitute "A" as amended).

Ayes: Council President Pro Tempore Stravato, Councilwoman Brassil, Councilman Cola, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Griffin, O'Connor and Petrosinelli—11.

**Absent: Council President Paolino,
Councilmen Annaldo, Dillon and Pitts-4.**

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

REPORT

**The following is transmitted with
recommendation the Same be Received:**

Marwick, Mitchell and Co., for the fiscal year
ended June 30, 1983.

Financial Statements and Supplementary
Data for the City of Providence, from Peat,

Received: _____

COMMUNICATIONS

Communication from Paul Boccanfusco an
employee of the Department of Public Works
informing that his wife Marguerite V.
Boccanfusco owns Brandy Construction, which
does snow plowing for the City of Providence.

Received.

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,
1956, as Amended.

**Severally Referred to Committee on
Claims and Pending Suits, on motion of
COUNCILMAN GLAVIN, seconded by
COUNCILWOMAN FARGNOLI.**

The motion to Refer is Sustained.

FROM THE CITY ASSESSOR:

Certificates (52-L and 56-L) Recommending the

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Diane C. Palmisciano

Evelyn Hamilton

Maria S. Lawton

Peter Lekos

U.S.A.A. Group as sub. of Jaqueline Green

Amedeo S. DiMaio

Viola M. Grilli

Deborah Prata

Athony Armenti

Diane M. Dudzik

Mrs. Anthony Miele

Cristovao N. Almeida

New England Window Erectors, Inc.

Esther Bailey

Philip Squillace and William Evers

Severall Referred to Committee on Claims and Pending Suits, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

"In Congratulations"

COUNCIL PRESIDENT PRO TEMPORE STRAVATO and the MEMBERS of the CITY COUNCIL:

Resolution extending Congratulations to the following:

Fred Butler

Mr. and Mrs. Michael Graziano

Annie Mae Perry

Smith Hill Center Club

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

The motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT PRO TEMPORE STRAVATO and the MEMBERS of the CITY COUNCIL:

Francesca Albiniano

Elizabeth Falcione

Resolution extending sympathy.

Angelo Carnevale, Jr.

Resolved, That the Sympathy of the Members of the City Council is hereby expressed to the families of the following:

Haig Boghigian

Teresa Togneri

Michelle A. Baker

Robert E. Howarth

Iolanda Taccone

Ralph A. Grenga

John Imondi, Jr.

Marianna Damiani

Robert E. Ward

Giovanni Maglione

Gilda A. Ruozzo

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

Giacomo Corio

Carmella Bowie

The motion for Passage is Sustained.

Mary A. Whitford

MATTER NOT APPEARING ON THE PRINTED DOCKET

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

REPORT FROM COMMITTEE

COUNCILMAN THOMAS F. O'CONNOR, JR., Chairman COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

The following Ordinance was in City Council May 2, 1984, Read and Passed the First Time, and Referred Back to Committee on Urban Redevelopment, Renewal and Planning and is returned with recommendation of adoption a Second Time:

An Ordinance Approving and Adopting the Official Redevelopment Plan for the Lower South Providence Redevelopment Project, as Amended.

Be It Ordained By The City Of Providence:

Whereas, The Providence Redevelopment Agency (hereinafter sometimes called "Local Public Agency") pursuant to the provisions of Title 45, Chapter 31-33 (inclusive) of the General Laws of Rhode Island, 1956, as amended, entitled, "Redevelopment Act of 1956", has formulated and submitted to the City Council on March 1, 1984, for its consideration, an Urban Renewal Plan approved by the Local Public Agency, for an Urban Renewal Area, which said Urban Renewal Plan is entitled, "Lower South Providence Redevelopment Project" and comprises a report consisting of a text, 3 exhibits and 6 maps; and

Whereas, A general plan has been prepared by the City Plan Commission and is recognized and used as a guide for the general development of the City of Providence as a whole; and

Whereas, The said Urban Renewal Plan concerns itself with areas which have been designated Redevelopment Areas by the City Council of the City of Providence by Chapter 103

of the Ordinances of the City of Providence, approved July 6, 1948, as amended to date, in conformity with the provisions of Section 22 of Chapter 1802 of the Public Laws of Rhode Island 1946, as amended, and Title 45, Chapter 32, Section 4 of the General Laws of Rhode Island, 1956, as amended; and

Whereas, A Copy of said Urban Renewal Plan was transmitted to the City Plan Commission.

Whereas, The City Plan Commission, which is the duly designated and acting official planning body for the City, has submitted to the City Council its report and recommendations respecting the Urban Renewal Plan for the Lower South Providence Redevelopment Project and has certified that said Urban Renewal Plan conforms to the said General plan for the City as a whole, and the City Council has duly considered said report, recommendations and certification of the planning body; and

Whereas, The plan as submitted contains a finding that the area included in the proposed Urban Renewal Plan qualified as a deteriorated blighted area within the meaning of the "Redevelopment Act of 1956" as amended to date, because there exist in the area buildings or improvements, used or intended to be used for living, commercial, industrial, or other purposes,

which by reason of (1) dilapidation, deterioration, age or obsolescence, (2) inadequate provisions for ventilation, light, sanitation, open spaces and recreation facilities (3) defective design or unsanitary or unsafe character of condition, (4) defective or inadequate street and lot layout, (5) mixed character, deterioration or shifting of uses to which they are put, or any combination of such factors and characteristics are conducive to the further deterioration and decline of the area and injuriously affect the entire area; and

Whereas, A structural quality survey was conducted by the City of Providence, Department of Planning and Urban Development and the results of that survey as set forth in the Urban Renewal Plan indicated that 56% of the structures have deficiencies that include serious deterioration; lack of sanitary facilities; and serious inadequacies in lighting and ventilation. The Lower South Providence Redevelopment Project Area is not restricted to, nor does it consist entirely of lands, buildings, or improvements which of themselves are detrimental, but is an area in which such conditions exist and injuriously affect the entire area; and

Whereas, There has also been presented to the City Council information and data respecting Urban Renewal Plans for the Urban Renewal Areas in the City of Providence including the following:

Captial Improvement Programs for 1950-1956, 1951-1957, 1952-1958, 1953-1959, 1954-1960, 1955-1961, 1956-1962, 1957-1963, 1958-1964, 1959-1965, 1960-1966, and 1961-1967, 1962-1968, 1963-1969, 1964-1970, 1965-1971, 1966-1972, 1967-1973, 1968-1974, 1979-1985, 1980-1986, 1983-1988, and the Annual Reports of the Providence Redevelopment Agency for 1948 through 1983 (inclusive); and

Whereas, At a public hearing held following notice of the date, time, place and purposes of such hearing, the City Council Committee on Urban Redevelopment, Renewal and Planning duly considered for Urban Renewal Plan, and all

evidence and testimony for and against the adoption of such plan, in accordance with the provisions of the "Redevelopment Act of 1956"; and

Whereas, Said Urban Renewal Plan for the Project Area prescribes certain land uses for the Lower South Providence Redevelopment Project Area and will require, among other things, but not by way of limitation, property acquisition clearance and demolition, rehabilitation and reconstruction of certain streets, curbing and sidewalks, grading and other public improvements and other public actions; and

Now, Therefore, Be It Ordained By The City Of Providence:

1. The Project is hereby designated as "Lower South Providence Redevelopment Project".

2. It is hereby found and determined that for the purpose of the Urban Renewal Plan, the Lower South Providence Redevelopment Project comprises that certain tract of land situated in the City of Providence and State of Rhode Island, which is bounded as described in Exhibit A, which is attached hereto and made a part hereof as if more fully set forth herein.

3. It be and hereby is found and determined in relation to the Lower South Providence Redevelopment Project on the basis of the facts set forth in the report and documents mentioned in the Preamble of this Ordinance and upon the basis of evidence and testimony presented at the public hearing on said Plan:

(a) That within the Lower South Providence Redevelopment Project Area 31% of the structures are substandard or seriously deficient or unsafe in that these structures contain serious deterioration, and

(b) Within the Lower South Providence Redevelopment Project Area there exists the following environmental deficiencies:

a. Defective or Inadequate Street and/or Lot Layout.

b. Incompatible or Shifting Uses.

c. Obsolete or Aged Buildings, Not Suitable for Improvement or Conversion.

d. Inadequate Provision for Ventilation, Light, Sanitation, Open Space and Recreation Facilities.

e. Defective Design or Unsanitary or Unsafe Character or Condition of Physical Construction.

4. It be and hereby is found and determined that because of a predominance of conditions of dilapidation, deterioration, obsolescence, inadequate provision for light and sanitation, unsanitary and unsafe character and condition of physical construction, mixed character of uses injuriously affect the entire area and constitute a menace to the public health, safety and welfare of the inhabitants of the area and of the community generally, said Urban Renewal Area is a deteriorated and blighted area within the meaning of Sections 2-8 inclusive of Chapter 31 of the "Redevelopment Act of 1956", as amended, and that said Lower South Providence Redevelopment Project Area is hereby determined to be a deteriorated blighted area.

5. It be and hereby is found that the Lower South Providence Redevelopment Project Area requires clearance, replanning redevelopment, and improvement and rehabilitation under the provisions of the "Redevelopment Act of 1956".

6. It be and hereby is declared to be the purpose and intent of this Body to eliminate the deteriorated and substandard conditions existing in the Lower South Providence Redevelopment Project Area and the replacement of such conditions by a well-planned area in accordance with and by the means provided in the "Redevelopment Act of 1956".

7. It is hereby found, declared and determine that:

(a) The Urban Renewal Plan for the Lower South Providence Redevelopment Project Area will redevelop said Urban Renewal Area in conformity with the provisions of the "Redevelopment Act of 1956"; will effectuate the purposes and policy of said Act; and will promote the public health, safety, morals and welfare of the City of Providence.

(b) The Urban Renewal Plan for said Urban Renewal Area conforms to the general or master plan for the City of Providence as a whole.

(c) The acquisition of the real property in accordance with said plan for the Lower South Providence Redevelopment Project Area is in the public interest.

(d) Adequate provision for payment for property which may be acquired by the exercise of eminent domain has been made in the Urban Renewal Plan.

e) The Urban Renewal Plan contains adequate safeguards to assure the carrying out of the work of redevelopment in accordance with the Urban Renewal Plan.

f) The Urban Renewal Plan provides for the retention of controls and the establishment of restrictions and covenants which may run with the land.

8. The Providence Redevelopment Agency shall sell, lease or dispose of land in the Lower South Providence Redevelopment Project Area only in accordance with the terms of the Redevelopment Plan and subject to the restrictions, covenants and conditions set forth herein and which are hereby found and declared to be necessary to effectuate the purposes of the "Redevelopment Act of 1956".

9. In enacting this Ordinance, the City Council intends to comply with the provisions of

the "Redevelopment Act of 1956" which relates to adoption of an Urban Renewal Plan for an approved Urban Renewal Area so that the blighted and substandard conditions in this Urban Renewal Area can be redeveloped in accordance with the Urban Renewal Plan to attain the Public purposes and policy of the "Redevelopment Act of 1956" and thereby to protect and promote and be in the interest of the public health, safety, morals, and general welfare of the people in the State as a whole and particularly the people of this City.

10. The Urban Renewal Plan for the Lower South Providence Redevelopment Project consisting of a booklet containing a table of contents, a text, 3 exhibits and 6 maps, is hereby approved, adopted and designated as the Official Redevelopment Plan for the Lower South Providence Redevelopment Project and is herein incorporated by reference and made a part hereof.

11. The Providence Redevelopment Agency is hereby fully authorized to carry out this Official Redevelopment Plan, however, that the Agency shall not enter into any contracts for disposition of property in the Urban Renewal Project Area until at least ten days after the City Council of the City of Providence has received at a regular or special meeting a report from the Providence Redevelopment Agency concerning the proposed sale or lease.

12. In order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved, it is found and determined that certain official action must be taken by this Body.

a) Pledges its cooperation in helping to carry out said Official Urban Renewal Plan;

b) Requests the various officials, departments, boards, and agencies of the City of Providence having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with said Urban Renewal Plan;

c) Declares that it will provide the City's share of the project cost of the redevelopment of the Urban Renewal Project Area, and hereby allocates out of the \$25,000,000. of general obligation bonds authorized for redevelopment purposes in the 1979 referendum, the amount of \$3,860,000. representing its share of the gross project cost of \$4,800,000.

d) Stands ready to consider and take appropriation action upon any other proposals and measures designed to effectuate said Urban Renewal Plan.

13. Hiring Practices

a) Goals

There is a very high rate of unemployment in the City of Providence among both white and minority residents;

The subsequent multiplier effect of this high level of unemployment has a direct and deleterious effect upon all the neighborhoods of the City of Providence, resulting in the physical deterioration of neighborhoods, vandalism and crime;

The City of Providence expends Millions of dollars in contracts, part of this money derived from taxes paid by City residents;

Many workers employed on such projects are individuals who do not reside in the City of Providence;

Black, Hispanic, Asian and native American residents of the City of Providence as well as female residents have historically been systematically excluded from the construction trades and unions in the City of Providence;

b) Definitions

The following words as used in this Ordinance shall unless the context otherwise requires, have the following meanings:

"Minority person" shall include those persons who are Black, Hispanic, Asian, or native American.

"Resident" is any person for whom the principal place where that person normally eats and sleeps and maintains his or her normal personal and household effects is within the City limits for the City of Providence.

"Agency" shall mean Providence Redevelopment Agency.

c) Policy

(1) The worker hours on a craft-by-craft basis shall be performed, in accordance with the contract documents provided for in Section (3) below as follows:

(a) At least fifty percent of the total employee manhours in each trade shall be by *bona fide* Providence residents;

(b) At least twenty-five percent of the total employee manhours in each trade shall be by minorities;

(c) At least ten percent of the total employee manhours in each trade shall be by women.

(2) For purposes of this paragraph, worker hours shall include work performed by persons filling apprenticeship and on-the-job training positions.

(3) In order to insure compliance with the Ordinance, the provisions of this Ordinance shall be included by the Agency in all contracts with any private corporation or individual for construction projects covered by this Ordinance.

d) Compliance, Enforcement, Sanctions

(A) The Agency, as defined in Section 13 Paragraph b. shall be designated as responsible for the planning, implementation and enforcement of this Ordinance, and shall prior to the

commencement of the project, or capital works, covered by this Ordinance review spending plans for such project; and identify the number of job positions to be created by the project, upon completion of previous steps, the Providence Human Relations Commission shall take the following actions:

(1) In conjunction with appropriate unions and their existing collective bargaining agreements, recruit employees and arrange for training through established union apprenticeship programs; and

(2) Establish a job screening and referral mechanism which shall refer City residents, minorities, and women to contractors and subcontractors to enable such contractors and subcontractors to comply with this Ordinance.

(B) The Agency, shall be responsible for enforcing and monitoring compliance with the provisions of this Ordinance and the contract provisions established in accordance therewith shall have the following duties:

(1) In conjunction with appropriate unions and their existing collective bargaining agreements, recruit employees and arrange for training through established union apprenticeship programs; and

(2) Establish a job screening and referral mechanism which shall refer City residents, minorities, and women to contractors and subcontractors to enable such contractors and subcontractors to comply with this Ordinance.

(B) The Agency, shall be responsible for enforcing and monitoring compliance with the provisions of this Ordinance and the contract provisions established in accordance therewith shall have the following duties:

(1) To require all contractors and subcontractors affected by this Ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours

worked, sex and race. These charts shall be public records.

(2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, hiring dates, duration and training.

(3) To register all interested community-based organizations, and notify such organizations of any pre-bid or pre-construction conferences between the Agency and contractor relating to hiring requirements and goals as stated herein.

(C) The Agency shall have the power, by means of the contract provisions referred to in Section (3) above, to impose sanctions upon contractors and sub-contractors found to be in non-compliance with this Ordinance. Such sanctions shall include, but not be limited to: i) suspension of payments, ii) termination of the contract, iii) recovery by the City of 10% of the contract award price as liquidated damages, and iv) denial of right to participate in future projects for up to three years.

e) Liaison Committee

The Agency shall establish a liaison committee which shall meet monthly, in a forum open to the public, to review the Agency's reports, monitor compliance with the provisions of the Ordinance, and make recommendations to the Agency and the City Council regarding enforcement of this Ordinance.

The Agency shall accept nominations of up to three persons from any of the interested groups including, but not limited to: Union Contractors, Non-Union Contractors, State Office of Minority Business Assistance, Contractor Association of Rhode Island, Training Agency personnel, Human Rights Activist Groups, Women's Organizations, Community Based Organizations and the Providence Chamber of Commerce.

The Agency shall thereafter select one person from those nominations submitted by each

organization to serve without compensation for a term of two years. This nomination and selection process shall be used to fill any vacancy.

f) Training Program

The City of Providence shall establish or cause to be established, either independently or in concert with craft unions and construction contractors, job training programs to train minorities, Providence residents, and women for skilled or semi-skilled construction jobs. These programs shall be supervised by the Agency.

g) Fines

Any person who provides false information regarding his or her residence address shall be subject to a fine of not more than \$200.

h) Independent Agencies

Any and all activities of any independent agency, operating or acting on behalf of the City of Providence, including but not limited to, the Providence Redevelopment Agency shall comply with the provisions of this Ordinance.

14. PROJECT AREA COMMITTEE

The Providence Redevelopment Agency shall, within sixty days of passage of this ordinance, designate a new Project Area Committee in two steps.

In the first step which shall take place within thirty days the Providence Redevelopment Agency shall designate ten members of the new Project Area Committee as follows:

a) Five Members appointed from within the membership of the South Providence Revitalization Committee to be chosen by said Committee.

b) Five Members appointed from within the membership of the South Providence Community Board to be chosen by said Board.

In the second step which shall take place within thirty days of the designation of the ten members as outlined above those ten members shall meet and select five additional members as follows:

- a) Two members who are elected officials representing the project area.
- b) Two members who are tenants in Roger Williams Homes.
- c) One member who is a business person in the project area.

At the completion of these two steps the Providence Redevelopment Agency shall designate the newly constituted Project Area Committee as the official Project Area Committee for the project and no work shall commence on the project until the above process is completed and said designation is made.

Vacancies in any seat on the Project Area Committee shall be filled in the same manner as outlined above.

15. SEPARABILITY:

The unconstitutionality or invalidity of any section or part thereof of this Ordinance and amendments thereof shall not invalidate or impair the validity, force or effect of any other

section or part thereof unless it clearly appears from the context that such other section or part thereof is wholly and necessarily dependent for its operation upon the section or part thereof held unconstitutional or invalid.

16. 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 of this Ordinance to the Providence Redevelopment Agency.

Read and Passed the Second Time, as Amended, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN O'CONNOR, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Stravato, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fargnoli, Councilmen Farmer, Glavin, O'Connor and Petrosinelli—11.

Not Voting: Councilman Griffin—1.

Absent: Council President Paolino, Councilmen Annaldo and Pitts—3.

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

ADJOURNMENT

There being no further business, on motion of COUNCILMAN GALVIN, seconded by COUNCILWOMAN FARGNOLI and COUNCILMAN PETROSINELLI, the City Council adjourns at 9:05 o'clock P.M. (E.D.T.) to meet again on THURSDAY, JUNE 7, 1984 at 8:00 o'clock P.M. (E.D.T.).

Rose M. Mandonea

City Clerk

May 17]

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May 17]

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