

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 4 City Council Regular Meeting, Thursday, February 20, 2003, 7:30 o'clock P.M. (E.S.T.)

PRESIDING

COUNCIL PRESIDENT

JOHN J. LOMBARDI

IN CITY COUNCIL

AUG 7 2003

APPROVED:

ROLL CALL

Michael S. Clement

Present: Council President Lombardi,
Councilmen Allen, Aponte, Butler, DeLuca,
Hassett, Igliozzi, Jackson, Luna, Mancini,
Councilwoman Romano, Councilman Segal
and Councilwoman Williams—13.

Absent: Councilwomen DiRuzzo and
Young—2.

Also Present: Ralph Guglielmino, City
Sergeant, Joseph Fernandez, City Solicitor,
Claire E. Bestwick, First Deputy City Clerk
and Sheri A. Petronio, Assistant Clerk.

INVOCATION

The Invocation is given by COUNCILMAN
PATRICK K. BUTLER.

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.

COUNCILWOMAN JOSEPHINE
DiRUZZO joins the meeting.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated February 10, 2003,
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 appointing Mr. James V.
DeRentis of 715 Westminster Street, Provi-
dence, Rhode Island 02903, as a Member of the
Providence Redevelopment Agency for a term
to expire in July 2005. Mr. DeRentis will replace
Mr. Paul Brooks, who has resigned.

Communication dated February 14, 2003,
Informing the Honorable Members of the City
Council that pursuant to Sections 302(b) and
1003 of the Providence Home Rule Charter of
1980, he is this day appointing Ms. Jill Jaffe
of 15 Freeman Parkway, Providence, Rhode
Island 02906, as a Member of the Board of Park
Commissioners for a term to expire in January
2007.

Communication dated February 14, 2003, Informing the Honorable Members of the City Council that pursuant to Article III, Sec. 3.03 — 3.06(a) and 3.08(a), he is this day reappointing Mr. Paul McDonald of 1201 Elmwood Avenue, Providence, Rhode Island 02907, as a Member of the Public Sector of the Board of Directors of the Providence Community Action Program, Inc., for a term to expire in January 2005.

Communication dated February 14, 2003, Informing the Honorable Members of the City Council that pursuant to Article III, Sec. 3.03 — 3.06(a) and 3.08(a), he is this day appointing Ms. Teny Gross of 22 Stamford Avenue, Providence, Rhode Island 02907, as a Member of the Public Sector of the Board of Directors of the Providence Community Action Program, Inc., for a term to expire in January 2005.

Communication dated February 14, 2003, Informing the Honorable Members of the City Council that pursuant to Article III, Sec. 3.03 — 3.06(a) and 3.08(a), he is this day appointing Mr. Warren Heyman of 1201 Elmwood Avenue, Providence, Rhode Island 02907, as a Member of the Public Sector of the Board of Directors of the Providence Community Action Program, Inc., for a term to expire in January 2005.

Communication dated February 14, 2003, Informing the Honorable Members of the City Council that pursuant to Code of Ordinances Sec. 2-377, he is this day reappointing Ms. Kai Cameron of 120 Robinson Street, Providence, Rhode Island 02905, as a Member of the Juvenile Hearing Board, for a term to expire December 31, 2005.

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

Severally Received.

Communication dated February 14, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 415 of the Providence Home Rule Charter of 1980, as amended, he is this day reappointing Mr. Michael Van Leesten of 11 Belair Avenue, Providence, Rhode Island 02906, as a Member of the Salary Review Commission, for a term to expire in January 2007, and respectfully submits the same for approval.

Communication dated February 14, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 415 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Ms. Merrill Sherman of 24 Channing Street, Providence, Rhode Island 02906, as a Member of the Salary Review Commission, for a term to expire in January 2007, and respectfully submits the same for approval.

Communication dated February 14, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 415 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Mr. Stephen Lichatin of 326 Taber Avenue, Providence, Rhode Island, as a Member of the Salary Review Commission, for a term to expire in January 2007, and respectfully submits the same for approval.

Communication dated February 14, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Sister Ann Keefe of 23 Plum Street, Providence, Rhode Island 02905, as a Member of the Providence Human Relations Commission, for a term to expire in January 2006, and respectfully submits the same for approval.

Communication dated February 14, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1103 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Ms. Mary Kay Harris of 44 Superior Street, Providence, Rhode Island 02907, as a Member of the Providence Human Relations Commission, for a term to expire in January 2006, and respectfully submits the same for approval.

Communication dated February 14, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, as amended, he is this day appointing Ms. Jennifer Cole-Steele of 49 Ring Street, Providence, Rhode Island 02909, as a Member of the City Plan Commission, for a term to expire in January 2008, and respectfully submits the same for approval.

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

COUNCIL PRESIDENT LOMBARDI Severally Receives the Communications and Refers the Same to the Committee on Finance.

The motion to Receive and Refer is Sustained.

APPOINTMENTS BY THE PRESIDENT OF THE CITY COUNCIL

Communication from Council President John J. Lombardi, dated February 13, 2003, naming appointments to various Special Committees of the City Council for the term of January 2003 to January 2007.

Received.

Communication from Council President John J. Lombardi, dated February 14, 2003, appointing the following members to a Sub-Committee of the Committee on Ordinances to study Limited On-Street Parking (the Pn-Street Permit Parking Sub-Committee): Councilman Patrick K. Butler, Councilman David A. Segal and Councilwoman Rita M. Williams.

COUNCILMAN APONTE moves to expunge the foregoing matter, seconded by COUNCILWOMAN WILLIAMS.

The motion to Expunge is Sustained.

ORDINANCES SECOND READING

The following Ordinances were in City Council February 6, 2003, Read and Passed the First Time and are severally returned for Passage the Second Time:

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

Be it ordained by the City of Providence:

| From | To | Change |
|------|----|--------|
|------|----|--------|

Revenues:

| | | |
|---|---------|---------|
| R.I. Hospital Air Rights (#101-000-48344) | | |
| 150,000 | 300,000 | 150,000 |

| | | |
|---|------------|---------|
| School Debt Construction (#101-000-42004) | | |
| 11,548,000 | 11,778,000 | 230,000 |

| | | |
|---------------------------------------|------------|-----------|
| Excise Reimbursement (#101-000-42008) | | |
| 17,890,689 | 18,060,689 | 170,000 |
| | | \$550,000 |

Appropriations:

| | | |
|-----------------------------------|-----------|---------|
| Mayor's Salaries (#101-101-50010) | | |
| 1,200,000 | 1,899,000 | 699,000 |

| | | |
|--|-----------|--------|
| Law Department Salaries (#101-105-50010) | | |
| 1,145,322 | 1,182,822 | 37,500 |

| | | |
|-----------------------------------|-----------|--------|
| Finance Salaries (#101-201-50010) | | |
| 1,235,400 | 1,287,900 | 52,500 |

| | | |
|-------------------------------|------------|-----------|
| Debt Service (#101-223-53045) | | |
| 13,440,217 | 12,876,217 | (564,000) |

| | | |
|--------------------------------------|-----------|--------|
| Recreation Salaries (#101-601-50010) | | |
| 1,072,632 | 1,097,632 | 25,000 |

| | | |
|--|---------|-----------|
| Unemployment Compensation (#101-800-51970) | | |
| 95,000 | 395,000 | 300,000 |
| | | \$550,000 |

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

Be it ordained by the City of Providence:

| | <i>From</i> | <i>To</i> |
|------------------------------|-------------|-----------|
| Police Chief | A-28 | \$138,000 |
| Municipal Integrity Officer | — | \$ 75,000 |
| ProvStats Officer | — | \$ 75,000 |
| Adm. Asst. ProvStat | — | \$ 30,000 |
| Director of Elderly Services | — | \$ 50,000 |

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

Be it ordained by the City of Providence:

Section 3. Department of Law

Add: One (1) Municipal Integrity Officer

Total Allowed 21

Section 7. Finance Department

Add: One (1) ProvStat Manager
One (1) Administrative Assistant to ProvStat Manager

Total Allowed 15

Section 38. Recreation Department

Add: One (1) Director of Senior Services

Total Allowed 28

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

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

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Iglizzo, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwoman Williams—14.

Nays: None.

Absent: Councilwoman Young—1.

The motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCES

COUNCIL PRESIDENT LOMBARDI (By Request):

An Ordinance establishing a tax stabilization for the Capital Hotels, LLC, to be located at 121-133 Fountain Street.

COUNCILMAN MANCINI (By Request):

An Ordinance establishing a tax stabilization plan for One Reservoir Avenue.

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

The motion to Refer is Sustained.

COUNCIL PRESIDENT LOMBARDI Severally Refers the Ordinances to the Committee on Finance.

PRESENTATION OF RESOLUTIONS

COUNCILMAN DeLUCA (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of a "no parking anytime" sign across from 89 Sisson Street.

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

The motion to Refer is Sustained.

Resolution Requesting the Chief Electrical Inspector to cause the upgrade of street lighting along Greenwood Street on pole #14 at 150 Erastus Street.

Resolved, That the Chief Electrical Inspector is requested to cause the upgrade of street lighting along Greenwood Street on pole #14 at 150 Erastus Street.

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

The motion for Passage is Sustained.

COUNCILMAN DeLUCA and COUNCILMAN BUTLER:

Resolution Requesting the Committee on Ordinances to draft an ordinance prohibiting all city owned vehicles from leaving city limits unless on authorized official city business.

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

The motion to Refer is Sustained.

Resolution Requesting the Council President John J. Lombardi to establish a nine member commission of the City Council to study conditional on street parking by application and permit, to include the following members: two (2) Council members, Director of Public Works, City Solicitor or designee, one (1) Real Estate Agent, the Mayor or designee, the Traffic Engineer or designee, one (1) member of the Police Department (Traffic Division) and one (1) Home Owner.

Resolved, That Council President John J. Lombardi is requested to establish a nine member commission of the City Council to study conditional on street parking by application and permit, to include the following members: two (2) Council members, Director of Public Works, City Solicitor or designee, one (1) Real Estate Agent, the Mayor or designee, the Traffic Engineer or designee, one (1) member of the Police Department (Traffic Division) and one (1) Home Owner.

COUNCILMAN APONTE moves to amend the foregoing Resolution, seconded by **COUNCILWOMAN WILLIAMS**.

COUNCILMAN APONTE moves to amend the Resolution by deleting the word "committee" and replacing it with "commission", seconded by **COUNCILWOMAN WILLIAMS**.

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

The motion for Passage, as amended, is Sustained.

COUNCIL PRESIDENT LOMBARDI, COUNCILMAN ALLEN, COUNCILMAN APONTE, COUNCILMAN BUTLER, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMAN HASSETT, COUNCILMAN IGLOZZI, COUNCILMAN JACKSON, COUNCILMAN LUNA, COUNCILMAN MANCINI, COUNCILWOMAN ROMANO, COUNCILMAN SEGAL, COUNCILWOMAN WILLIAMS AND COUNCILWOMAN YOUNG:

Resolution Extending Sincere Congratulations to Sojourner House, Advocacy & Resource

Center upon the Grand Opening of a new facility on Thursday, January 30, 2003.

Resolved, That the Members of the Providence City Council hereby extend Sincere Congratulations to Sojourner House, Advocacy & Resource Center upon the Grand Opening of a new facility on Thursday, January 30, 2003.

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

The motion for Passage is Sustained.

COUNCILMAN JACKSON (By Request):

Resolution Requesting the amend Resolution #75, approved February 13, 2002 for the abatement of the taxes for Assessor's Plat 6, Lot 141 (140 Cypress Street) for the Mount Hope Learning Center, to include the taxes for the year 2002 in the amount of five thousand four hundred fifty-two dollars and eleven cents (\$5,452.11).

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

The motion to Refer is Sustained.

COUNCILWOMAN YOUNG:

Resolution Proclaiming February 13, 2003 as Providence Collaboration Day.

Whereas, Providence is blessed with a multitude of families — an essential part of the diverse cultural, social and spiritual fabric that is Providence;

Whereas, Providence recognizes strong families are at the center of strong community collaborations;

Whereas, Everyone has a role to play in making families successful, including neighborhood organizations, businesses, nonprofit agencies, policymakers and, of course families themselves;

Whereas, During Valentine's week we should all take time to honor the importance of collaboration, and recognize the special connections that support and strengthen our community year-round;

Whereas, We all recommit to enhancing and extending all of the collaboration that strengthen and enrich our families;

Whereas, With the assistance and resources of agencies and organizations such as the Washington Park Community Center, Elmwood Foundation, ChisPA, Parent Support Network, International Institute of Rhode Island, and all community organizations, we can help families of all shapes and sizes create a better future for all Providence;

Now, therefore, be it Resolved, The City Council of the City of Providence hereby proclaims February 13th, Providence Collaboration Day.

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

The motion for Passage is Sustained.

REPORTS FROM COMMITTEES

COMMITTEE ON CITY PROPERTY

COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman

Transmits the following with recommendation the same be Approved:

Resolution Authorizing the Providence Water Supply Board to enter into a lease with the North Scituate Fire Department #1 for approximately three acres of property on Danielson Pike owned by the Water Supply Board, for a period of fifteen (15) years, in accordance with the vote of the Water Supply Board on May 16, 2001.

Whereas, A fifty (50) year lease to the North Scituate Fire Department #1 of a .20 acre piece

of property on Danielson Pike owned by Providence Water expired in May of 2000, and

Whereas, The North Scituate Fire Department has asked Providence Water to execute a new lease of approximately three (3) acres of property on Danielson Pike for the same purpose, and

Whereasm The term of the lease will be for fifteen (15) years and in consideration for the

lease the North Scituate Fire Department will pay the annual tax payment on the subject property, plus the sum of one dollar (\$1.00).

Now, therefore, be it Resolved, That the Board of Directors voted to authorize the Chief Engineer and General Manager to lease the land from the City of Providence to the North Scituate Fire Department #1 for a fifteen (15) year term for annual compensation of tax payments on the land plus the sum of one dollar

(\$1.00), and process the lease, subsequent to the addition of a provision requiring the Lessee to maintain liability insurance on the parcel, through the City of Providence, for its approval, and further, authorize the necessary recordings.

This Resolution shall take effect upon passage.

COMMITTEE ON PUBLIC WORKS
COUNCILMAN TERRENCE M. HASSETT, Chairman

**Transmits the following with recommenda-
tion the same be severally Approved:**

Resolution Granting an easement on George Street.

It is hereby Resolved, That His Honor, the Mayor, is authorized to grant a non-exclusive sub-surface easement below George Street in the City of Providence to Brown University ("Petitioner"). Said easement shall be granted specifically upon the following provisions:

1. Said easement shall be utilized only for the installation and maintenance of electrical services. Said easement shall not exceed the area indicated by the cross-hatched area on the accompanying maps marked as Exhibit A.

2. Said easement shall be deemed to run with the land and shall operate against any successors in title and the easement or memorandum of same shall be recorded in the Office of Land Records for the City of Providence.

3. Said easement shall be subject to a right of reverter/right of reversion in the event that the situs of the easement is no longer utilized for the aforestated purposes. Additionally, it shall be for a term of not more than twenty (20) years.

4. Petitioner shall tender the sum of one thousand eight hundred dollars (\$1,800.00) in legal tender of the United States of America.

5. Any breakout necessary for installation and/or repair shall be resurfaced/rehabilitated to the approval of the Director of the Department of Public Works.

6. Any installation of utilities or utility lines shall be underground so as to preserve the public right-of-way.

7. Any installation of electrical mechanism shall be by the approval of the Department of Inspections & Standards.

8. Petitioner shall ascertain that construction results in no adverse impact on any existing utility company and shall ensure the continued integrity of those existing structures.

9. Petitioner shall execute an indemnification and hold-harmless agreement with the City of Providence. Said agreement shall be approved by the Department of Law of the City of Providence.

10. Petitioner shall supply the City of Providence with an insurance policy naming the City of Providence, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00) which policy shall be approved by the Department of Law of the City of Providence.

11. Petitioner shall not lay, construct or affix to the realty any temporary or permanent structure other than described earlier herein.

12. Petitioner recognizes the applicability of Sections 23-107, 23-108 and 23-190 of the Code of Ordinances which read as follows:

23-107. *Indemnity of city against claims arising out of electrical installations.* No right of any person to maintain, use or operate any poles, wires, cables, conduits, ducts, pipes, manholes, handholes, or other appliances or appurtenances in any street or other traveled way in the city, shall be in preference or hindrance of public work in the city, and should any of the same in any way interfere with the construction, alteration or repair of any public work in, under, or over any such street or way, whether done by the city directly or by any contractor for the city, such person shall at his own expense protect, alter or move any of the same so interfering to some other location, or

discontinue the use and operation thereof for the time being, as directed by the director of public works, without the city being liable for any damages suffered by such person thereby. The City shall notify such person not fewer than ninety (90) days prior to such public work, which will interfere with any of the same or the use or operation thereof. In case such person shall fail to comply with any such direction of said director, the city may protect, alter or move the same, and recover the cost thereof from such person.

23-108. *Precedence of wires, apparatus of city signal service.* The wires, poles, posts, structures and supports of the telephone, fire alarm and police signal service maintained by the city shall at all times take precedence and right-of-way as to all other wires, poles, posts, structures and supports maintained or erected in the city; and no lineman or other person, either in erecting wires, poles, posts, structures or supports in any way whatsoever shall interfere with, or disturb, disarrange or change any wires maintained by the city, or any appurtenance thereof; and in every instance of removal of any said wires, poles, posts, structures or supports for the accommodation of any other corporation or party, or to place the same beyond danger from the electric current of any other corporation or party, the expense incident to said removal shall be paid immediately by such other corporation or party.

23-109. *Indemnity of city against claims arising out of electrical installation.* Every person erecting, maintaining or using electric wires or poles, fixture or structures, for the support or conducting of the same shall indemnify and save harmless the city, its officers, agents and servants, from and against all lawful claims and demands for injuries to persons or property occasioned by the existence of such poles, wires, fixtures or structures or the transmission of electric current by means thereof or by the digging up, opening or keeping open of any street, highway, traveled way,

public place or part thereof, which shall be or has been opened for the purpose of installing, constructing or repairing any underground conduit, duct, structure, appliance or appurtenance by or for such person, or by any failure of such person to restore and keep in sound and safe condition for the required time any ground opened or dug up in the prosecution of any of its work in any street, way or place. The city, the city council, or the officers, agents or servants of the city, exercising the rights, powers or permission, and subject to the restrictions, respectively given and reserved herein shall not be held liable by such person or corporation on account thereof, or by reason of any injury or damage caused thereby.

13. Petitioner shall repave all excavated roadways in accordance with relevant ordinances, industry standards and to the reasonable satisfaction of the Director of Public Works, its successors and assigns, shall guarantee the fitness of said repairing and shall make, at its own cost, all necessary modifications, alterations and repairs to said repaving for a period of not fewer than five (5) years.

14. In addition to Paragraph 12 above, in the event that the City of Providence or its designee shall, for any public purpose, require the extinguishment of the easement granted herein and upon ninety (90) days notice hereinbefore mentioned, Petitioner shall, at its own expense, and without claim against the City, its Officers, servants or employees, for any damages whatsoever, remove said improvements to the easement area.

15. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Property and/or as may be deemed appropriate by the Mayor or the Department of Law.

Resolution Granting an easement on which to construct a handicapped accessibility ramp to provide accessibility to the property (The Owen Building) located at 101 Dyer Street, Assessor's Plat 20, Lot 96.

Whereas, Koffler Group (hereinafter "Petitioner"), has sought:

(a) to alter the existing grade of the sidewalk located adjacent to 101 Dyer Street in the City of Providence; and

(b) to construct a handicapped access ramp adjacent to said real estate; and

Whereas, Said access ramp will encroach upon the public walkway; and

Whereas, After study of the Petitioner's request, the City, acting through its appropriate authorities, has determined that the proposed encroachments are not adverse to the public interest,

Now, therefore, be it Resolved, That His Honor the Mayor may grant the Petitioner permission to encroach upon the public way for the purpose of constructing and maintaining a handicapped-access ramp at or near the entrance to the building located at 101 Dyer Street. The dimensions of the encroachment shall not exceed the cross-hatched area on the accompanying map (Exhibit "A") said grant is specifically conditioned upon the following:

1. All construction with relation to the said ramps is to be completed in accordance with plans and specifications submitted by the Petitioner to the City Department of Inspection & Standards as those plan may have been modified and/or approved by said department, the Department of Public Works, and the Council Committee on Public Works.

2. The Petitioner shall supply and retain in effect a certificate of insurance in an amount

of not less than one hundred thousand dollars (\$100,000.00) protecting the City of Providence, its agents, officers, servants and employees as additional-named insureds against claims for construction, maintenance and/or existense of said ramp encroachment. Said insurance shall be from a company and in a form acceptable to the Department of Law.

3. A certified copy of the within Resolution shall be recorded in the Office of Land Evidence of the City of Providence.

4. Any rights or obligations granted hereunder shall be deemed to run with the land and shall operate against any and all successors in interest and/or title.

5. Petitioner shall ascertain that construction in no adverse impact on any existing utility company and shall ensure the continued integrity of those existing structures and if necessary shall grant to the appropriate public utility(ies) and/or governmental agency(ies), by pertinent document, any easements, licenses, or the like, so as to maintain public services.

6. Petitioner shall execute an indemnification and hold harmless agreement with the City of Providence. Said agreement shall be approved by the Department of Law of the City of Providence.

7. Petitioner shall supply the City of Providence with an insurance policy naming the City of Providence, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00) which policy shall be approved by the Department of Law of the City of Providence.

8. Petitioner shall not lay, construct or affix to the realty any temporary or permanent structure other than described earlier herein.

9. Petitioner recognizes the applicability of Sections 23-107, 23-108 and 23-190 of the Code of Ordinances which read as follows:

23-107. *Indemnity of city against claims arising out of electrical installations.* No right of any person to maintain, use or operate any poles, wires, cables, conduits, ducts, pipes, manholes, handholes, or other appliances or appurtenances in any street or other traveled way in the city, shall be in preference or hindrance of public work in the city, and should any of the same in any way interfere with the construction, alteration or repair of any public work in, under, or over any such street or way, whether done by the city directly or by any contractor for the city, such person shall at his own expense protect, alter or move any of the same so interfering to some other location, or discontinue the use and operation thereof for the time being, as directed by the director of public works, without the city being liable for any damages suffered by such person thereby. The City shall notify such person not fewer than ninety (90) days prior to such public work, which will interfere with any of the same or the use or operation thereof. In case such person shall fail to comply with any such direction of said director, the city may protect, alter or move the same, and recover the cost thereof from such person.

23-108. *Precedence of wires, apparatus of city signal service.* The wires, poles, posts, structures and supports of the telephone, fire alarm and police signal service maintained by the city shall at all times take precedence and right-of-way as to all other wires, poles, posts, structures and supports maintained or erected in the city; and no lineman or other person, either in erecting wires, poles, posts, structures or supports in any way whatsoever shall interfere with, or disturb, disarrange or change any wires maintained by the city, or any appurtenance thereof; and in every instance of removal of any said wires, poles, posts, structures or supports for the accommodation

of any other corporation or party, or to place the same beyond danger from the electric current of any other corporation or party, the expense incident to said removal shall be paid immediately by such other corporation or party.

23-109. *Indemnity of city against claims arising out of electrical installation.* Every person erecting, maintaining or using electric wires or poles, fixture or structures, for the support or conducting of the same shall indemnify and save harmless the city, its officers, agents and servants, from and against all lawful claims and demands for injuries to persons or property occasioned by the existence of such poles, wires, fixtures or structures or the transmission of electric current by means thereof or by the digging up, opening or keeping open of any street, highway, traveled way, public place or part thereof, which shall be or has been opened for the purpose of installing, constructing or repairing any underground conduit, duct, structure, appliance or appurtenance by or for such person, or by any failure of such person to restore and keep in sound and safe condition for the required time any ground opened or dug up in the prosecution of any of its work in any street, way or place. The city, the city council, or the officers, agents or servants of the city, exercising the rights, powers or permission, and subject to the restrictions, respectively given and reserved herein shall not be held liable by such person or corporation on account thereof, or by reason of any injury or damage caused thereby.

10. Petitioner shall repave all excavated roadways in accordance with relevant ordinances, industry standards and to the reasonable satisfaction of the Director of Public Works.

11. In addition to Paragraph 9 above, in the event that the City of Providence or its designee shall, for any public purpose, require the

extinguishment of the easement granted herein and upon ninety (90) days notice hereinbefore mentioned, Petitioner shall, at its own expense, remove said improvements to the easement area.

12. Said encroachment shall not exceed a period of twenty (20) years.

13. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Property and/or as may be deemed appropriate by the Mayor or the Department of Law.

14. No construction shall take place unless and until Petitioner's plans are approved by the Downcity Design Review Committee.

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

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

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliozzi, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwoman Williams—14.

Nays: None.

Absent: Councilwoman Young—1.

The motion for Passage is Sustained.

COMMITTEE ON FINANCE
COUNCILMAN KEVIN M. JACKSON, Chairman

**Transmits the following with recommenda-
tion the same be severally Adopted, as
amended:**

An Ordinance establishing the Classes of Positions, the maximum number of employees and the number of employees in certain classes in the Water Supply Board and repealing Ordinance Chapter 2001-48, approved November 9, 2001, as amended.

An Ordinance establishing a Compensation Plan for the Water Supply Board and repealing Ordinance Chapter 2001-49, approved November 9, 2001, as amended.

**Transmits the following with recommenda-
tion the same be severally Adopted:**

An Ordinance making an appropriation of fifty million one hundred twenty two thousand three hundred forty seven dollars (\$50,122,347) for the support of the Providence Water Supply Board for the fiscal year ending June 30, 2003.

An Ordinance making an appropriation of eighteen million eight hundred twenty nine thousand two hundred thirty nine dollars (\$18,829,239) for the Water Supply Board Infrastructure Replacement Program Fund for the fiscal year ending June 30, 2003.

An Ordinance making an appropriation of five million seven hundred seventy six thousand four hundred sixty eight dollars (\$5,776,468) for the Water Supply Board Water Quality Protection Fund for the fiscal year ending June 30, 2003.

An Ordinance making an appropriation of four million seven hundred seventy four thousand nine hundred sixty six dollars (\$4,774,966) for the Water Supply Board Capital Fund for the fiscal year ending June 30, 2003.

An Ordinance making an appropriation of three million two hundred fifty two thousand five hundred fifty dollars (\$3,252,550) for the Water Supply Board Insurance Fund for the fiscal year ending June 30, 2003.

An Ordinance making an appropriation of five hundred twenty four thousand six hundred fifty five dollars (\$524,655) for the Water Supply Board Meter Replacement Fund for the fiscal year ending June 30, 2003.

An Ordinance making an appropriation of one million five hundred ninety one thousand one hundred sixteen dollars (\$1,591,116) for the Water Supply Board Equipment Replacement Fund for the fiscal year ending June 30, 2003.

An Ordinance making an appropriation of three hundred one thousand seven hundred seventy six dollars (\$301,476) for the Water Supply Board Alternative Supply Fund for the fiscal year ending June 30, 2003.

An Ordinance making an appropriation of one million one hundred thirty two thousand seven hundred twenty four dollars (\$1,132,724) for the Water Supply Board 102" Butterfly Valve Fund for the fiscal year ending June 30, 2003.

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

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

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

Nays: Councilman Butler is recorded as voting "No" relative to "An Ordinance making an appropriation of five hundred twenty four thousand six hundred fifty five dollars (524,655) for the Water Supply Board Meter Replacement Fund for the fiscal year ending June 30, 2003."

Absent: Councilwoman Young—1.

The motion for Passage the First Time is Sustained.

An Ordinance in amendment of Ordinance No. 645, Chapter 2002-42 entitled: An Ordinance relating to tax stabilization for Stanley Weiss Associates, LLC, as amended.

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

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwoman Williams—13.

Nays: Councilman DeLuca—1.

Absent: Councilwoman Young—1.

The motion for Passage the First Time is Sustained.

Transmits the following with recommendation the same be severally Approved, as amended:

Resolution Requesting the transfer of Assessor's Plat 63, Lot 104 (24 Hannah Street), in the amount of one dollar (\$1.00), to the Providence Redevelopment Agency and requesting the City Council abate all outstanding taxes in the amount of eight thousand six hundred ninety four dollars and fifty-five cents (\$8,694.55), and any taxes which will accrue while in Providence Redevelopment Agency Ownership.

Resolved, That the City Council authorizes the transfer of AP 63 Lot 104 A/K/A 24 Hannah Street to the Providence Redevelopment Agency for one dollar (\$1.00). The Council should authorize Mayor David N. Cicilline to execute the deed for this parcel. The Providence Redevelopment Agency will use it for future development.

The Providence Redevelopment Agency is also requesting the City Council abate all outstanding taxes in the amount of \$8,694.55 and any taxes which will accrue while in PRA ownership.

Resolution Requesting the transfer of Assessor's Plat 48, Lot 825 (44 Lillian Street), in the amount of one dollar (\$1.00), to the Providence Redevelopment Agency and requesting the City Council abate all outstanding taxes in the amount of seventeen thousand five hundred nineteen dollars and ninety-three cents (\$17,519.93), and any taxes which will accrue while in Providence Redevelopment Agency Ownership.

Resolved, That the City Council authorizes the transfer of AP 48 Lot 825 A/K/A 44 Lillian Street to the Providence Redevelopment Agency

for one dollar (\$1.00). The Council should authorize Mayor David N. Cicilline to execute the deed for this parcel. The Providence Redevelopment Agency will use it for future development.

The Providence Redevelopment Agency is also requesting the City Council abate all outstanding taxes in the amount of \$17,519.93 and any taxes which will accrue while in PRA ownership.

Resolution Requesting the transfer of Assessor's Plat 53, Lot 184 (621 Prairie Avenue), in the amount of one dollar (\$1.00), to the Providence Redevelopment Agency and requesting the City Council abate all outstanding taxes in the amount of thirteen thousand nine hundred fifty-three dollars and fifty-six cents (\$13,953.56), and any taxes which will accrue while in Providence Redevelopment Agency Ownership.

Resolved, That the City Council authorizes the transfer of AP 53 Lot 184 A/K/A 621 Prairie Avenue to the Providence Redevelopment Agency for one dollar (\$1.00). The Council should authorize Mayor David N. Cicilline to execute the deed for this parcel. The Providence Redevelopment Agency will use it for future development.

The Providence Redevelopment Agency is also requesting the City Council abate all outstanding taxes in the amount of \$13,953.56 and any taxes which will accrue while in PRA ownership.

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 29, Lot 505 (93 Cranston Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of three hundred sixty-five thousand four hundred fifty-seven dollars and fifty-six cents (\$365,457.56), and the the property remain tax exempt until transfer by the PRA to a developer, at the request of the Providence Redevelopment Agency.

Resolved, The City Council has authorized by Resolution #538 the transfer of AP 29 Lot 505 A/K/A 93 Cranston Street to the Providence Redevelopment Agency. The Agency is requesting that the Council abate all taxes due in the amount of \$365,457.56, and that the property remain tax exempt until transferred by the Providence Redevelopment Agency to a developer.

| <i>Address</i> | <i>Plat Lot</i> | <i>Taxes</i> |
|-----------------|-----------------|--------------|
| 93 Cranston St. | 29 505 | \$365,457.56 |

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 48, Lot 403 (398 Public Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of one thousand four hundred eighty five dollars and twenty-six cents (\$1,485.26), for the years 1998 and 1999 or any taxes accrued while in Providence Redevelopment Agency ownership.

Resolved, That the taxes assessed upon Assessor's Plat 48, Lot 403 (398 Public Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law

Section 44-7-23, in the amount of one thousand four hundred eighty five dollars and twenty-six cents (\$1,485.26), for the years 1998 and 1999 or any taxes accrued while in Providence Redevelopment Agency ownership.

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 48, Lot 401 (330 Prairie Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of six hundred eighty dollars and forty-eight cents (\$680.48), for the years 1998 and 1999 or any taxes accrued while in Providence Redevelopment Agency ownership.

Resolved, That the taxes assessed upon Assessor's Plat 48, Lot 401 (330 Prairie Avenue), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, in the amount of six hundred eighty dollars and forty-eight cents (\$680.48), for the years 1998 and 1999 or any taxes accrued while in Providence Redevelopment Agency ownership.

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 42, Lots 110, 111 and 112 (559-573 Cranston Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of nine thousand nine hundred twenty-one dollars and eighty-seven cents (\$9,921.87), or any taxes accrued while in Providence Redevelopment Agency ownership.

Whereas, The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that subject parcel was subject to foreclosure proceedings by the City of Providence, and;

Whereas, The City was to transfer said parcel to the PRA and abate any and all taxes owed including any taxes accrued while in PRA ownership.

| Address | Plat Lot | Taxes |
|-------------------------|-------------------|------------|
| 559-573 Cranston Street | 42 110, 111 & 112 | \$9,921.87 |

Now, therefore, be it Resolved, That the City Council does hereby cancel or abate, in whole the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Laws Section 44-7-23, or any taxes accrued while in PRA ownership.

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 43, Lot 385 (9 Puritan Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of five thousand eighty-one dollars and ninety-one cents (\$5,081.91), or any taxes accrued while in Providence Redevelopment Agency ownership.

Resolved, That the taxes assessed upon Assessor's Plat 43, Lot 385 (9 Puritan Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, in the amount of five thousand eighty-one dollars and ninety-one cents (\$5,081.91), or any taxes accrued while in Providence Redevelopment Agency ownership, at the request of the Providence Redevelopment Agency.

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 43, Lot 386 (838 Potters Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of twelve thousand one hundred fifty-seven dollars and forty-two cents (\$12,157.42), or any taxes accrued while in Providence Redevelopment Agency ownership.

Resolved, That the taxes assessed upon Assessor's Plat 43, Lot 386 (838 Potters Avenue), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, in the amount of twelve thousand one hundred fifty-seven dollars and forty-two cents (\$12,157.42), or any taxes accrued while in Providence Redevelopment Agency ownership, at the request of the Providence Redevelopment Agency.

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 43, Lot 923 (712 Cranston Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of nine thousand nine hundred twenty-one dollars and eighty-seven cents (\$9,921.87), or any taxes accrued while in Providence Redevelopment Agency ownership.

Resolved, That the taxes assessed upon Assessor's Plat 43, Lot 923 (712 Cranston Street), are hereby cancelled or abated, in whole, in accordance with Rhode Island General Law Section 44-7-23, in the amount of nine thousand nine hundred twenty-one dollars and eighty-seven cents (\$9,921.87), or any taxes accrued while in Providence Redevelopment Agency ownership, at the request of the Providence Redevelopment Agency.

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 48, Lot 401 (330 Prairie Avenue), in accordance with Rhode Island General Law Section 44-7-23, in the amount of two thousand seven hundred one dollars and eighteen cents (\$2,701.18), or any taxes accrued while in Providence Redevelopment Agency ownership.

Whereas, The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that subject parcel was subject to foreclosure proceedings by the City of Providence, and;

Whereas, The City was to transfer said parcel to the PRA and abate any and all taxes owed including any taxes accrued while in PRA ownership.

| Address | Plat | Lot | Taxes |
|------------------|------|-----|------------|
| 330 Prairie Ave. | 48 | 401 | \$2,701.18 |

Now, therefore, be it Resolved, That the City Council does hereby cancel or abate, in whole the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Laws Section 44-7-23, or any taxes accrued while in PRA ownership.

Resolution Requesting to cancel or abate, in whole, the taxes assessed upon Assessor's Plat 48, Lot 403 (398 Public Street), in accordance with Rhode Island General Law Section 44-7-23, in the amount of five thousand one hundred eighty-three dollars and seventy-one cents (\$5,183.71), or any taxes accrued while in Providence Redevelopment Agency ownership.

Whereas, The Providence Redevelopment Agency hereby certifies that the following lots consisted of an uninhabited boarded up or otherwise uninhabitable buildings and that subject parcel was subject to foreclosure proceedings by the City of Providence, and;

Whereas, The City was to transfer said parcel to the PRA and abate any and all taxes owed including any taxes accrued while in PRA ownership.

| Address | Plat | Lot | Taxes |
|------------|------|-----|------------|
| 398 Public | 48 | 403 | \$5,183.71 |

Now, therefore, be it Resolved, That the City Council does hereby cancel or abate, in whole the taxes assessed upon the above mentioned property, in accordance with Rhode Island General Laws Section 44-7-23, or any taxes accrued while in PRA ownership.

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

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

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

Nays: None.

Absent: Councilwoman Young—1.

The motion for Passage is Sustained.

Resolution Establishing a tax exemption for the Rhode Island Community Foundation pursuant to Section 21-170 of the Code of Ordinances.

Whereas, The City Council, pursuant to Section 44-3-9 of the General Laws of the State of Rhode Island, as amended, and City Ordinance Sec. 21-170 of the Code of Ordinances has the authority to grant an exemption or stabilization of taxes; and

Whereas, The Rhode Island Community Foundation has made application under and satisfied the above mentioned sections of the Rhode Island General Laws and the Code of Ordinances; and

Whereas, The Rhode Island Community Foundation owns the commercial property located at 40 Fountain Street, Providence, Rhode Island on Assessor's Plat 25 Lot 150; and

Whereas, The Rhode Island Community Foundation intends to illuminate the premises located at 40 Fountain Street, Providence, Rhode Island on Assessor's Plat 25 Lot 150; and

Whereas, It is in the interest of the residents of the City of Providence to grant such an exemption to include the installation of exterior lighting in the City of Providence and such an exemption will inure to the benefit of the City,

Now, therefore, be it Resolved:

Section 1. That the findings set forth in the preceding Preamble clauses are made and confirmed.

Section 2. That Rhode Island Community Foundation agrees that the lighting is designed and installed to illuminate the Project and specifically the whole of the streetside facade of the subject building, and any erection refurbishment of on-street illumination shall meet all code requirements for the installation

of such devices, be engaged not later than one-half hour past sundown to not earlier than three (3) o'clock a.m., be at the property owner's sole expense maintained in good working order, and shall comply with all of the requirements of Sec. 20-170 of the Code of Ordinances.

Section 3. The schedules listed below are based upon information provided to the City Assessor by The Rhode Island Community Foundation including, but not limited to, installation costs. In the event any of this information is inaccurate or proves to be erroneous or fraudulent or misrepresented or the owner fails to otherwise comply with the requirements of Sec. 20-170 of the Code of Ordinances, the City Council may terminate the exemption prior to the expiration thereof.

being rendered null and void would require the owner to pay all taxes and fees as due and owing as if no exemption had been approved.

Section 5. That the city in accordance with Section 44-3-9 of the General Laws of the State of Rhode Island and Sec. 20-170 of the Code of Ordinances hereby grants an exemption from taxation on real property owned by The Rhode Island Community Foundation and located at 1 Cookson Place, Providence, Rhode Island on Assessor's Plat 19 Lot 129 in the annual amount of \$2,000.00 for a period of seven consecutive years commencing with the tax assessment as assessed on December 31, 2001.

Section 6. That of the property located at 1 Cookson Place, Providence, Rhode Island on Assessor's Plat 19 Lot 129 is transferred during the exemption period, the exemption shall run with the property and benefit the transferee so long as the property continues to be used for industrial, commercial or residential purposes and the transferee could otherwise qualify for an exemption as if the transferee had filed the original application.

Section 7. This Resolution shall take effect upon its passage.

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

Ayes: Council President Lombardi, Councilmen Allen, Aponte, Butler, DeLuca, Councilwoman DiRuzzo, Councilmen Hassett, Igliazzi, Jackson, Luna,

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

Nays: None.

Absent: Councilwoman Young—1.

The motion for Passage is Sustained.

PERSONAL EXPRESSION

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

First of all I wanted to first congratulate and thank Governor Carcieri and the new Director of the Department of Transportation James Capaldi who helped out the City of Providence during this past snow storm. The City of Providence reached out to the State of Rhode Island needing help plowing Kennedy Plaza and numerous other areas to prepare for the flower show and other events in the City and the Governor and Director Capaldi came through. They understand the necessity to maintain the City of Providence and its ability to open its roads so I think it is important that we recognize that effort from the State and from that agency. I also wanted to say, I want to thank the Department of Public Works and I want to thank on behalf of the 80% of the people who were plowed out. They all send a thank you. they are happy that they made it to school, work, to their local convenient store, pharmacy, to their mother's house and their sister's house but what raises my concern was the other 20% that not

only was not plowed but was never touched. Some streets were not even touched until 10:00 o'clock on Tuesday night and some streets weren't even touched until yesterday. Now I understand that a snow storm is a very serious event, I understand it is very taxing on our drivers, I understand it is very taxing on our vendors but we had at least a week or so to prepare. We had school vacation so there was no school buses, there was no rushing to school, we didn't have any concerns about children in getting them to school or closing schools. We also had a City and a partial State holiday in which many offices, city buildings and other business were closed so for all intensive purposes we were very fortunate that at that time when the snow storm hit we at least had many elements on our side. My concern was that once again we are back to relying too heavily on City vendors. The DPW Department throughout the years and I know my colleagues and I have spoken about it numerous times in the past years has severely been depleted. Its ability to provide the quality of services that it used to with also the quantity of help and for the past years the attrition rate has been very severe. It brings

great concern to me because with that the City then relies more on vendors who in this case from what I gather from the last snow storm, the storm prior and the one that just passed there were numerous new City vendors who really didn't know the neighborhoods, who didn't know the little dead ends, the side streets, those very difficult hills and it's very concerning to me because although numerous people were able to step out their front door and into a clean street I had numerous constituents and I know many of my colleagues also and one in particular I will mention a gentleman who was diagnosed with cancer who wasn't able to send anybody out the front door down the street to the local CVS to get his medication. Now I understand how serious the plowing of the snow equates to public safety, that's the point. The point is we can't stand for it and it is not acceptable that 80% of the streets are plowed. It has to be 100% and I commend some of my colleagues, they had no problems in their neighborhoods and I think that is fantastic but the problem is it has to be universal because if something happens, if an elderly person needs to get out, if the ambulance has to get to the house, if the fire trucks have to get to the house it is unacceptable for streets not to be plowed for days after the snow storm. It is not acceptable, so as I said it recently, I think we need to and I will be looking at my colleague who Chairs the committee to bring hopefully the DPW Director and to maybe start beginning a new dialogue of how to create a better coordinated effort, how to educate our new vendors and our old vendors and I mentioned earlier maybe have them do dry runs before one snowflake hits the ground, have them go out there with our City supervisors who know the neighborhood and know the street and help them and teach them how these neighborhoods need to be plowed and in a timely fashion. I also was concerned that my supervisor who did a very good job but what I was concerned about was he wasn't given a small plow truck, he had to drive around in a four door sedan and the problem is when you have

that he who knows so much about the neighborhood wasn't able to exercise his fullest potential and help out these contractors. He had to supervise from a four door sedan so I think that is something that we need to address hopefully as a council in the upcoming budgets that we need to make sure that our supervisors are also equipped, not just the vendors. That they have the small plows, that they have the appropriate equipment because it is not fair to them because they work hard and long hours. So I rise because it gives me great concern of a past plowing effort and I think we need to re-evaluate it and create a better coordinated effort with it so I look to call of you to help in this effort and hopefully we can have a better running plow situation. Now on a lighter note I also want to say Happy Birthday to my son Gian who turned five years old on Wednesday. I just wanted to put it on the record because I think he would like it. With that thank you all.

COUNCILWOMAN DiRUZZO requests the privilege of the floor to speak on a point of personal expression and states:

It is so easy to criticize when you are on the outside looking in and I can only talk about my ward. Although I go around inspecting, I'm actually a supervisor for Public Works ex-officio every time it snows. I do it voluntarily, I don't get paid, I don't want to get paid, I just do it for the benefit of the people. I was out on the road Monday night. I left my house and was picked up by my supervisor, the supervisor assigned to me at quarter of eleven in the evening. I didn't want to go earlier because I wanted to be in the middle of the storm. I stayed out for two hours and explained that to Greg Smith who called me but he didn't print it or I wouldn't have to repeat this story. Ladies and gentlemen all over the North East we all know

what a terrible storm this was and I'm not saying these things that these are facts to protect anyone. I have been doing this for twenty years so I pretty much know a little bit about how to plow. I've tried to teach outside vendors how to plow, I've tried to teach them how to read the names of the streets so wouldn't get lost and I've tried to keep them from disappearing when I am in front of them. The point I want to make is the storm was a very very difficult storm to clean-up plus the fact ladies and gentlemen when we have storms like this we have to have the cooperation of the people who live in the city. Tons of cars out on the street. Now you don't have to be an expert to look at a street and know that there were cars on a particular street. We talk about a cows path in the middle of the street, lots of cars were on the street. You can always tell because the plow has to go here there and everywhere. It is a zig zag look and your street never gets plowed the next day because it freezes up and its hard to plow it or there is no enough snow to do the whole street. There are so many reasons, now fortunately the inspector I went with had a plow truck but Councilman I have been out in cars over the twenty years I have served on this council with inspectors. I have been out with directors, I have been out on the plow trucks, the big ones. I have thrown people off the trucks so I can ride in the passengers side so I can see how the streets are being plowed. We have a problem in that and I want to commend the truck drivers who did work for twelve, sixteen, eighteen hours. I did go down to the Department of Public Works to see who was working and there were a lot of truck drivers there and city workers that were red eyed, they were tired and they were driving tired and they shouldn't have to do that ladies and gentlemen. I say this because if we want all City trucks we have to provide the money to buy all City trucks. If we want everyone to have a radio we have to provide funds to buy radios and how many times have we talked about training the CDL drivers in the summer doing dry runs on how to plow curb

to curb. Most of them know how to plow curb to curb and most of them want to do a good job because their jobs are on the line and they don't want to be criticized. So it was a multitude of things and all of us who are aware that there are certain provisions we have to make for the elderly, the sick people and we have to make sure that the main roads are done first so that the traffic will continue to flow and people can travel on the main roads in concert with the State trucks as well and then we have to do the hills on the East Side and all around the City, the hills have to be cleared and we have to make sure that we are protecting the elderly, the high rises have to be clear. DPW was in front of my high rise last night where I was with the Police Department towing cars because Kelly Street was not cleared curb to curb because they couldn't do it not when you have three and four cars parked one after another and you toot the horn and people don't want to move their car. You can't even pass through certain streets and that is not only the fault of the Department of Public Works ladies and gentlemen, everyone has to work together and we the leader of the city have to sit down once again with this department, the department director, the Mayor and talk about and identify all the problems that we had and work together in a collaborative effort to fix it. I don't think we are through with snow, I mean one of the biggest complaints I have received and I'm sure all of you did are the mounds of snow on the corners making it hazardous conditions and drivers inability to see if they can take a left or a right turn and a lot of people have complained about that. Take the snow away, I asked the director to do that. We don't have the equipment to take the snow away. The equipment that was used downtown was borrowed from the State of Rhode Island in order to do that and I'm sure that State of Rhode Island is not going to do all the corners in the City of Providence. The amount of snow, 90% of the sidewalks are not shoveled, are not cleared and I would venture to say that. People leaving the garbage out today were leaving it out in the

street. Where are you going to put it on your roof. I mean you know what? This snow storm reminds me of snow storms we used to have when I was a little girl. We used to get six foot and eight foot banks of snow and we haven't had that in a long time so to end this, in conclusion let me say that I think again and I will repeat myself it is important for us to realize all of the entire situation and it is important for us not to hit people when they are down because they are looking for help too. It is important to have a supervisor in every ward. Ladies and gentlemen we don't have that, we have four or five supervisors and we are taking people in from Water Supply Board who have CDL licenses, from the Parks Department who are not accustomed to doing all of this plowing. So we are using, I guess they are using everyone they can so there are a lot of things that I'm concerned with and if you appoint a Task Force I will be glad to head it Council President because I have had a lot of experience with snow removal. Okay, so I wanted to say that and I think it is important that we do sit down and talk with them about it.

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

I was out Monday night for probably most of the day and most of the night driving the ward, seeing what was going on, looking at the streets that needed to be plowed and I was out there. I am sorry for my colleagues that didn't have the opportunity to go out and tour their wards but I made sure that the dead ends were plowed, I made sure that the mains were open and the side streets were open. I don't know if someone will file a union grievance against me but I actually plowed a few streets with my own truck. I think we have to be on top of these inspectors, we have to be on top of the Director

of Public Works and the Deputy Directors and the employees. I think for the amount of snow that they had and the short amount of time that it all came down I believe they did a good job. I have been out there and I have seen what they have done. I have actually worked and have done what they did. I think like my colleagues have said we need to provide them with more equipment maybe more employees because to work twenty-four hours or thirty-six hours is tough on the body. I have done it myself and I know how they feel. So I would ask my colleagues to work in cooperation with the Department of Public Works and don't forget this when it comes time for the budget. Thank you.

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

I know we talked about the 80/20, I was in the 20% so I will raise you 20 there Councilman Luna, I was there. As far as not touring the ward Councilman Butler I was out there for a good four or five hours. I got up early in the morning on the cell phone fielding calls. I had a dozen streets, it was like Alaska, a plow hadn't touched the street. In this department I can remember and I am not that old but I can remember years ago Larry McGarrahy's standard for snow plowing was curb to curb, no questions just very simple, its curb to curb. Now in this storm they towed 365 cars, I mean that shows that the citizens were participating and that the Police Department was doing its thing. I mean there are a lot of cars in Providence, 300 cars for a Capital City. The Police Department did its job, I saw them towing cars right off the streets. It really comes down to the personnel and the Department of Public Works and the equipment. This department has gone from line 300 people, we used to pick up our own garbage and they

used to go in the back yard twice a week garbage collection. We used to send our people out on plows, they put them on garbage trucks, every available piece of equipment, all trained personnel. They knew the streets, they knew the City and they had the same area to plow. No we have someone from Woonsocket that happens to get to bid on it and gets the job and buzzes through the streets. You know where Almond Street is, which is a small street or the dead end off Linton Street those were completely buried. We have ninety-eight employees, we added four, this council added four in its budget, we added four employees. I don't know if these were the people that were let go or not but it is basically ninety-eight to a hundred people verses three hundred years ago. It seems like we are going backwards. I often ask myself one question. What do we do for the taxes that people pay and that is a concern. It's Police and Fire we understand that and we have added police officers and all that. You get the basic Public Works, wait till you see the sewer problem. I had a neighborhood meeting last night and everyone there had a problem with the sewers not being cleaned, there is two people that do that and one piece of equipment or two pieces of equipment and one was broken down. It's actually a favor, say you can clean the sewer at Candace and Inkerman Street? It's a favor. Well, what is the regular schedule, could you send me the schedule when they are coming to my ward. Well, we do it on a case by case basis when they request it. This has got to end, I mean these are different individuals. It comes out of personnel and equipment. We have drifted away from having Public Works actually function as a department that delivers City services. Well, we are paying for I don't understand it maybe we should get a rebate or something. I mean you had private contractors doing me a favor plowing out people because they will plow the streets and then at the end of the street towards the main it is full of snow so why don't we tidy that up, don't we

have smaller vehicles so that they can tidy that up. I am actually sick of talking about it so I'm going to sit down but the fact is we have to address this through Personnel and more equipment. We had forty-two of our own pieces of equipment and forty-two hired, there is something wrong with that. Cranston who has serious financial problems hired zero outside contractors, they were all in-house. We have a serious problem and hopefully we can deal with it, thank you.

COUNCILWOMAN ROMANO requests the privilege of the floor to speak on a point of personal expression and states:

I'm listening to my colleagues and I have to come to the defense for the DPW because in my neighborhood they did a fantastic job for the conditions that we were in. Yes, I had a few calls, three or four and I straightened them out right away but the team that worked in my neighborhood in the Fourth Ward did an excellent job. Now if you come up Charles Street I have a lot of hills that run off Charles Street. My workers, the DPW workers do hills, mains and then the sides. How have I learned this, I have sat in that truck and heard them over the radio. Hills, mains and sides and that is exactly what went on in my neighborhood. Now, however, like I said I did have a few calls and they did not go out until 10:00 o'clock P.M. the following night only because of the fact that they had to go home and rest because they were out there for seventeen and eighteen hours but I have to commend the Department of Public Works and the workers in the Fourth Ward that did a wonderful job, thank you.

REPORTS FROM COMMITTEES

COMMITTEE ON FINANCE COUNCILMAN KEVIN M. JACKSON, Chairman

Transmits the following with recommendation the same be Approved:

Communication from His Honor, the Mayor dated January 14, 2003, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1102 of the Providence Home Rule Charter of 1980, as amended, he is this day reappointing Arline Feldman of 235 Sixth Street, Providence, Rhode Island, as a member of the Board of Licenses for a term to expire in January 2006, and respectfully submits the same for approval.

COUNCILMAN APONTE moves to Approve the appointment, seconded by **COUNCILMAN BUTLER**.

COUNCILWOMAN WILLIAMS moves the Appointment Referred Back to the Committee on Finance for reconsideration, seconded by **COUNCILMAN DeLUCA**, by the following Roll Call Vote:

Ayes: Councilman DeLuca and Councilwoman Williams—2.

Nays: Council President Lombardi, Councilmen Allen, Aponte, Butler, Councilwoman DiRuzzo, Councilmen Hassett,

Igliozi, Jackson, Luna, Mancini, Councilwoman Romano and Councilman Segal—12.

Absent: Councilwoman Young—1.

The motion to Refer Back Fails.

COUNCILMAN APONTE moves to Approve the foregoing matter, seconded by **COUNCILMAN BUTLER**.

COUNCILWOMAN WILLIAMS is recorded as voting "No".

The motion for Approval is Sustained.

COUNCIL PRESIDENT LOMBARDI relinquishes the Chair.

ACTING COUNCIL PRESIDENT JOSEPHINE DiRUZZO in the Chair.

**COMMITTEE ON CLAIMS AND PENDING SUITS
COUNCILMAN PETER S. MANCINI, Chairman**

**Transmits the following with recommenda-
tion the same be severally Approved for
Cancellation:**

Certificates from the City Assessor (1G and 2G) recommending the same by severally cancelled pursuant to the provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of the State of Rhode Island, 1956, as amended.

Severally Approved for Cancellation, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, by the following Roll Call Vote:

Ayes: Acting Council President DiRuzzo, Councilmen Allen, Aponte, Butler, DeLuca, Hassett, Igliazzi, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwoman Williams—13.

Nays: None.

Absent: Council President Lombardi and Councilwoman Young—2.

The motion for Approval is Sustained.

**COMMITTEE ON ORDINANCES
COUNCILWOMAN RITA M. WILLIAMS, Chairwoman**

**Transmits the following with recommenda-
tion the same be Adopted, as amended:**

An Ordinance relating to valet parking and the placing of obstructions in the roadway.

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

Ayes: Acting Council President DiRuzzo, Councilmen Allen, Aponte, Butler, De-

Luca, Hassett, Igliazzi, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwoman Williams—13.

Nays: None.

Absent: Council President Lombardi and Councilwoman Young—2.

The motion for Passage the First Time is Sustained.

Transmits the following with recommendation the same be Approved:

Resolution Granting a variance in the width of a planting bed located at Casey Family Services, 1268 Eddy Street, Providence, Rhode Island 02905.

Whereas, Casey Family Services (hereinafter "Petitioner"), has sought:

(a) to alter the existing grade of the sidewalk located adjacent to 1268 Eddy Street in the City of Providence; and

(b) to install and maintain landscape plantings on sidewalk;

Whereas, Said landscaping plantings will encroach upon the public walkway; and

Whereas, After study of the Petitioner's request, the City, acting through its appropriate authorities, has determined that the proposed encroachments are not adverse to the public interest,

Now, therefore, be it Resolved, That His Honor the Mayor may grant the Petitioner permission to encroach upon the public way for the purpose of constructing and maintaining a landscape plantings on or near the entrance to the public way adjacent to a building located at 1268 Eddy Street, the dimensions of the encroachment shall not exceed the cross-hatched area on the accompanying map (Exhibit "A") said grant is specifically conditioned upon the following:

1. All construction with relation to the said landscaping is to be completed in accordance with plans and specifications submitted by the Petitioner to the City Department of Inspection & Standards as those plan may have been modified and/or approved by said department, the Department of Public Works, and the Council Committee on Public Works.

2. The Petitioner shall supply and retain in effect a certificate of insurance in an amount of not less than one hundred thousand dollars (\$100,000.00) protecting the City of Providence, its agents, officers, servants and employees as additional-named insureds against claims for construction, maintenance and/or existence of said landscape construction and maintenance. Said insurance shall be from a company and in a form acceptable to the Department of Law.

3. Petitioner shall ascertain that construction in no adverse impact on any existing utility company and shall ensure the continued integrity of those existing structures and if necessary shall grant to the appropriate public utility(ies) and/or governmental agency(ies), by pertinent document, any easements, licenses, or the like, so as to maintain public services.

4. A certified copy of the within Resolution shall be recorded in the Office of Land Evidence of the City of Providence.

5. Any rights or obligations granted hereunder shall be deemed to run with the land

and shall operate against any and all successors in interest and/or title.

6. Petitioner shall execute an indemnification and hold harmless agreement with the City of Providence. Said agreement shall be approved by the Department of Law of the City of Providence.

7. Petitioner shall supply the City of Providence with an insurance policy naming the City of Providence, its agents, officers, servants and employees as additional-named insureds in a sum not less than one hundred thousand dollars (\$100,000.00) which policy shall be approved by the Department of Law of the City of Providence.

8. Petitioner shall not lay, construct or affix to the realty any temporary or permanent structure other than that described earlier herein.

9. Petitioner recognizes the applicability of Sections 23-107, 23-108 and 23-190 of the Code of Ordinances which read as follows:

23-107. Indemnity of city against claims arising out of electrical installations. No right of any person to maintain, use or operate any poles, wires, cables, conduits, ducts, pipes, manholes, handholes, or other appliances or appurtenances in any street or other traveled way in the city, shall be in preference or hindrance of public work in the city, and should any of the same in any way interfere with the construction, alteration or repair of any public work in, under, or over any such street or way, whether done by the city directly or by any contractor for the city, such person shall at his own expense protect, alter or move any of the same so interfering to some other location, or discontinue the use and operation thereof for the time being, as directed by the director of public works, without the city being liable for any damages suffered by such person thereby. The City shall notify such person not fewer than

ninety (90) days prior to such public work, which will interfere with any of the same or the use or operation thereof. In case such person shall fail to comply with any such direction of said director, the city may protect, alter or move the same, and recover the cost thereof from such person.

23-108. Precedence of wires, apparatus of city signal service. The wires, poles, posts, structures and supports of the telephone, fire alarm and police signal service maintained by the city shall at all times take precedence and right-of-way as to all other wires, poles, posts, structures and supports maintained or erected in the city; and no lineman or other person, either in erecting wires, poles, posts, structures or supports in any way whatsoever shall interfere with, or disturb, disarrange or change any wires maintained by the city, or any appurtenance thereof; and in every instance of removal of any said wires, poles, posts, structures or supports for the accommodation of any other corporation or party, or to place the same beyond danger from the electric current of any other corporation or party, the expense incident to said removal shall be paid immediately by such other corporation or party.

23-109. Indemnity of city against claims arising out of electrical installation. Every person erecting, maintaining or using electric wires or poles, fixture or structures, for the support or conducting of the same shall indemnify and save harmless the city, its officers, agents and servants, from and against all lawful claims and demands for injuries to persons or property occasioned by the existence of such poles, wires, fixtures or structures or the transmission of electric current by means thereof or by the digging up, opening or keeping open of any street, highway, traveled way, public place or part thereof, which shall be or has been opened for the purpose of installing, constructing or repairing any underground conduit, duct, structure, appliance or appurte-

nance by or for such person, or by any failure of such person to restore and keep in sound and safe condition for the required time any ground opened or dug up in the prosecution of any of its work in any street, way or place. The city, the city council, or the officers, agents or servants of the city, exercising the rights, powers or permission, and subject to the restrictions, respectively given and reserved herein shall not be held liable by such person or corporation on account thereof, or by reason of any injury or damage caused thereby.

10. Petitioner shall repave all excavated roadways in accordance with relevant ordinances, industry standards and to the reasonable satisfaction of the Director of Public Works.

11. In addition to Paragraph 9 above, in the event that the City of Providence or its designee shall, for any public purpose, require the extinguishment of the easement granted herein and upon ninety (90) days notice hereinbefore mentioned, Petitioner shall, at its own expense, remove said improvements to the easement area.

12. Said encroachment shall not exceed a period of twenty (20) years.

13. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee on Public Property and/or as may be deemed appropriate by the Mayor or the Department of Law.

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

Ayes: Acting Council President DiRuzzo, Councilmen Allen, Aponte, Butler, DeLuca, Hassett, Iglizzi, Jackson, Luna, Mancini, Councilwoman Romano, Councilman Segal and Councilwoman Williams—13.

Nays: None.

Absent: Council President Lombardi and Councilwoman Young—2.

The motion for Passage is Sustained.

COMMUNICATIONS

Communication from Councilman Kevin Jackson, dated February 4, 2003, designating Councilman Terrence M. Hassett, as his designee to the Capital Center Commission and Councilman Miguel C. Luna, as his designee to the Neighborhood Housing Corporation.

Communication from Council President John J. Lombardi, dated February 14, 2003, Informing the City Clerk that he is reappointing Bryan Principe to serve on the Providence City Plan Commission for a term to expire in January, 2007.

COUNCILMAN APONTE moves to dis-
pense with the reading of the foregoing
matters.

Severally Received.

FROM THE CLERK'S DESK

Petition from Azarig Kooloian, Jr., requesting to change the zoning district for the following two properties, zoning map 80, Lot 14 (921-923 Manton Avenue) and Lot 378 (911-915 Manton Avenue) from R-2 to C-2.

**ACTING COUNCIL PRESIDENT
DiRUZZO** Refers the Petition to the Com-
mittee on Ordinances.

The motion to Refer is Sustained.

PERSONAL EXPRESSION

COUNCIL PRESIDENT LOMBARDI requests the privilege of the floor to speak on a point of personal expression and states:

I think this council has been talking about it for many years. They talk about ethics and integrity and this council was certainly, I think, on the lead in that certainly in the past four years and one thing we learned as my esteem colleague from the Twelfth Ward talked about. Hopefully we learned many lessons in the last three years but sometimes things just defy logic to me and of course I am talking about the discovery of the telephone taping system that we learned about, that this company was awarded it said \$125,000.00 for installation of a recording system called Total Recall. It sounds

like a science fiction and as you really think about it, it is science fiction but it is scary. It says \$846,376.00 for installation of telephone and computer equipment. Total contract award \$971,664.00, bidding process just for the record Expanets was not the low bidder. One lower bidder did not meet specifications and two others did not bid on the added recording system. Features of the system and this is probably the scariest thing is. Storage capacity is virtually unlimited, think about that. Storage of 10,000 hours, one years worth of calls on computer hard drive. Capability of downloading call information from systems onto DVD's and tapes accessible from remote locations via the internet. Users could search through calls, users could monitor live calls and hundreds of phone lines were tapped, 500 they say to be exact and

some were not plugged into the system. Some of my main concerns, well I will tell you what some of my main concerns are as an attorney and as the President of this esteem body people who work very, very hard, part time pay with full time responsibility. Just think, every time you called that building, whether it be not only police, fire or communications somebody listened, somebody had the ability to listen. Query, if certain people called were the red flags going off. Rhode Island Law as well as Federal Law requires a one party consent for telephone recording, who was consenting. I know my esteem colleagues were not. The initial reaction is that no parties in the phone conversations has knowledge of the recordings so if there were 100,000 calls made there may have been 200,000 violations, think about that you double it. Just be mindful interceptions and wire communications is a felony punishable by at least five years in prison plus fines. I query again as an attorney, is the City at risk to settle civil suits and how many? The media has been asking about the FOP and the Fire Department and what are they going to do. Well, I will tell you what? I don't know what they are going to do but I can say this to the hard working men and women that work in that department that if there is a validation to this, if there is any truth to this I hope that they do what they have to do because I don't think they have a choice. One of the funny things in the article, it says that the calls were recorded for quality assurance. Let me tell you something that is something out of a crazy movie, it really, really is. This is something that you know I watch in my late night rendezvous with the satellite. Some of the other features and I don't know if I have discussed them more specifically it said monitoring 500 lines at once, saving recorded conversations in a computer format that would be stored on floppy disk or attached to e-mail messages, imagine that. Your conversation e-mailed to somebody who was on vacation somewhere or on business somewhere. Searching stored messages by time, date. The phone used to make a call from the Public Safety

Complex, the number called and the length of the conversation. The system could have been monitored from Windows NT 2000, the computer on the City's network. Maintaining a log of who used the system to monitor calls. Setting different telephone lines so recordings would begin at a scheduled time wherever someone was talking and always been on. Warning someone at a remote location if the power to the system failed or the system stopped working for other reasons allowing someone in a remote location to monitor and listen to this live conversations or play back ones that had been stored. I don't know about you but I am thoroughly offended by this. This is an egregious problem and I just wanted to commend the Cicilline Administration for their diligence in having the where with all and the intestinal fortitude to deal with this problem because this has been whispered for many, many years but I don't know about a smoking gun but I know one thing this is about as close as it gets, in my opinion. So just think about this query again, you're in the police station, you're in the fire station, anyone of you my esteem colleagues and you happen to want to call someone. It could be a loved one, it could have been an emergency situation and oh, by the way you might have been talking to your spouse and say, you know what honey, by the way, thank you for that complaint, you called about Mrs. Smith or Mrs. Jones by the way could you put that sexy negligee on and light those candles and get that dinner going because I'm going to be home because I want to be with you really bad this evening. It's not funny, it's really not funny, it's scary. Let me tell you whatever happens with this I hope that we have the where with all, all fifteen of us and I know that we do that we will support the administration in doing what we have to do to get to the bottom of this. There needs to be consequences. This is the one, this is the one where there needs to be consequences. We need every single question answered and no question will be a dumb one. Which lines were tapped, if there were lines there were not tapped and why were

they not tapped. The ACLU, many people are not fans of the ACLU but the ACLU released a statement yesterday February 19, 2003 requesting Chief Esserman to investigate if the Police Department used secret surveillance equipment to spy on political activists or opponents that is in the article, sound familiar. The next questions is from this what happens with some of the criminal matters, victims are victimized twice, defendants where as you may or may not like them but there is a presumption of innocence by the way let's not forget that.

Attorneys in their conversations, their privileged conversations. Let me tell you something let's not sit back on this one, please let's not sit back on this one. I just want to say publicly that I will be supporting the Cicilline Administration as to whatever happens with this. This is up or down, this is the line in the sand, this is scary stuff. It is 1984 all over again. Thank you Madam President.

FROM THE CLERK'S DESK

Petition from Fred Macri, Executive Vice-President, Rhode Island Hospital, requesting permission for a utility easement for the removal and reinstallation of a fiber optic and electrical duct bank.

ACTING COUNCIL PRESIDENT DiRUZZO Jointly Refers the Petition to the Committee on Public Works and the Committee on City Property.

The motion to Refer is Sustained.

COUNCIL PRESIDENT LOMBARDI in the Chair.

Petitions for Compensation for Injuries and Damages, viz:

Joanne M. Coppotelli

David M. Andoscia

Beverly Lacy

Gina Petrarca

Prudential a/s/o Anthony Micheletti

Francis X. Flaherty

Duane Fortes

Leo R. Berendes

Jeffrey McBride

Ryan Hughes

Chantel Brannon

New England Gas Company

Mary Fenn (Joseph M. Martinous, Esquire)

Dennis Medvetsky

David MacDonald

Sandra Merced p.p.a. Angel Santana

Wilma Holland

David Singer

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

Brian C. Taute

The motion to Refer is Sustained.

Miriam E. Garcia (Charles J. Vucci, Esquire)

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:

Michael Collins, in recognition of joining the United States Marine Corps to begin a career of courageous and honorable service to our country.

Carl Alves, in recognition of joining the United States Marine Corps to begin a career of courageous and honorable service to our country.

Bob and Aliesha Noonan, in recognition of the celebration of your marriage on February 14, 2003.

Lionel F. Delaney, in recognition of the celebration of your retirement after sixteen years of dedicated service to the City of Providence.

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

The motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

“In Memorium”

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

Resolutions Extending Sympathy.

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

John E. Fleming

Alba Galasso

Alexis J. Gauthier

Pasquale R. Boccanfusco

Egidia M. “Gilda” Corio

Satenig Norigian

Armando “Pat” Pastine

Anthony “Mac” Macari

Palmino “Palmy” Vecchio, Sr.

Gladys Semedo

Barbara J. Tavares

Charles E. Randell, Sr.

Alfred A. Araujo

Mildred Harris

Dora “Mother Johnson” Johnson

Maria Frances Conway

Joseph Masino

John M. Mullen

Marie N. Rampone

Martin A. DiRaimo

Emanuel A. Barcellos

Joseph Reinaldo

David N. Lawrence, Jr.

Anna Cherella

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

The motion for Passage is Sustained.

MATTER NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to Suspend Rule 16 of the Rules of the City Council in order to allow the introduction of the following matter not appearing on the Printed Docket.

COMMUNICATION

Communication from Lawrence J. Lepore, Executive Director, Dunkin Donuts Center, dated November 7, 2002, requesting a one time advance of one hundred fifty thousand dollars (\$150,000.00) for the projected deficit for the current fiscal year for the operation of the Fleet Skating Center.

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

The motion to Receive and Refer is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN APONTE, seconded by COUNCILWOMAN WILLIAMS, it is voted to adjourn at 9:15 o'clock P.M. (E.S.T.) to meet again on THURSDAY, MARCH 6, 2003 at 7:30 o'clock P.M. (E.S.T.).

Richard R. Clement

City Clerk





