

CITY OF PROVIDENCE

RHODE ISLAND

IN CITY COUNCIL
JAN 8 1976



APPROVED:

Vincent Vespa
CLERK

CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 28 City Council Regular Meeting, Thursday, December 18, 1975 8:00 P.M. (E.S.T.)

PRESIDING

COUNCIL PRESIDENT

ROBERT J. HAXTON

ROLL CALL

Present: Council President Haxton and Councilmen Addison, Ahern, Almagno, Bradshaw, Councilwoman Brassil, Councilmen Cirelli, Coia, Fagnoli, Flynn, Garan, Gorodetsky, Henries, Johnson, Lynch, Mansolillo, McKiernan, Merola, Pearlman, Petrosinelli, Salvatore, Stravato, Tomasso, Turchetta and Xavier—25.

Absent: Councilman Crowley—1.

Dec 8 1975

INVOCATION

The Invocation is given by Rabbi Joel H. Zaiman, Temple Emanu-El, Providence, Rhode Island.

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

COUNCILMAN MARIO TURCHETTA leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF RECORD

COUNCILMAN FLYNN moves the Journal of Proceedings No. 27 of the Regular Meeting of the City Council held Thursday, December 4, 1975, be Amended on Page 556, under the heading "Presentation of Resolutions" "Councilman Addison (By Request)," following the Vote, insert the following: "Councilman Flynn desires to be recorded as "Not Voting." This motion being seconded by COUNCILMAN LYNCH, is put to Vote and Passed.

The Journal of Proceedings No. 27 of the Regular Meeting of the City Council held Thursday, December 4, 1975, and Posted December 15, 1975, on that Bulletin Board located on the Ground Floor of the City Hall, is Approved as Printed and Amended, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN FLYNN.

PRESENTATION OF EMERGENCY ORDINANCES

COUNCILMAN STRAVATO and COUNCILMAN GARAN (By Request):

An Emergency Ordinance in Amendment of the Appropriation Ordinance Chapter 1974-19, Approved June 19, 1974, by Appropriating a Sum Not to Exceed One Hundred Nine Thousand and Two Hundred Dollars (\$109,200.00) for Salary Adjustment for Members of the Bargaining Unit of the Fraternal Order of Police, Lodge No. 3.

An Emergency Ordinance in Amendment of the Compensation Plan for the City of Providence, as Amended, Adjusting the Base Salary of Members of the Bargaining Unit of the Fraternal Order of Police, Lodge No. 3.

Severally Referred to the Committee on Finance, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN GARAN**.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI and COUNCILMAN LYNCH (By Request):

Resolution Requesting the Director of the Department of Public Works to Cause the "John Andrew McGreevey Memorial Square," Situated at Ardmore Avenue and Forbes Street, to be Refurbished.

Resolved, That the Director of the Department of Public Works is requested to cause that Memorial Square situated at Ardmore Avenue and Forbes Street, to be refurbished.

Resolved, That the Director of the Department of Public Works is Requested to cause a general street cleanup to be undertaken within the Twelfth Ward.

Resolution Requesting that the Director of the Department of Recreation Cause the Replacement and/or Repair of Missing or Damaged Equipment in All Tot Lots within the Twelfth Ward.

Resolved, That the Director of the Department of Recreation is requested to cause the replacement and/or repair of missing or damaged equipment in all Tot Lots within the Twelfth Ward.

COUNCILMAN AHERN and COUNCILMAN CROWLEY:

Resolution Requesting that the Director of Public Works Cause a General Street Cleaning to be Undertaken within the Twelfth Ward.

Severally Read and Collectively Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN AHERN, FLYNN and GARAN**.

COUNCILMAN BRADSHAW (By Request):

Resolution Requesting the Traffic Engineer to Cause the Installation of "No Parking — 9:00 o'clock P.M. to 7:00 A.M.," Signs along Both Sides of Congdon Street, between Cushing Street and Bowen Street.

Referred to the Committee on Public Works, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN GARAN**.

Resolution Requesting the City Forester to Cause Tree Roots along the Curblin of Northeast Corner of Elmgrove Avenue and Elton Street to be Removed and the Repair of Elevated Sidewalk.

Resolved, That the City Forester is requested to cause tree roots along the curblin of the northeast corner of Elmgrove Avenue and Elton Street to be removed and the repair of elevated sidewalk.

Read and Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN ADDISON, BRADSHAW and MANSOLILLO**.

COUNCILMAN BRADSHAW and COUNCILMAN McKIERNAN (By Request):

Resolution Requesting the City Solicitor to Prepare, Cause to be Introduced and Urge Passage, by the General Assembly, at Its Next Session, of An Act Prohibiting Smoking of All Tobacco Products in All Places of Public Assembly.

Referred to the Committee on Public Welfare, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN GARAN**.

Resolution Establishing Cabot Street, from Angell Street to Meeting Street, as a One-Way Street.

Referred to the Committee on Public Works, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN FLYNN**.

COUNCILMAN CIRELLI (By Request):

Resolution Requesting the Traffic Engineer to Cause "Stop" Signs to be Installed along Maynard Street, at Its Intersection with Rushmore Avenue.

Referred to the Committee on Public Works, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN GARAN**.

COUNCILMAN LYNCH:

Resolution Authorizing the Retirement Board of the Employees' Retirement System to Own and Operate Real Property.

Referred to the Committee on Finance, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN GARAN**.

COUNCILMAN LYNCH, COUNCILMAN ADDISON and COUNCILMAN GARAN (By Request):

Resolution Authorizing the City Treasurer to Arrange for the Redemption or Sale of Lots 259 and 260, on City Assessor's Plat 99, Located at 65 Anchor Street, an Offer Having

been Made by Giuseppe Castaldi and Antonio Petrarca of Providence, of \$599.40, for Said Lots.

Resolution Authorizing the City Treasurer to Arrange for the Redemption or Sale of Lots 33 and 34, on City Assessor's Plat 113 Located along Kinfield Street, an Offer Having been Made by Alfred Cairone of 188 Ophelia Street, Providence of \$1,482.47, for Said Lots.

Resolution Authorizing the City Treasurer to Arrange for the Redemption or Sale of Lot 672 on City Assessor's Plat 65, Located at 70 Rill Street, an Offer Having been Made by Thomas Campagnone of 269 Valley Street, Providence of \$430.28, for Said Lot.

Resolution Authorizing the City Treasurer to Arrange for the Redemption or Sale of Lots 157 and 110, on City Assessor's Plat 68, Located at 11 Fillmore Street and 15 Matthews Street, an Offer having been made by Raymond Woodcock of 189 Douglas Avenue, Providence of \$1,124.49, for Said Lots.

Severally Referred to the Committee on City Property, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN ADDISON**.

COUNCILMAN McKIERNAN and COUNCILMAN BRADSHAW:

Resolution Creating a Special Committee of the

City Council for the Purpose of Arranging and Conducting the City of Providence's Tribute to the Bicentennial Celebration of the United States of America and Rescinding Resolution No. 294, Approved August 12, 1970.

Resolved, That a Special Committee of the City Council is hereby created for the purpose of arranging and conducting the City of Providence's Tribute to the Bicentennial Celebration of the United States of America; the said Committee shall consist of the Mayor of the City of Providence and each Member of the City Council, who have severally been duly elected for the term ending on the first Monday in January, 1979, and

Be It Further Resolved, That Resolution of the City Council No. 294, Approved August 12, 1970, is hereby rescinded.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, BRADSHAW and McKIERNAN.

COUNCILMAN PETROSINELLI and COUNCILMAN SALVATORE (By Request):

Resolution Requesting the Traffic Engineer to Cause the Installation of "Stop" Sign along Oppor Street at Its Intersection with Paul Street.

Resolution Requesting the Traffic Engineer to Invoke "No Parking to Corner" Regulations along Both Sides of Oppor Street at Paul Street.

Severally Referred to the Committee on Pub-

lic Works, on motion of **COUNCILMAN LYNCH**,
seconded by **COUNCILMAN ADDISON**.

Resolution Requesting the Director of the Department of Public Works to Cause Street Name Signs to be Erected along Peter Street.

Resolved, That the Director of the Department of Public Works is requested to cause Street Name Signs to be erected along Peter Street.

Read and Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN ADDISON**, **PETROSINELLI** and **SALVATORE**.

Resolution Requesting the Traffic Engineer to Cause the Installation of "Stop" Sign along Augusta Street at Its Intersection with Wainwright Street.

Referred to the Committee on Public Works, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN ADDISON**.

COUNCILMAN STRAVATO:

Resolution Requesting His Honor the Mayor to Provide a Supplementary Appropriation for the Committee on Claims and Pending Suits to Honor Pending Claims Approved for Payment by the Said Committee.

Referred to the Committee on Finance, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN ADDISON**.

COUNCILMAN STRAVATO (By Request):

Resolution Requesting the Traffic Engineer to Cause the Replacement of Missing "Stop" Sign along Sterling Avenue, at Webster Avenue.

Resolved, That the Traffic Engineer is requested to cause the replacement of a missing "Stop" Sign along Sterling Avenue at Webster Avenue.

Resolution Requesting the Traffic Engineer to Cause the Installation of "20 Mile Per Hour Speed Limit" Traffic Sign in the Immediate Vicinity of Webster Avenue Elementary School and along Sterling Avenue and Clarence Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "20 Mile Per Hour Speed Limit" Traffic Signs in the immediate vicinity of Webster Avenue Elementary School and along Sterling Avenue and Clarence Street.

Resolution Requesting the City Forester to Cause the Removal of a Dead Tree along the Curblineline at 216 Wallace Street.

Resolved, That the City Forester is requested to cause the removal of a dead tree along the curblineline at 216 Wallace Street.

Resolution Requesting the City Forester to Cause the Removal of that Tree Stump Situated along

the Curbline at 11 Viola Street and the Sidewalk at that location be Repaired.

Resolved, That the City Forester is requested to cause the removal of that tree stump situated along the curbline at 11 Viola Street, and the sidewalk at that location be repaired.

Severally Read and Collectively Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON and STRAVATO.

COUNCILMAN TURCHETTA and COUNCILMAN MEROLA (By Request):

Resolution Requesting the Committee on Public Works to Study the Feasibility of Authorizing All Night Parking on City Streets Excepting During Nights when Snow Removal Programs are to be Effected.

Referred to the Committee on Public Works, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON and TOMASSO.

COUNCILMAN XAVIER and COUNCILWOMAN BRASSIL:

Resolution Requesting the Chief of the Police Department to Enforce the "Tow Zone" Regulation along the Westerly Portion of Benefit Street, between College Street and Hopkins Street.

Whereas, Resolution of the City Council No. 275 Approved April 9, 1975, requested the Traffic Engineer to cause the establishment of a "Tow Zone" along that westerly portion of Benefit Street, between College Street and Hopkins Street, as a deterrent to flagrant violations of illegally parked motor vehicles, which impeded the orderly movement of traffic, and

Whereas, The Traffic Engineer on May 13, 1975 effected this regulation,

Now, Therefore, be it Resolved, That the Chief of the Police Department is requested to cause the enforcement unequivocally, of that traffic regulation which established a "Tow Zone" along the westerly portion of Benefit Street, between College Street and Hopkins Street.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON, COUNCILWOMAN BRASSIL and COUNCILMAN XAVIER.

COUNCILMAN XAVIER and COUNCILWOMAN BRASSIL (By Request):

Resolution Requesting the Committee on Public Works to Conduct a Public Hearing Relative to the Feasibility of Causing Westminster Pedestrian Mall, from Dorrance Street to Snow Street, to be Reopened to Motor Vehicle Traffic.

Referred to the Committee on Public Works, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

Resolution Requesting the Director of the Department of Public Works to Order the Owner of Real Property Located at 439-443 Benefit Street, to Cause Sidewalk at that Location to be Repaired.

Resolved, That the Director of the Department of Public Works is requested to cause the owner of Real Property located at 439-443 Benefit Street, to cause sidewalk at that location to be repaired.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON, COUNCILWOMAN BRASSIL and COUNCILMAN XAVIER.

REPORTS FROM COMMITTEES

COUNCILMAN VINCENT J. CIRELLI, Chairman COMMITTEE ON ORDINANCES

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

Resolution Requesting the City Solicitor to Apply to the next Session of the General Assembly and Urge Passage of An Act Providing for Mandatory Jail Sentences Upon Conviction for Larceny from the Person of a Purse, Wallet, or Any Container in which Personal Effects are being Carried.

Whereas, The promiscuousness of purse snatching in the City of Providence, is one of growing concern to all citizens, the Police, which reported Two Hundred and Seventy One offenses, totaling losses in excess of Ten Thousand Dollars, as categorized in its annual report of 1974, and

Whereas, There is ever growing fear of citizens of all communities, particularly of senior citizens of such acts which often have resulted

in injury to the person, so that more stringent penalty should be provided for upon conviction of such an offense,

Now, Therefore, be it Resolved, That the City Solicitor is requested to apply to the next session of the General Assembly and to urge passage of an Act providing for a mandatory jail sentence of not less than six months nor more than one year imprisonment, upon being convicted for taking from the person a purse, wallet, or any container in which a person's personal effects are being carried.

Read and Passed, on motion of COUNCILMAN LYNCH, seconded by COUNCILMEN ADDISON, ALMAGNO, FLYNN, HENRIES and MANSOLILLO.

**The following is Returned with Recommendation
the Same be Not Passed:**

An Ordinance Creating a Department of Labor Relations in the City of Providence.

COUNCILMAN LYNCH moves the Ordinance be Not Passed.

This motion is seconded by COUNCILMEN ADDISON, FLYNN and GARAN.

COUNCILMAN PEARLMAN moves the Ordinance be Referred Back to the Committee on Ordinances.

This motion is seconded by COUNCILMAN BRADSHAW, and having precedence over the Main Motion, is Put to Vote and Not Passed.

The Main Motion to Not Pass is Put to Vote and Passed.

**The following is Returned with Recommendation
the Same be Denied:**

Petition of Lloyd Company, Lessee and Farview, Inc., Owner, to Change from an R-3 General Residence Zone to a C-1 Limited Commercial Zone, Portion of Lot 271, as Set Out and Delineated on City Assessor's Plat 12, Said Portion of Said Lot being Situated along the West-erly Side of Brook Street and of Waterman Street.

Denied, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON, by the following Roll Call Vote:

Ayes: Council President Haxton and Council-

men Addison, Ahern, Councilwoman Brassil, Councilmen Cirelli, Fagnoli, Flynn, Garan, Johnson, Lynch, Merola, Stravato, Tomasso and Xavier—13.

Noes: Councilmen Almagno, Bradshaw, Cola, Gorodetsky, Mansolillo, Pearlman, Petrosinelli and Salvatore—8.

Not Voting: Councilmen Henries, McKiernan and Tomasso—3.

Absent: Councilmen Crowley and Turchetta—2.

COUNCILMAN RALPH FARGNOLI, Chairman

COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

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

An Ordinance in Amednment of and in Addition to Chapter 1272 of the Ordinances of the City of Providence, Entitled "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Lippitt Hill Project, No. R. I. R-3."

Read and Passed the First Time, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON, by the following Roll Call Vote:

Ayes: Council President Haxton and Councilmen Addison, Bradshaw, Councilwoman Brassil,

Councilmen Cirelli, Fagnoli, Flynn, Garan, Lynch, Mansolillo, McKiernan, Merola, Pearlman, Salvatore, Stravato, Turchetta and Xavier—17.

Noes: None.

Not Voting: Councilmen Almagno, Cola, Gorodetsky, Henries, Petrosinelli and Tomasso—6.

Absent: Councilmen Ahern, Crowley and Johnson—3.

The following are Returned with Recommendation the Same be Severally Received:

Report from the Providence Redevelopment Agency dated November 3, 1975, Informing the Honorable City Council, Concerning the Proposed Sale of Real Property within the Weybosset Hill Project, R. I. R-7, of Parcel 16A to the Weybosset Hill Development Corporation and Downtown Realty Incorporated, for the Construction of One Hundred (100) Units of Housing for the Elderly and within the Comstock Redevelopment Project for Residential Construction, as follows:

Sale of Parcel 16A consisting of 46,861 sq. ft. of land and delineated on the attached map for the disposition price of \$50,700.00 to Weybosset Hill Development Corporation and Downtown Realty, Inc. for the construction of 100 units of housing for the elderly.

Sale of Parcel 18 consisting of 7,955 sq. ft. of land and delineated on the attached map for the disposition price of \$796.00 to Pearl Jones of 81 Potters Avenue, Providence, R. I. for residential construction.

Sale of Parcel 20 consisting of 5,616 sq. ft. of land and delineated on the attached map for the disposition price of \$562.00 to Barbara Towns of 169 Briggs Street, Providence, R. I. for residential construction.

Sale of Parcel 21 consisting of 5,616 sq. ft. of land and delineated on the attached map for the disposition price of \$562.00 to James Mylers of 100 Lenox Avenue, Providence, R. I. for residential construction.

Sale of Parcel 26 consisting of 5,817 sq. ft. of land and delineated on the attached map for the disposition price of \$582.00 to Loletta Bryant of 59 Comstock Avenue, Providence, R. I. for residential construction.

Sale of Parcel 27 consisting of 5,817 sq. ft. of land and delineated on the attached map for the disposition price of \$582.00 to Johnnie L. Evans of 131 Wadsworth Street, Providence, R. I. for residential construction.

Sale of Parcel 28 consisting of 6,519 sq. ft. of land and delineated on the attached map for the disposition price of \$652.00 to James R. Robertson and Emma L. Robertson of 93 Pavillion Avenue, Providence, R. I. for residential construction.

Sale of Parcel 29 consisting of 5,817 sq. ft. of land and delineated on the attached map for the disposition price of \$582.00 to Juan Q. Espinal of 71 Glenham Street, Providence, R. I. for residential construction.

Sale of Parcel 30 consisting of 6,519 sq. ft. of land and delineated on the attached map for the disposition price of \$650.00 to George Johnson of 19 Bellevue Avenue, Providence, R. I. for residential construction.

Sale of Parcel 39 consisting of 5,659 sq. ft. of land and delineated on the attached map for the disposition price of \$565.00 to Luis L. Ariza of 21 Princeton Avenue, Providence, R. I. for residential construction.

Received.

Report of the Providence Redevelopment Agency, dated November 17, 1975 Informing the Honorable City Council of Its Proposed Sale of Parcel 3 (Year I) within the West Broadway NDP A2-1, to Federal Hill House Association, Providence, as follows:

Sale of Parcel 3 (Year I) consisting of 34,900 sq. ft. of land and delineated on the attached map within the West Broadway NDP, A2-1 for the disposition price of \$14,000 to Federal Hill House Association of 4 Bell Street, Providence, Rhode Island. The parcel will be developed as a neighborhood facility in accordance with plans approved by the Providence Redevelopment Agency.

Received.

COUNCILMAN HARRY A. JOHNSON, Chairman
COMMITTEE ON CITY PROPERTY

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

Resolution Authorizing the Board of Contract and Supply to Purchase from the Providence Redevelopment Agency, Disposition Parcel 17, in the West Broadway NDP A2-1 — Year II Project, at a Cost Not to Exceed Sixty One Thousand Dollars (\$61,000.00) for School Purposes.

Resolved, That the Board of Contract and Supply is hereby authorized to purchase from the Providence Redevelopment Agency that certain parcel of land known as disposition Parcel 17 in the West Broadway NDP A2-1 — Year 2 project containing approximately 225,982 square feet or 5.188 acres of land at a cost not to exceed \$61,000.00, which said land shall be used for school purposes, said expenditure to be charged to "School Modernization and Construction Loan 4 per State Public Law No. 142 of 1971 and City Council Resolution No. 73 approved February 14, 1974."

Read and Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN ADDISON, MEROLA, TOMASSO and TURCHETTA**, by the following Roll Call Vote:

Ayes: Council President Haxton and Councilmen Addison, Almagno, Bradshaw, Councilwoman Brassil, Councilmen Cirelli, Cola, Fargnoli,

Flynn, Garan, Gorodetsky, Henries, Lynch, Mansolillo, McKiernan, Merola, Pearlman, Petrosinelli, Salvatore, Stravato, Tomasso, Turchetta and Xavier—23.

Noes: None.

Absent: Councilmen Ahern, Crowley and Johnson—3.

Resolution Requesting the Director of the Department of Public Property to File a Financial Report with the City Council of the Operation of All Concessions on Engineer's Field, so-called, During the 1975 Labor Day Weekend.

Resolved, That the Director of the Department of Public Property is requested to file a financial report with the City Council concerning the operation of all concessions that were permitted during the 1975 Labor Day Weekend on Engineer's Field, so-called.

Read and Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMEN ADDISON and GARAN**.

**The following is Returned with Recommendation
the Veto by His Honor the Mayor dated
August 15, 1975, be Overridden:**

Communication from His Honor the Mayor, dated August 15, 1975, Informing the Honorable City Council of His Disapproval and Veto of the Resolution of the City Council Conveying Certain City Owned Lots of Land Situated along the

Westerly Side of Netop Drive and the Northerly Side of Spooner Street, to Max Klein and Dorothy Klein, 25 Orchard Street, Cranston, R. I.; and that the Recommendation of the Committee on City Property dated July 21, 1975, Trans-

mitting the Accompanying Resolution with Recommendation the Same be Adopted, be Sustained and the Action of the City Council of August 7, 1975, Whereby the Subject Resolution was Adopted, be Further Sustained.

COUNCILMAN MANSOLILLO informs the Chair that under the provisions of Section 3.18 entitled "Approval of Ordinance, Resolution by Mayor; reconsideration and veto" the time for considering the Mayor's Veto has run and therefore the Council cannot consider any action to override the Veto of the Mayor dated August 15, 1975.

COUNCILMAN GORODETSKY informs the Chair that the provisions of Section 3.18 prevail, and that the consideration of this matter is not in order and further requests a ruling from the Chair.

COUNCIL PRESIDENT HAXTON concurs in the opinions of **COUNCILMAN MANSOLILLO** and **COUNCILMAN GORODETSKY**, and rules that the subject Veto cannot be Overridden.

COUNCILMAN LYNCH moves that the Communication from His Honor the Mayor, dated August 15, 1975, Informing the Honorable City Council of His Disapproval and Veto of the Resolution of the City Council Conveying Certain City Owned Lots of Land Situated along the Westerly Side of Netop Drive and the Northerly Side of Spooner Street, to Max Klein and Dorothy Klein, 25 Orchard Street, Cranston, R. I., be Received.

This motion being seconded by **COUNCILMAN ADDISON** is Put to Vote and Passed.

COUNCILMAN ROBERT F. LYNCH, Chairman
COMMITTEE ON FINANCE

Transmits the following with Recommendation
the Same be Adopted:

Resolution Refunding to Certain Taxpayers Sums of Monies Representing Overpayment of Taxes to the City Collector for the Year, 1975.

Resolved, That the accompanying certificates, numbers 3617 thru 3632 (except nos. 3621, 3624 and 3625) representing overpayment of City Taxes for the year 1975 are hereby refunded in the amounts overpaid. (For list of Taxes see files of City Council this date.)

Read and Passed, on motion of **COUNCILMAN LYNCH**, seconded by **COUNCILMAN FLYNN**, by the following Roll Call Vote:

Ayes: Council President Haxton and Councilmen Almagno, Bradshaw, Councilwoman Brassil, Councilmen Cirelli, Cola, Fagnoli, Flynn, Gorodetsky, Henries, Lynch, Mansolillo, McKiernan, Merola, Pearlman, Petrosinelli, Salvatore, Tomasso, Turchetta and Xavier—20.

Noes: None.

Absent: Councilmen Addison, Ahern, Crowley, Garan, Johnson and Stravato—6.

RECESS

On motion of **COUNCILMAN McKIERNAN**, P.M. (E.S.T.) to Reconvene at the Call of the seconded by **COUNCILMAN LYNCH**, it is Voted Chair. that the Council be in Recess at 9:55 o'clock

RECONVENTION

COUNCIL PRESIDENT HAXTON Reconvenes the Council at 10:35 o'clock P.M. (E.S.T.) and directs the Clerk to Call the Roll to Ascertain if there is a Quorum Present:

Present: Council President Haxton and Councilmen Addison, Ahern, Almagno, Bradshaw,

Councilwoman Brassil, Councilmen Cirelli, Cola, Fargnoli, Flynn, Garan, Gorodetsky, Henries, Lynch, Mansolillo, McKiernan, Merola, Pearlman, Petrosinelli, Salvatore, Stravato, Tomasso, Turchetta and Xavier—24.

Absent: Councilmen Crowley and Johnson—2.

COUNCILMAN LOUIS R. STRAVATO, Chairman

COMMITTEE ON CLAIMS AND PENDING SUITS

Transmits the following with Recommendation
the Same be Severally Approved:

Certificates from the City Assessor 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, 1956, as Amended, as follows:

2-N, Page 14

3-N, Pages 5, 19 and 21

27-N, Page 14

COUNCILMAN McKIERNAN moves that Pages numbered 5 and 21, incorporated on Certificate "3-N" be Referred back to the Committee on Claims and Pending Suits.

This motion being seconded by **COUNCILMEN AHERN, LYNCH, STRAVATO** and **TOMASSO**, is put to Vote and Passed.

Certificates Numbered 2-N, Page 14; 3-N, Page 19; and 27-N Page 14, are Severally Approved, on motion of COUNCILMAN GARAN, seconded by COUNCILMAN ADDISON, by the following Roll Call Vote:

Ayes: Council President Haxton and Councilmen Addison, Ahern, Almagno, Bradshaw, Councilwoman Brassil, Councilmen Cirelli, Cola, Fargnoli, Flynn, Garan, Gorodetsky, Henries, Mansolillo, McKiernan, Merola, Pearlman, Petrosinelli, Salvatore, Stravato, Tomasso, Turchetta and Xavier—23.

Noes: None.

Not Voting: Councilman Lynch—1.

Absent: Councilmen Crowley and Johnson—2.

COUNCILMAN TOMASSO speaks and submits the following Communications for the Record.

December 10, 1975

Governor Philip W. Noel
State House
Providence, Rhode Island 02903

Dear Governor Noel:

At a meeting of the Committee of Claims and Pending Suits of the Providence City Council held on December 9, 1975, a glaring inequity in property (motor vehicle) assessment for the purpose of taxation came to light.

There was apparently an unwritten agreement formulated between the new car dealers of the City of Providence and the City of Providence's Tax Assessors Department during a past administration. The agreement, in principal, involved a negotiated flat rate valuation for new car inventories on a continuing basis, with no relationship to the actual value of said inventories. Information was conveyed at the meeting which

indicated that the agreement was formulated in response to dealers' demands that the City of Providence value dealers' inventories in a manner consistent with values imposed by neighboring cities and towns, or that it might be necessary to consider moving dealerships to those cities and towns that provide a more advantageous valuation.

As the Governor of our State and a former practicing attorney, I am sure that you are aware of the fact that both the State and Federal Courts have expounded on the necessity of assessing property uniformly, and they have, in certain circumstances, ordered uniform assessment for the purposes of taxation. From the information presented at the Committee hearing it would appear that the valuation imposed on new car dealers' inventories is both arbitrary and capricious, depending upon the assessing authority. This results, in effect, in the creation of a special class for the purposes of taxation.

It is imperative that your Administration demonstrate leadership in mitigating this oppressive inequity. I would suggest the immediate formulation and enactment of legislation that would provide that a State officer be required to set a value on every motor vehicle, both wholesale and retail by year, make and model for the purposes of assessment. The enactment should also include a provision making it mandatory that the several cities and towns use the values so set in assessing motor vehicles.

I am concerned that the individual owner of a motor vehicle has a valuation placed on his vehicle that is totally inconsistent with and which bears no reasonable resemblance to the identical vehicle owned by a dealership. Similarly, I question the reasoning that holds that identical vehicle held by dealerships in different taxing jurisdictions should have a different valuation placed thereon. I am sure that you recognize that the creation of a special class of taxpayers that does not fully assume its responsibilities imposes an inequitable burden on the rest of the taxpayers who do not enjoy the privilege of the special class.

This inequity should not be fostered and allowed to perpetuate itself unchecked. I cannot, and I will not condone a system that operates to the detriment of the ordinary taxpayer, who already is suffering from the economic ills of our environment. I ask for your assistance in giving relief to the many voiceless taxpayers who are bearing a disproportionate share of the tax burden.

Trusting that this situation will receive your prompt attention and immediate affirmative action, I am

Very truly yours,
RAYMOND A. TOMASSO
Councilman
WARD 9 — PROVIDENCE

December 16, 1975

Dear Senator:

I am writing to you to ask for your assistance in mitigating an inequitable tax burden that has been imposed upon Providence new car dealers. Once again, it has been clearly demonstrated that there is a need for uniform property assessments (see attached article from the Providence Journal). It would appear that clear and convincing action is needed by the State Legislature if this goal is to be achieved. It is my conviction that movement toward the goal of tax-equalization could be fostered by implementation of a plan involving motor vehicles, due to the extreme ease of classification by year and model.

The dealerships in the City of Providence should no longer be forced to compete at an

economic disadvantage with those dealerships in outlying communities due to the inconsistency of valuations placed on inventories by the various communities. The perpetuation of this inequitable system of valuations for the purpose of taxation will cause Providence dealers to re-evaluate their commitment to doing business in our City. Subsequent appraisals of the local business environment could lead to a further movement of our dealerships to the surrounding communities. This could lead to the loss of employment of our citizens and a deterioration of our base of taxable property.

I have enclosed herewith a copy of a letter I delivered to the Office of the Governor seeking the support and assistance of his administration. I urge you to work for and support this program of tax equalization as suggested in the aforementioned letter.

The Power to Tax is the Power to Destroy!
Your failure to support state wide tax valuations for dealer's inventories could conceivably destroy the last vestiges of new car dealerships in the City of Providence.

I look forward to hearing from you relative to the cooperation that can be expected in promoting this legislation that will benefit not only the local businessmen, but all the citizens of the City of Providence.

With best wishes for the Holiday Season, I am

Very Truly yours.

RAYMOND A. TOMASSO
Councilman
WARD 9 — PROVIDENCE

Received.

COMMUNICATION AND REPORTS

FROM ROBERT C. LAURELLI, CHAIRMAN OF THE BOARD OF PARK COMMISSIONERS

Communication Informing the Honorable City Council that National Plumbing and Heating Supply Corporation of 333 Harris Avenue, Providence, of which He is President, Desires to Bid on Municipal Supplies.

Received.

Providence, Rhode Island, for Residential Construction.

Referred to the Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

FROM PROVIDENCE REDEVELOPMENT AGENCY

Report, dated December 12, 1975, Informing the Honorable City Council of Its Proposed Sale of Real Property within the Comstock Redevelopment Project of Disposition Parcel 23, for the Price of Five Hundred Sixty Dollars (\$560.00) to Donald and Lucy Bradley, 120 Robinson Street,

FROM BOARD OF TAX ASSESSMENT REVIEW

Report, dated December 1, 1975, Transmitting Certificates Numbered 1 through 24, Inclusive Informing the Honorable City Council that It has Reviewed Certain Taxes Incorporated in the Above Noted Certificates and Made Changes Authorized by Section 13 of Chapter 1665 of the Public Laws of 1945, as Amended.

Received.

PETITION

COUNCILMAN JOHNSON and COUNCILMAN McKIERNAN (By Request):

Petition of Louis A. Squillante, 55 Crary Street, Providence, et als, for a Crossing Guard or a Policeman at the Intersection of Sayles Street and Gordon Avenue.

Referred to the Committee on Public Welfare, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN ADDISON.

FROM THE CLERK'S DESK

Petition of Josephine Gelsomina Giacchi to Amend the Zoning Map which is a Part of the Zoning Ordinance of the City of Providence, Chapter 544, Approved September 21, 1951, as Amended by Changing from an R-1 One Family Zone, to a C-1 General Commercial Zone, Lots 242, 243, 245 and 246, as Set Out and Delineated on City Assessor's Plat 124; Said Lots being Situated along the Westerly Side of Admiral Street and Designated as 864-68, 872-74 and 876-78 Admiral Street.

Referred to the Committee on Ordinances, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN GARAN.

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

Amica Mutual Insurance Company, as subrogee of William H. and Linda W. Bradstreet

Thelma and Anthony Birrelli

Rita C. Delfino

General Accident Fire & Life Assurance Corp. Ltd., as subrogee of William S. Gleason

Dwight Miller

Old Colony Co-operative Bank

Roger Perry

Elizabeth Poston p.p.a. Calvin W. Poston

Sharon B. Resnick

Sandra Lee Ross

Severally Referred to the Committee on Claims and Pending Suits, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN GARAN.

On motion of COUNCILMAN LYNCH, seconded by COUNCILMAN GARAN, it is Voted to Suspend Rule 2 of the Rules of the City Council in Order to Allow the Council to Meet on a Day Other than Provided in Said Rule 2.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN LYNCH, seconded by COUNCILMAN FLYNN, the City Council adjourns at 11:10 o'clock P.M. (E.S.T.) to meet again on THURSDAY, JANUARY 8, 1976 at 8:00 o'clock P.M. (E.S.T.).

Vincent Vespia

City Clerk

