

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 65 City Council Regular Meeting, Thursday, July 13, 1989, 7:30 o'clock P.M. (E.D.T.)

IN CITY COUNCIL

AUG 10 1989

PRESIDING

APPROVED:

Ben Monahan CLERK

COUNCIL PRESIDENT

NICHOLAS W. EASTON

ROLL CALL

Present: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, Petrosinelli, Rollins, Stravato and Councilwoman Young-15.

Absent: 0.

INVOCATION

The Invocation is given by COUNCILWOMAN BALBINA A. YOUNG.

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

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

APPROVAL OF RECORD

The Journal of Proceedings No. 63 of the Regular Meeting of the City Council held June 15, 1989 and Posted July 5, 1989 on that Bulletin Board located on the Ground Floor Level of City Hall, is Approved as Printed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated June 26, 1989, Informing the Honorable City Council that pursuant to Sections 302(b) and 1108 of the Providence Home Rule Charter of 1980, he is this day Reappointing Edmund M. Mauro, Jr., of 90 Congdon Street, Providence, RI as a Member of the Providence Redevelopment Agency, for a term expiring in July of 1994.

June 26, 1989

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

Dear Honorable Members:

Pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, I am this day reappointing Lloyd Granoff of 460 Rochambeau Avenue, Providence, Rhode Island, as a member of the Providence Public Building Authority for a term expiring in July of 1994, and I respectfully submit same for your approval.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Communication Received, and Appointment Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Approve is Sustained.

June 26, 1989

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

Dear Honorable Members:

Pursuant to Sections 302(b) and 1108 of the Providence Home Rule Charter of 1980, I am this day reappointing Edmund M. Mauro, Jr. of 90 Congdon Street, Providence, Rhode Island, as a member of the Providence Redevelopment Agency for a term expiring in July of 1994.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Received.

Communication dated June 26 1989, Informing the Honorable City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, he is this day Reappointing Lloyd Granoff of 460 Rochambeau Avenue, Providence, as a Member of the Providence Public Building Authority, for a term expiring in July of 1994, and Respectfully submits the same for Approval.

Communication dated July 7, 1989, informing the Honorable City Council that Pursuant to Sec. 8-17 of the Code of Ordinances of the City of Providence, he is this day appointing Frederick Lippitt of 108 Prospect Street, Providence, Rhode Island, as an Associate Justice of the Providence Housing Court, for a term expiring in January of 1992, and Respectfully submits the same for Approval.

The Clerk reads the following Communication from His Honor the Mayor, dated July 13, 1989:

July 13, 1989

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

Dear Honorable Members:

It has been brought to my attention that additional amendments to the Ordinances of the City of Providence may be required in order to effectuate the nomination of an additional Judge to the Providence Housing Court. In order to avoid any potential future problems, I am at this time withdrawing my previous nomination of Mr. Frederick Lippitt as a nominee to the Housing Court.

As soon as the Council has acted to correct technical irregularities, I intend to resubmit Mr. Lippitt's nomination. Therefore, at this time, I am withdrawing the nomination submitted to the City Clerk of Frederick Lippitt dated July 7, 1989 and will resubmit said nomination at the earliest possible time after the Council has acted to correct the aforementioned irregularities.

Respectfully submitted,

JOSEPH R. PAOLINO, JR.
Mayor of Providence

On motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, the Mayor is Granted the Leave to Withdraw his Appointment of Frederick Lippitt.

SCHEDULE OF BILLS

FROM THE CITY CONTROLLER:

Street Lighting Bill from Narragansett Electric Company for May, 1989, in the amount of One Hundred Nine Thousand, Six Hundred Eighty-Seven Dollars and Sixty-Six Cents (\$109,687.66).

Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI by the following Roll Call Vote:

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Coun-

cilmen Cola, Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, Petrosinelli, Rollins, Stravato and Councilwoman Young—15.

Noes: None.

Absent: None.

The motion for Approval is Sustained.

ORDINANCE SECOND READING

The following Ordinance was in City Council June 15, 1989, Read and Passed the First Time, and is Returned for Passage the Second Time:

An Ordinance in Amendment of Chapter 1987-10 of the Ordinances of the City of Providence, as Approved May 11, 1987, as Amended in Chapter 1988-45, November 23, 1988, entitled "An Ordinance Creating and Establishing an Economic Development Zone within the City of Providence pursuant to 3-7-16.4 of the General Laws of the State of Rhode Island."

Whereas, the City Council, pursuant to Rhode Island General Laws Section 3-7-16.4, created and established an economic development zone necessary for the purpose of encouraging commercial and industrial investment; and

Whereas, the boundaries of said economic development zone were set forth in Exhibit A of Chapter 1988-45, attached thereto and incorporated by reference; and

Whereas, the City Council desired to modify the boundaries of said economic development;

Now, therefore, be it Ordained by the City of Providence:

That portion of the economic development zone

labelled "Number 1" in Exhibit A, attached and incorporated by reference in Chapter 1988-45 is hereby deleted in its entirety and the following is hereby substituted:

(See City Council files, this date.)

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

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, Petrosinelli, Rollins, Stravato and Councilwoman Young—15.

Noes: None.

Absent: None.

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

PRESENTATION OF ORDINANCES

COUNCILMAN GLAVIN, COUNCILMAN DILLON, and COUNCILWOMAN FARGNOLI (By Request):

An Ordinance in Amendment of Secs. 8-13 and 8-17 of Article II of the Code of Ordinances of the City of Providence, entitled: "Housing Court".

COUNCILMAN GLAVIN moves the Ordinance be Amended by deleting Section 2 in its entirety.

This motion being seconded by **COUNCILWOMAN FARGNOLI** is Put to Vote and Passed.

COUNCILMAN GLAVIN moves the Ordinance be Read and Passed the First Time, as Amended and Referred to Committee on Ordinances.

This motion being seconded by **COUNCILWOMAN FARGNOLI** is Read and Passed as Amended, by the following Roll Call Vote:

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, Petrosinelli, Rollins, Stravato and Councilwoman Young—15.

Noes: None.

Absent: None.

The motion for Passage the First Time as Amended and Referral to Committee on Ordinances, is Sustained.

An Ordinance Extending the Time within which Bonds authorized by Ordinance entitled "An Ordinance to Appropriate \$25,000,000 and to authorize the Issuance of Not in Excess of \$25,000,000 General Obligation Bonds for Renovations to Schools" may be issued.

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

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Farmer, Glavin, Lombardi, Lopes, Petrosinelli, Rollins, Stravato and Councilwoman Young—15.

Noes: None.

Absent: None.

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

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT EASTON, COUNCILMAN ANNALDO, COUNCILWOMAN BRASSIL, COUNCILMEN COLA, DILLON, COUNCILWOMEN DIRUZZO, FARGNOLI, COUNCILMEN FARMER, GLAVIN, LOMBARDI, LOPES, PETROSI- NELLI, ROLLINS, STRAVATO and COUNCILWOMAN YOUNG:

Resolution of Sympathy upon the Death of Joseph A. Bevilacqua, former Chief Justice of the Rhode Island Supreme Court.

Whereas, Almighty God in His Divine Wisdom, has called unto Himself the Soul of Joseph A. Bevilacqua, late Chief Justice of the Rhode Island Supreme Court, and

Whereas, The love he had for his Community was expressed by his public service which began when elected as a Representative of District 13 in 1955; he was elevated as Deputy Majority Leader in 1965; and in 1969, elected Speaker of the House, a post he held with pride and distinction until his election as Chief Justice of the State Supreme Court in 1976, and

Whereas, His keen sense of public service was fortified with a broad educational background and by his laurels in law, being known as one of Rhode Island's busiest criminal defense lawyers,

Whereas, As Chief Justice, he was a dedicated and excellent Court Administrator, having instituted numerous procedures to increase public awareness and understanding, and

Whereas, Ever available to help those in need, his compassion and public service to the citizenry will remain in the hearts of many as through the years, he has gathered a host of friends who will mourn his passing.

Now, therefore, be it Resolved, That in the passing of Joseph A. Bevilacqua, former Chief Justice of the Rhode Island Supreme Court, devoted husband and father, the members of the City Council do hereby express to his widow Josephine, his sons and daughter, their sincere expressions of sympathy in the great loss they have sustained.

COUNCIL PRESIDENT PRO TEMPORE STRAVATO (By Request):

Resolution Requesting the Board of Park Commissioners to grant the use of Neutaconkanut Park to Saint Bartholomew's Church from August 24 to August 27, 1989 for their Annual Feast and Festival.

Resolved, That the Board of Park Commission-

ers is requested to grant the use of Neutaconkanut Park to Saint Bartholomew's Church from August 24 to August 27, 1989 for their Annual Feast and Festival.

COUNCILMAN ANNALDO (By Request):

Resolution Requesting the Chief Electrical Inspector to Order the Installation of a Street Light on Pole No. 8, located along Virginia Lane.

Resolved, That the Chief Electrical Inspector is requestd to Order the Installation of a Street Light on Pole No. 8, located along Virginia Lane.

COUNCILWOMAN BRASSIL (By Request):

Resolution Requesting the Traffic Engineer to cause Troop Alley to be Closed to traffic on Thursday, Friday and Saturday evenings from 8:00 o'clock P.M. to 2:00 o'clock A.M. for Public Safety.

Resolved, That the Traffic Engineer is requested to cause Troop Alley to be Closed to traffic on Thursday, Friday and Saturday evenings from 8:00 o'clock P.M. to 2:00 o'clock A.M. for Public Safety.

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

The motion for Passage is Sustained.

COUNCILMAN COLA (By Request):

Resolution Requesting the Traffic Engineer to

cause the Installation of Four-Way "Stop" Signs at the Intersection of Rushmore Avenue and Maynard Street.

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

The motion to Refer is Sustained.

Resolution Requesting the Chief Electrical Inspector to Order the Street Lights to be Upgraded along Glenbridge Avenue and Manton Avenue.

Resolved, That the Chief Electrical Inspector is requested to Order the Street Lights to be Upgraded along Glenbridge Avenue and Manton Avenue.

Resolution Requesting the Director of Public Works to cause certain Streets to be Repaved.

Resolved, That the Director of Public Works is hereby requested to cause the following streets to be repaved:

Ridgeway Avenue,

Amsterdam Street,

Handy Street,

Hannah Street,

Armington Avenue,

Rushmore Avenue,

Dunbar Street, and

Brush Hill Road.

COUNCILMAN DILLON (By Request):

Resolution Requesting the Traffic Engineer to Prohibit Motor Vehicle Traffic along Plymouth Street, between Potters Avenue and Huntington Avenue on Sunday, July 23, 1989 from 1:00 o'clock P.M. to 3:00 o'clock P.M. to Accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to Prohibit Motor Vehicle Traffic along Plymouth Street, between Potters Avenue and Huntington Avenue on Sunday, July 23, 1989 from 1:00 o'clock P.M. to 3:00 o'clock P.M. to Accommodate a Neighborhood Block Party.

COUNCILWOMAN DiRUZZO (By Request):

Resolution Requesting the Director of Public Works to cause the Installation of a Guard Rail along 90 Whittier Avenue.

Resolved, That the Director of Public Works is requested to cause the installation of a Guard Rail along 90 Whittier Avenue.

Resolution Requesting the Chief of the Providence Police Department, through the Traffic Division, to place Radar along Whittier Avenue, at its intersection with Heath Street.

Resolved, That the Chief of the Providence Police Department, through the Traffic Division, is requested to place Radar along Whittier Avenue, at its intersection with Heath Street.

Resolution Requesting the City Director of Environmental Management and State Director of the Department of Environmental

Management, to cause the City Owned Property to be Cleaned along Plainfield Street and Laban Street, and across from 160 Plainfield Street.

Resolved, That the City Director of Environmental Management and State Director of the Department of Environmental Management, is requested to cause the City Owned Property to be Cleaned along Plainfield Street and Laban Street, and across from 160 Plainfield Street.

Resolution Requesting the Chief Electrical Inspector to Conduct a Survey of the Street Lighting along Webster Avenue, Plainfield Street and All Streets Interconnecting, with a view towards Upgrading the Lighting.

Resolved, That the Chief Electrical Inspector is requested to Conduct a Survey of the Street Lighting along Webster Avenue, Plainfield Street and All Streets Interconnecting, with a view towards Upgrading the Lighting.

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

The motion for Passage is Sustained.

**COUNCILWOMAN FARGNOLI
(By Request):**

Resolution Authorizing His Honor the Mayor to transfer a certain parcel of land, designated as a portion of Collyer Park to the Providence Redevelopment Agency for disposition under such terms and conditions as may be approved by the Mayor and the City Solicitor.

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

The motion to Refer is Sustained.

Resolution Requesting the Director of the Division of Grounds Maintenance Services to cause the Trees to be Trimmed and to Grind the Roots of the Two Trees located along 137 Gentian Avenue.

Resolved, That the Director of the Division of Grounds Maintenance Services is requested to cause the Trees to be Trimmed and to Grind the Roots of the Two Trees located along 137 Gentian Avenue.

Resolution Requesting the Chief Electrical Inspector to Order the Lumen to be Increased on that Street Light on Pole No. 18, located along Gentian Avenue.

Resolved, That the Chief Electrical Inspector be requested to Order the Lumen to be Increased on that Street Light on Pole No. 18, located along Gentian Avenue.

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

The motion for Passage is Sustained.

COUNCILMAN GLAVIN, COUNCILMAN DILLON and COUNCILWOMAN FARGNOLI (By Request):

Resolution authorizing His Honor the Mayor to execute an agreement with the Rhode Island Solid Waste Management Corporation to permit the City's participation in the Statewide Recycling program.

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

The motion to Refer is Sustained.

61-63 Chapin Avenue,
64 Chapin Avenue,
68 Chapin Avenue,
90 Oak Street,
65 Messer Street, corner to Marvin Street,

Resolutions Reporting Receipts of Certain Gifts of Monies by the Board of Park Commissioners for the Preservation and Care of Specified Burial Lots in North Burial Ground.

90 Messer Street,
22 Wood Street,

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

The motion to Refer is Sustained.

25 Wood Street,
28 Wood Street,
35 Wood Street,
43 Wood Street,
71 Wood Street,
77 Wood Street,

COUNCILMAN LOMBARDI (By Request):

Resolution Designating and Dedicating the corner of Dean Street and Atwells Avenue as "Reverend Monsignor Galliano J. Cavallaro Plaza."

93 Sycamore Street,
101 Sycamore Street, and

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

Both Sides of Sycamore Street, between Wood and Hudson Streets.

The motion to Refer is Sustained.

COUNCILWOMAN YOUNG (By Request):

Resolution Requesting the Director of Public Works to cause certain sidewalks to be Replaced.

Resolution Requesting the Traffic Engineer to Prohibit Motor Vehicle Traffic along Globe Street, from Eddy Street to Hospital Street, on Sunday, July 23, 1989, from 1:00 o'clock P.M. to Midnight, to accommodate a Block Party.

Resolved, That the Director of Public Works is requested to cause the following sidewalks to be replaced:

Resolved, That the Traffic Engineer is requested to Prohibit Motor Vehicle Traffic along Globe Street, from Eddy Street to Hospital Street, on Sunday, July 23, 1989, from 1:00 o'clock P.M. to Midnight, to accommodate a Block Party.

Resolution Requesting the Director of Public Works to cause the Sidewalk along 16 St. James Street to be repaired.

Resolved, That the Director of Public Works is requested to cause the Sidewalk along 16 St. James Street to be repaired, the same having been damaged by tree roots.

COUNCILWOMAN YOUNG and COUNCILWOMAN FARGNOLI (By Request):

Resolution Requesting the Director of the Division of Grounds Maintenance Services to cause Three Diseased Trees to be Removed along 21 Peace Street and to have new Trees Planted.

Resolved, That the Director of the Division of Grounds Maintenance Services is requested to cause Three Diseased Trees to be Removed along 21 Peace Street and to have new Trees Planted.

COUNCILWOMAN YOUNG and COUNCILMAN ROLLINS (By Request):

Resolution Requesting the Traffic Engineer to cause the Traffic Signal Light at the Intersection of Public Street and Prairie Avenue to be Repaired or Replaced.

Resolved, That the Traffic Engineer is requested to cause the Traffic Signal Light at the Intersection of Public Street and Prairie Avenue to be Repaired or Replaced.

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

The motion for Passage is Sustained.

REPORTS FROM COMMITTEES

COUNCILWOMAN EVELYN V. FARGNOLI, Chairwoman COMMITTEE ON CLAIMS AND PENDING SUITS

Transmits the following with Recommendation the Same be Severally Approved for Cancellation:

Certificates from the City Assessor (10-S, 13-S through 20-S inclusive; 22-S, 23-S, 25-S, 26-S, 28-S, 30-S and 31-S) Recommending the Same be Severally Cancelled, Pursuant to the Provisions of Section 14 and 15 of Title 44, Chapter 7, of the General Laws of Rhode Island, 1956, as Amended.

Certificates from the City Collector, Recommending the Same be Severally Cancelled, Pursuant to the Provisions of Section 44-7-11 of the General Laws of Rhode Island, 1956, as Amended, inasmuch as the Same have been determined to be uncollectible and such amounts were not reported as required on the statement of lien.

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

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Glavin, Lombardi,

Lopes, Petrosinelli, Rollins, Stravato and Councilwoman Young—14.

Noes: None.

Absent: Councilman Farmer—1.

The motion to Approve for Cancellation is Sustained.

COUNCILMAN JAMES A. PETROSINELLI, Chairman COMMITTEE ON PUBLIC WORKS

Transmits the following with Recommendation the Same be Severally Adopted:

Resolution that the Created Right-of-Way of the Intersection of Hartford Avenue and Manton Avenue be Received as a Public Highway.

Resolved, decreed and ordered, That the created Right-of-Way of the intersection of Hartford and Manton Avenues in the City of Providence, County of Providence, State of Rhode Island be received as a Public Highway and to be named at a later date under the provisions of Chapter 987, Public Laws 1913:

Beginning at the northeasterly corner of the herein described parcel on the southwesterly street line of said Manton Avenue:

thence running southeasterly along the southwesterly street line of said Manton Avenue for a distance of sixty-six and sixty-eight hundredths feet (66.68') to an angle;

thence turning an interior angle of 129°-58'-36" and running southwesterly along the street line of said Manton Avenue for a distance of ten and one hundredth feet (10.01') to an angle point on the northerly street line of Hartford Avenue;

thence turning an interior angle of 128°-33'-24" and running westerly along the northerly street line of said Hartford Avenue for a distance of seventy-one and sixty-eight hundredths feet (71.68') to a point

thence turning and running easterly, northerly and northwesterly along an arc of a curve having a radius of sixty-five and no hundredths feet (65.00'), a central angle of 85°-10'-05" for an arc distance of ninety-six and sixty-two hundredths feet (96.62') to a point on the southwesterly street line projected of Manton Avenue;

thence turning and running northwesterly along the southwesterly projected street line of said Manton Avenue for a distance of fourteen and ninety-five hundredths feet (14.95') to a corner;

thence turning an interior angle of 59°-38'-17" and running easterly for a distance of three and eight hundredths feet (3.08') to the point of beginning.

Said last described line forms an interior angle of 120°-10'-04" with the first described line.

Said parcel contains 1418 square feet.

Said parcel being a portion of Lots 7 and 8 as shown on Assessor's Plat 105.

Resolution Ordering the Abandonment of a Portion of Butler Avenue, from East George Street to its termination.

Resolved, Decreed and Ordered, That the following named highway shown as cross-hatched areas on the accompanying plan entitled: "Providence, Rhode Island, Department of Public Works — Engineering Office, Street Line Section, Plan No. 064447, Date April 18, 1989",

VIZ:

Whereas, the abandonment of the thoroughfare described above has been sought by Koffler Realty Associates V Limited Partnership ("Koffler"); any above-mentioned recitals, has, in part, predicated the abandonment upon representations by "Koffler" that certain construction shall occur upon or nearby the abandoned real estate. The plans offered by "Koffler", inter alia, indicate that a five hundred fifty (550) unit mixed residential complex is to be constructed. These plans were offered to the City Planning Commission on April 18, 1989;

Butler Avenue (portion of) from East George Street southerly to that point shown in the cross-hatched area on the accompanying plan, made a part hereof, having ceased to be useful to the public and the same is abandoned as a public highway—provided however, in the event that the owners abutting the abandoned premises, and/or all successors in interest do not construct, and offer to the City of Providence for acceptance, the newly constructed streets as manifested in the April 18, 1989 proposal referenced immediately

above and provided further, however, in the event that the owners abutting the abandoned premise and all successors in interest have not substantially commenced construction of, not more than eighteen (18) months subsequent to approval of relevant zoning petitions or, if no petitions are filed within an 18 month period or in the event that the owners abutting the abandoned premises and all successors in interest have not substantially completed construction of, not more than seven years subsequent to approval of relevant zoning petitions a mixed residential development substantially similar to that manifested in the April 18, 1989 proposal referenced above the above-described locus together all improvements thereon shall revert to the City of Providence forthwith, and the abutting property owners, by their acceptance, hereof agree that the City of Providence may enter upon the realty and improvements thereon, for a condition broken, and take possession of the same, and any persons claiming thereto shall execute such conveyances and documents to effect the same. Additionally, water services must be provided to IGA Building, subject to the provisions of the Water Supply Board, to replace present services; services must be provided through a water pit in accordance with Water Supply Board regulations, and the damage to the abutters is appraised at nothing and so awarded, and it is further

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

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

Resolution Ordering the Abandonment of that Unnamed Street, between Burns Street and Lubec Street.

Resolved, Decreed and Ordered, That the following named highway shown as cross-hatched areas on the accompanying plan entitled: "Providence, Rhode Island, Department of Public Works — Engineering Office, Street Line Section, Plan No. 064415, Date March 1, 1988",

VIZ:

Unnamed Street, between Burns Street and Lubec Street, having ceased to be useful to the public and the same is abandoned as a public highway, subject to the provisions that Narragansett Electric Company be granted an easement acceptable to and at no cost to, The Narragansett Electric Company, which will permit the retention of their facilities in existing locations, and Provided, however, that in the event a multiple family dwelling is constructed on Lot 663 of Assessor's Plat 79 the above-described locus together with lot improvements thereon shall revert to the City of Providence forthwith, and the abutting property owners, by their acceptance, hereof agree that the City of Providence may enter upon the realty and improvements thereon, for

a condition broken, and take possession of the same, and any persons claiming thereto shall execute such conveyances and documents to effect the same.

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

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

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

The motion for Passage is Sustained.

The following is Transmitted with Recommendation the Petitioner be Granted Leave to Withdraw:

Petition to Abandon Belden Street, in its entirety.

motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

Petitioner Granted Leave to Withdraw, on

The motion to Withdraw is Sustained.

COMMUNICATIONS AND REPORTS

FROM HIS HONOR JOSEPH R. PAOLINO, JR.:

Communication Informing the City Clerk that in accordance with Executive Order No. 16 (A), he is appointing the following Members to the Affirmative Action Committee of the City of Providence:

Thomas P. Whitten of 18 Freemont Street, Providence, Rhode Island,

B. Jae Clanton of 300 Doyle Avenue, Providence, Rhode Island, and

Dr. W. Neal Simpson of 20 Pitman Street, Providence, Rhode Island.

Received.

FROM JOSHUA TEVEROW, ESQUIRE, OF THE LAW FIRM OF QUINN, SHECHTMAN AND TEVEROW:

Communication informing that law firm has provided legal services for the Providence Local Development Corporation and that on January 26, 1988, the Corporation approved an application for financial assistance for Five Star Realty, of which he is one of the five general partners and further states all legal services were handled by a non-related third party firm and that pursuant to 24 CFR 570.611 (d) (1), this letter serves as a Public Disclosure of any possible conflict.

Received.

FROM THE PROVIDENCE REDEVELOPMENT AGENCY:

Report pursuant to Sections 45-32-5(j) and 45-32-48 of the General Laws of the State of Rhode Island, 1956, Pertaining to the Proposed Lease to the City of Real Property owned by the Agency, viz;

The Agency intends to purchase that certain parcel of land located in the Capital Center District (called Parcel 12); the Agency thereafter proposes to lease Parcel 12 to the City of Providence for a term which will be coincident with the term of such purchase money loan or loans used to acquire Parcel 12 and at a rent equal to the amount of debt service payable under said purchase money loan or loans and certain other expenditures which may be made by the Agency.

Received.

FROM THE CITY ASSESSOR:

Certificates (35-S and 36-S) Recommending the same be severally cancelled, pursuant to the provisions of Sections 14 and 15 of Title 44, Chapter 7, of the General Laws of Rhode Island, 1956, as Amended.

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

The motion to Refer is Sustained.

FROM THE CITY CONTROLLER:

Received.

Monthly Financial Report for May, 1989.

Received.

FROM NORTH BURIAL GROUND:

Annual Report for 1988.

FROM THE PORT OF PROVIDENCE:

Received.

Monthly Report for May, 1989.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz;

Kerry Judge

James Allen

Lange E. Kimball

Amy E. Anderson

Sandra L. Lazar

Gianfranco Chicarella

Dorothy, Onika, Deon and John Lucas and Frances Lowell

Russell F. Coates, Jr.

Leslie R. Lopes

Theresa A. Cummings

Gloria R. Marshall

David D'Ambra

Metropolitan Ins., as sub. of Lillian and Charles Bowie

Joseph DeSantis

Mary Bill-Mitchell as sub. of John Johnson

Francisco V. Estrela

Rafael O. Perez

Charlene M. Fortes

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

Rose Goins-Diaz

Curtis A. Gomes

The motion to Refer is Sustained.

Greenwood Stable, Inc.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

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

Resolutions Extending Sympathy.

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

Pasquale Germani

Arthur Frank DeCesare, Sr.

William V. Muldoon

Giovanni A. D'Orsi

Alice E. Wilkinson

John D. Lisa

Nicholas J. D'Aquanno

Miriam Katz

Anna Conley

John Merlino

Eleanor R. Prignano

Vincent Minicucci

Robert Albanese

Helen E. Gibbs

George E. Albro

George W. Whelan

Isabelle Lopez

Amelia Cioci

Edith Lupoli

Carolina Silvestri

Michael A. Cerce

Joseph Benoit

Carlton J. Soares

Samuele Colardo

Everett T. McCall

Harriet Thomas

Vincent Lonardo

Giuseppe Mobilia

Vincenzo Mansolillo

Vincent Amores Sr.

Assunta Petrucelli

Klara Lowy

May Litchman

Joseph S. Nachajski

Barbara A. Moore

Frank V. Almonte

Bruce Dickson

Edmond F. Jackson

Joseph H. Plante, Sr.

COUNCILMAN GLAVIN, seconded by
COUNCILWOMAN FARGNOLI.

Jeanne May.

The motion for Passage is Sustained.

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

MATTERS NOT APPEARING ON THE PRINTED DOCKET

On motion of COUNCILMAN GLAVIN,
seconded by COUNCILWOMAN FARG-
NOLI, it is Voted to Suspend Rule 16 of the
Rules of the City Council in Order to Allow
the Introduction of the following Matters
Not Appearing on the Printed Docket.

PRESENTATION OF RESOLUTION

COUNCILMAN GLAVIN, COUNCILMAN
DILLON and COUNCILWOMAN FARG-
NOLI (By Request):

Development Act of 1974, as amended by Section
110 of the Housing and Community Development
Act of 1977, and as finalized on January 10, 1978;
and as subsequently amended; and

Resolution Authorizing the Department of Plan-
ning and Development on behalf of the City
of Providence, to prepare and submit an
application for an Urban Development Action
Grant, as Amended (Center Place Project).

Whereas, the aforesaid Federal regulations
authorize the Department of Housing and Urban
Development to make grants to assist distressed
cities and distressed urban counties in revitalizing
their economic bases and reclaiming deteriorated
neighborhoods by means of public and private
sector cooperation; and

Whereas, the filing of Urban Development
Action Grants by the City of Providence is
authorized by Title I, Section 119, Part 570,
Subpart G. of the Housing and Community

Whereas, the City of Providence deems it

necessary and in the public interest (1) to revitalize its commercial and retail sectors, (2) to increase employment opportunities in the City, (3) to increase the City's tax base, (4) to encourage the cooperation of the public and private sectors to achieve these goals; and

Whereas, the City of Providence deems it appropriate to contribute to the aforementioned efforts by assuring the attraction, retention, and expansion of commerce especially in areas where revitalization is underway, and by arranging for financial support for such private business development projects; and

Whereas, Urban Development Action Grants are available for the activities and undertakings proposed herein.

Now, therefore, be it Resolved, by the City Council of the City of Providence as follows:

1. It is hereby found necessary and in the public interest to file an application to the Department of Housing and Urban Development for an Urban Development Action Grant for the development of a mix-use project consisting of 225 residential rental units, 30,000 square feet of retail space and 450 parking spaces, to be located at Parcel Five in the Capital Center District of the City of Providence, Rhode Island.

2. The Mayor of the City of Providence, as Chief Executive, is hereby authorized to act as the

official Representative and to file an application to the Department of Housing and Urban Development for an Action Grant for the Development of the Center Place Project, and to take the necessary action to carry out the terms and conditions of the Contract between the City of Providence and the Department of Housing and Urban Development relative to said Action Grant.

3. The Department of planning and Development is hereby authorized and designated as the representative of the City for filing the application with the Department of Housing and Urban Development, and to do all work necessary to carry out the term of the Contract between the City and the Department of Housing and Urban Development relative to said Urban Development Action Grant.

4. That the United States of America and the Department of Housing and Urban Development be, and they are hereby assured of full compliance by the City of Providence with all regulations of the United States government effectuating the receipt of Federal Grants under the Housing and Community Development Act, as amended.

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

The motion for Passage is Sustained.

REPORTS FROM COMMITTEE
COUNCILMAN ANDREW J. ANNALDO, Chairman
COMMITTEE ON CITY PROPERTY

Transmits the following with Recommendation the Same be Severally Adopted:

Resolution Authorizing His Honor the Mayor to purchase certain parcels of land located along 52 and 53 Manhattan Street, 40-48 Newberry Street, 63 Macgregor Street, Stanhope Street, 80 Dakota Street, Branch Avenue and Lots located in North Providence for a sum not to exceed One Hundred Fifty-Four Thousand, One Hundred Fifty Dollars (\$154,150.00).

Resolved, That the City of Providence, by and through its Mayor Joseph R. Paolino, Jr., is hereby authorized to purchase certain parcels of land, together with any and all improvements thereon, designated as: 52 and 53 Manhattan Street, 40-48 Newberry Street, 63 Macgregor Street, also known as Lots 142, 110, 111, 144, 166, 143, 165, 164 and 72 of Assessor's Plat 97; 0 Stanhope Street and 80 Dakota Street, also known as Lots 5, 16, and 91 of Plat 103; and 0 Branch Avenue also known as Lot 111 of Assessor's Plat 98, all located in Providence; and Lots 124, 731 and 732 of Assessor's Plat 1 located in North Providence, and

Be it further Resolved, That said parcel, being more or less 28.688 acres, is to be purchased for the sum not to exceed One Hundred Fifty-Four Thousand, One Hundred Fifty Dollars (\$154,150.00), under such terms as may be approved by His Honor the Mayor and the City Solicitor. Said parcel is to be dedicated as conservation land, or any and all related uses by the Board of Park Commissioners.

Resolution Authorizing His Honor the Mayor to Execute a Lease to the South Side Community Land Trust, for premises located along Prairie Avenue, being Lot 641, on City Assessor's Plat 48, at an Annual Rental of One Dollar (\$1.00) per year.

Resolved, That His Honor, the Mayor, be and he hereby is authorized to execute a lease to the South Side Community Land Trust, a non-profit organization, for premises located in the City of Providence, along Prairie Avenue, being Plat No. 48 on Lot 641, at an annual rental of One Dollar (\$1.00) per year; said lease to be on a month to month basis and with such other terms and conditions as have been imposed by the Mayor and the City Solicitor, said Lot to be used for Community Gardening.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Glavin, Lopes, Petrosinelli, Rollins, Stravato and Councilwoman Young—13.

Noes: None.

Absent: Councilmen Farmer and Lombardi—2.

The motion for Passage is Sustained.

On motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, it is Voted to Suspend Rule 2 of the Rules of the City Council in Order to Allow the City Council to meet at a Time Other than Provided in Said Rule 2.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, the City Council adjourns at 8:35 o'clock P.M. (E.D.T.) to meet again on THURSDAY, AUGUST 10, 1989 at 7:30 o'clock P.M. (E.D.T.).

Rose M. Mendonca

City Clerk





July 13]

2147

[1989

