

**CITY OF PROVIDENCE
RHODE ISLAND**



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 72 City Council Regular Meeting, Thursday, September 17, 1981 8:00 P.M. (E.D.T.)

IN CITY COUNCIL

OCT 1 1981

APPROVED:

PRESIDING

Rose M. Mendonca CLERK

COUNCIL PRESIDENT

RALPH FARGNOLI

ROLL CALL

Present: Council President Fagnoli and Councilmen Almagno, Boyle, Councilwoman Brassil, Councilmen Brennan, Cirelli, Cola, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Salvatore, Snowden, Stravato and Xavier—24.

Absent: Councilmen Johnson and Petrosinelli—2.

INVOCATION

The Invocation is given by COUNCILMAN ANTHONY P. PENNINE.

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

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

APPROVAL OF RECORD

The Journal of Proceedings No. 71 of the Regular Meeting of the City Council held September 3, 1981 and Posted September 15, 1981 on that Bulletin Board located on the Ground Floor Level of the City Hall, is Layed on the Clerk's Desk, on motion of COUNCILMAN FLYNN, seconded by COUNCILMAN GLAVIN.

VETOES BY HIS HONOR THE MAYOR

Communication, dated September 11, 1981, Informing the Honorable City Council of His Disapproval and Veto of An Ordinance in Amendment of Chapter 21 of the Code of Ordinances of the City of Providence by Adding Section 21-16 to be Entitled "Board of Tax Assessment Review to Hear Appeals on Excise Tax".

September 11, 1981

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

Dear Honorable Members:

I hereby disapprove and veto the Ordinance in Amendment of Chapter 21 of the Code of Ordinances of the City of Providence by adding Section 21-16 to be entitled "Board of Tax Assessment Review" to hear appeals on Excise Taxes.

I have taken this action reluctantly because in enacting the new tax laws on automobiles the General Assembly has specifically identified this law as an excise tax. An excise tax is not the type of tax enumerated in Section 6.12 of the Charter of the City of Providence which provides for tax appeals. Additionally, the 1981-1982 FY Budget as approved by your honorable body has anticipated excise tax revenue and has made no provision for abatements.

Respectfully,

VINCENT A. CIANCI, JR.
Mayor of Providence

COUNCILMAN FLYNN moves the Communication be Received and the Veto by the Mayor be Overridden.

This motion being seconded by COUNCILMAN GLAVIN, is Put to Vote and Passed by the following Roll Call Vote:

Ayes: Council President Fagnoli and Councilman Boyle, Councilwoman Brassil, Councilmen Brennan, Cirelli, Cola, Dillon, Easton, Flynn, Glavin, Lynch, Moise, O'Connor, Paolino, Pennine, Salvatore, Stravato and Xavier—18.

Noes: Councilmen Almagno, Farmer, Griffin, Mansolillo, Pearlman and Snowden—6.

Absent: Councilmen Johnson and Petrosinelli—2.

The Veto is thereupon Not Sustained.

Communication, dated September 11, 1981, Informing the Honorable City Council of His Disapproval and Veto of Resolution Rescinding Resolution No. 270, Approved May 3, 1980, Authorizing His Honor the Mayor to Execute a Deed of Conveyance to New Homes for Federal Hill, Inc., of the Former Grove Street School for the Sum of Twenty Three Thousand Dollars (\$23,000.00).

September 11, 1981

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

Dear Honorable Members:

I hereby disapprove and veto the Resolution rescinding Resolution No. 270 approved May 3,

1980 authorizing His Honor the Mayor to execute a deed of conveyance to New Homes for Federal Hill, Inc. of the former Grove Street School for the sum of \$23,000. I have taken this action because pursuant to Resolution No. 270 approved May 3, 1980 I have already executed a deed to New Homes for Federal Hill, Inc. of the former Grove Street School and am holding said deed having accepted a downpayment of \$2,300.00 pending the closing.

Respectfully,

VINCENT A. CIANCI, JR.
Mayor of Providence

Received.

ELECTION OF CERTAIN CITY OFFICERS

TWO MEMBERS OF THE RETIREMENT BOARD OF THE EMPLOYEES' RETIREMENT SYSTEM:

COUNCIL PRESIDENT FARGNOLI calls for nominations for Two Members of the Retirement Board of the Employees' Retirement System.

COUNCILMAN MOISE nominates MR. JACK WILKES of Providence and MR. JAMES R. QUATTROCCHI of Providence.

The several nominations are seconded by COUNCILMEN EASTON, FARMER and COUNCIL PRESIDENT PRO TEMPORE STRAVATO.

COUNCILMAN LYNCH desires to be recorded as seconding the nomination of MR. JAMES R. QUATTROCCHI.

COUNCILMAN BRENNAN desires to be recorded as seconding the nomination of MR. JACK WILKES.

COUNCIL PRESIDENT FARGNOLI calls

for further nominations and there being none, on motion of COUNCILMAN FLYNN, seconded by COUNCILMAN GLAVIN it is Voted that Nominations be Closed.

On motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN ALMAGNO, the Clerk is directed to Cast One Ballot for MR. JACK WILKES and MR. JAMES R. QUATTROCCHI.

The Clerk Casts One Ballot as Directed.

COUNCIL PRESIDENT FARGNOLI thereupon declares MR. JACK WILKES and MR. JAMES R. QUATTROCCHI duly elected as Members of the Retirement Board of the Employees' Retirement System for the Ensuing Term of Four Years, Ending on the First Monday in October, 1985.

COUNCILMAN FLYNN desires to be recorded as Voting "No" for MR. JACK WILKES.

ORDINANCES SECOND READING

The following Ordinances were in City Council September 3, 1981, Read and Passed the First Time, and Are Returned for Passage the Second Time:

An Ordinance in Amendment of Section 27-2 of the Code of Ordinances of the City of Providence and Section 102 of Chapter 544 of 1951, as Amended, Increasing the Filing Fee to Seventy-Five Dollars (\$75.00) for Any Petition to the Zoning Board of Review for an Appeal, Special Exception or Variance.

Be it ordained by the City of Providence:

Section 1. Section 27-2 of the Code of Ordinances of the City of Providence entitled: "Filing fee to accompany petition for appeal, special exception or variance" and Section 102 of Chapter 544 of 1951, entitled: "Filing Fees" as amended, are hereby further amended to read as follows:

"No petition to the Zoning Board of Review for an appeal, special exception or variance, shall be accepted by the secretary of the Zoning Board of Review, unless accompanied by a filing fee of Seventy-Five Dollars (\$75.00), which shall be deposited with the City Collector, and no part of which shall be returnable to the petitioner."

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

An Ordinance Amending the Appropriation Ordinance Chapter 1981-39 Effective July 20, 1981, by Transferring Certain Sums of Money within the Department of Planning and Urban Development to the Department of Building Inspection.

Be it ordained by the City of Providence:

Section 1. Chapter 1981-39 of the Ordinances of the City of Providence effective July 20, 1981, and entitled: "An Ordinance Making an Appropriation of One Hundred Forty-Nine Million, Eight Hundred Sixty-Two Thousand, One Hundred Twenty-Two Dollars and Nine Cents (\$149,862,122.09) for the Fiscal Year Ending June 30, 1982," is hereby amended by transferring the following sums of money within the Department of Planning and Urban Development to the Department of Building Inspection:

Item	Categories	Amount
0	Salaries	\$294,701.00
114	Travel	17,640.00
118	Travel — Other	200.00
122	Advertising	138.00
131	Utilities	1,700.00
141	Repairs	776.00
161	Equipment Rentals	1,131.00
166	Building Rentals	28,700.00
199	Miscellaneous	600.00
201	Supplies	2,367.00
501	Furniture and Fixtures	500.00
502	Books and Maps	500.00
578	Photo Equipment	500.00
	TOTAL	\$349,453.00

Sec. 2. This Ordinance shall take effect October 1, 1981.

An Ordinance Amending Chapter 1829 of the Code of Ordinances of the City of Providence by

Transferring the Code Enforcement Division from the Jurisdiction and Control of the Department of Planning and Urban Development to the Department of Building Inspection.

Be it ordained by the City of Providence:

Section 1. The following portions or provisions of the said Chapter 1829 are hereby deleted, rescinded and revoked:

(a) In Section 5 of the said Chapter 1829, (appearing at the end thereof);

“ . . . and in addition shall supervise the enforcement of Chapter 1040 of the Ordinances of 1956, as amended, entitled, Minimum Standards Housing Ordinance”

(b) In Section 8 of the said Chapter 1829 (appearing in the middle thereof);

“ . . . including, but not by way of limitation, those vested under the Minimum Standards Housing Ordinance, so called . . . ”

(c) In Section 8 of the said Chapter 1829 (appearing at the end thereof);

“ . . . or the Housing Board of Review”

Sec. 2. The Code Enforcement Division is hereby transferred to and under the jurisdiction and control of the Department of Building Inspection; and all the powers and duties of the said Code Enforcement Division, including, but not by way of limitation, those vested under the Minimum Standards Housing Ordinance, so-called, (and which were heretofore vested in the Director of the Department of Planning and Urban Development) are hereby transferred and vested in the Director of the Department of Building Inspection.

Sec. 3. In all other respects and provisions, the said Chapter 1829 shall remain unaltered and unchanged.

Sec. 4. This Ordinance shall take effect upon its passage in accordance with law.

An Ordinance in Amendment of and In Addition to Article II, Section 21-47 of the Code of Ordinances of the City of Providence, Entitled: “Form and Manner of Submission of Claims by Vendors”.

Be It Ordained by the City of Providence:

Section 1. Article II, Section 21-47 of the Code of Ordinances of the City of Providence, entitled: “Form and manner of submission of claims by vendors”, is hereby amended by adding the following:

“The following procedures must be performed in conjunction with all services purchased by the City of Providence which are Emergency Orders and/or items not contracted through the advertisement and sealed bid procedure outlined in Charter Laws 6.6:

(a). Vendors must submit itemized invoices for payment;

The following items will be specifically enumerated on the invoices:

- a.) Man hours worked
- b.) Hourly labor charge
- c.) Materials used
- d.) Cost of each material
- e.) Any other charge

(b). Department Directors, or their designee shall monitor the vendors work and provide Finance Director/City Controller and Internal Auditor with an estimate of man hours worked by

the vendor. Estimates of the man hours worked shall be submitted within two working days of the completion of the job."

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

Severally Read and Collectively Passed, the Second Time, on motion of COUNCILMAN FLYNN, seconded by COUNCILMEN GLAVIN and BRENNAN, by the following Roll Call Vote:

Ayes: Council President Fagnoli and

Councilmen Almagno, Boyle, Councilwoman Brassil, Councilmen Brennan, Cirelli, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Salvatore, Snowden, Stravato and Xavier—23.

Absent: Councilmen Cola, Johnson and Petrosinelli—3.

The motion for Passage the Second Time, is Sustained.

PRESENTATION OF ORDINANCES

COUNCIL PRESIDENT FARGNOLI, COUNCILMAN XAVIER and COUNCILMAN FLYNN:

An Ordinance in Amendment of Section 15-2 (a) Chapter 15 of the Code of Ordinances of the City of Providence, entitled, "Penalties for Traffic Violations".

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

The motion to Refer is Sustained.

COUNCILMAN MANSOLILLO (By Request):

An Ordinance in Amendment of Chapter 1981-41, Effective July 20, 1981, entitled: "An Ordin-

ance Establishing a Compensation Plan for the City of Providence".

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

The motion to Refer is Sustained.

An Ordinance in Amendment of Section 12-79 of the Code of Ordinances of the City of Providence, Entitled: "Violations and Penalties".

COUNCILMAN MANSOLILLO moves the Ordinance be Read and Passed the First Time and Referred to Committee on Ordinances.

This motion is seconded by COUNCILMAN ALMAGNO.

COUNCILMAN FLYNN moves the Ordinance be Referred to Committee on Ordinances.

This motion being seconded by COUNCILMAN GLAVIN and having precedence over the motion for Passage and Referral is Put to Vote and Passed.

The motion to Refer to Committee on Ordinances is thereupon Sustained.

COUNCILMAN PAOLINO and COUNCILMAN BRENNAN:

An Ordinance in Amendment of Article I, by Adding Section 16-18, to be entitled: "Prohibiting Election Signs from being located on private property.

Referred to Committee on Ordinances, on motion of COUNCILMAN FLYNN, seconded by COUNCILMEN GLAVIN and ALMAGNO.

COUNCILMEN EASTON, SALVATORE and SNOWDEN desire to be Recorded as voting "No".

The motion to Refer is Sustained.

RECESS

COUNCIL PRESIDENT FARGNOLI declares the City Council Stand at ease at 9:30 o'clock P.M. (E.D.T.).

RECONVENTION

COUNCIL PRESIDENT FARGNOLI Reconvenes the City Council at 9:35 o'clock P.M. (E.D.T.) and directs the Clerk to Call the Roll to Ascertain if there is a Quorum Present:

Present: Council President Fargnoli and Councilmen Almagno, Boyle, Councilwoman Brassil, Councilmen Brennan, Cir-

elli, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Salvatore, and Snowden—21.

Absent: Councilmen Cola, Johnson, Petrosinelli, Stravato and Xavier—5.

An Ordinance Making it Unlawful for any Tax Exempt Organization or Institution, Whether Public or Private to Acquire Real Property which will be Exempt from Taxation, without Prior Approval from the City Council.

Referred to Committee on Ordinances, on

motion of COUNCILMAN FLYNN, second-
ed by COUNCILMAN GLAVIN.

COUNCILMAN SNOWDEN desires to be
recorded as voting "No".

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILMAN ALMAGNO (By Request):

Resolution Requesting the Acting Public Service Engineer to Order the installation of a High Pressure Sodium Vapor Light on Pole No. 31, located along Pocasset Avenue.

Resolved, That the Acting Public Service Engineer is requested to order the installation of a high pressure sodium vapor light on Pole No. 31, located along Pocasset Avenue.

the Traffic Engineer to cause the Installation of Speed Limit Signs along Concord Street between Frost Street and Matilda Street.

Resolved, That the Traffic Engineer is requested to cause the installation of Speed Limit Signs along Concord Street, between Frost Street and Matilda Street. (Petition attached.)

COUNCILMAN BRENNAN (By Request):

Resolution requesting the Traffic Engineer to cause the Installation of "No Right Turn on-Red" Signs along the Northeasterly corner of Doyle Avenue.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Right Turn on Red" signs along the northeasterly corner of Doyle Avenue.

Resolution requesting the Acting Public Service Engineer to order the installation of a Street-Light on Pole No. 4, located along Concord-Street.

Resolved, That the Acting Public Service Engineer is requested to order the installation of a Street Light on Pole No. 4, located along Concord Street.

Resolution, Accompanied by Petition, requesting

Resolution, accompanied by Petition, requesting the Director of Public Works to cause certain-streets within the Third Ward and Storm-Drains to be Cleaned.

Resolved, That the Director of Public Works is

requested to cause the following Streets to be Cleaned and Swept and Storm Drains, Cleaned, Cleared and Flushed:

Collyer Street,
Concord Street,
Cemetery Street,
Matilda Street,
Frost Street,
Nashua Street,
Pomfret Street,
Carolina Street,
Livingston Street, and
Printery Street.

Resolution Requesting the Traffic Engineer to cause Crosswalks to be Painted and "Stop for Pedestrian" Signs to be erected in front of the building located at 670 North Main Street.

Resolved, That the Traffic Engineer is requested to cause Crosswalks to be Painted and "Stop for Pedestrian" Signs to be erected in front of building located at 670 North Main Street.

COUNCILMAN CIRELLI (By Request):

Resolution Requesting the Traffic Engineer to Prohibit Motor Vehicle Traffic along Pope Street, from Manton Avenue, on Friday, October 16, 1981 and Saturday, October 17, 1981, between the hours of 1:00 o'clock P.M. to 10:00 o'clock P.M. to Accommodate the Feast of Saint Theresa.

Resolved, That the Traffic Engineer is requested to prohibit Motor Vehicle Traffic along Pope Street, from Manton Avenue, on Friday, October 16, 1981 and Saturday, October 17, 1981, between the hours of 1:00 o'clock P.M. to 10:00 o'clock P.M. to Accommodate the Feast of Saint Theresa.

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

The motion for Passage is Sustained.

COUNCILMAN FARMER:

Resolution Requesting the Members of the City Council to follow certain procedures prior to introducing Resolutions requesting Changes in Street Lights or Installation of New Street Lights.

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

The motion to Refer is Sustained.

COUNCILMAN FLYNN (By Request):

Resolution Requesting the Committee on Urban Redevelopment Renewal and Planning to change the name of Union Avenue from 291-293 Waldo Street to Route 10, to One Salvati Way.

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

The motion to Refer is Sustained.

COUNCILMAN MANSOLILLO (By Request):

Resolution Requesting the City of Providence sell

to the State of Rhode Island that parcel of land located along Crary Street, at Clay Street, for the Sum of One Dollar (\$1.00).

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

The motion to Refer is Sustained.

COUNCILMAN MOISE (By Request):

Resolution Requesting the Director of Public Works to cause sidewalks to be installed in front of 204-210 Swan Street.

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

The motion to Refer is Sustained.

COUNCILMAN PAOLINO and COUNCILMAN PENNINE:

Resolution Requesting the Director of the Mayor's Office of Community Development to expedite the necessary plans and proposals for the Remodeling of the Zuccolo Pool located along Gesler Street.

Resolved, That the Director of the Mayor's Office of Community Development is requested to expedite the necessary plans and proposals for the Remodeling of the Zuccolo Recreation Center located along Gesler Street.

Read and Passed, on motion of COUNCILMAN FLYNN, seconded by COUNCILMEN GLAVIN and PAOLINO.

The motion for Passage is Sustained.

COUNCILMAN PEARLMAN and COUNCILMAN FARMER (By Request):

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

Resolved, That the following gifts of the following sums of money, to the Board of Park Commissioners, in trust, the income thereof to be applied, under the provisions of Chapter 367 of the Public Laws, January Session 1861, to the preservation and care of the following specified burial lots in said ground be and the same are hereby respectively accepted.

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

The motion to Refer is Sustained.

COUNCILMAN PENNINE (By Request):

Resolution Requesting the Supervisor of Environmental Control to cause those vacant lots at the corners of Division Street and Harrison Street and all lots along Harrison Street to be Cleaned of all Debris.

Resolved, That the Supervisor of Environmental Control is requested to cause those vacant lots at the corners of Division Street and Harrison Street and all lots along Harrison Street to be Cleaned of all Debris.

Resolution Requesting the Director of Public Works to cause those vacant Lots located along Courtland, Tell, Gesler and Penn Streets to be Cleaned of all Debris.

Resolved, That the Director of Public Works is requested to cause those vacant Lots located along Courtland, Tell, Gesler and Penn Streets to be Cleaned of all Debris.

**COUNCILMAN PETROSINELLI and
COUNCILMAN SALVATORE (By Request):**

Resolution Requesting the Traffic Engineer to prohibit Motor Vehicle Traffic along Woodward Road, from Beulah Street to Veazie Street, on Saturday, September 26, 1981, between the hours of 9:00 o'clock A.M. to 5:00 o'clock P.M., to accommodate the Roger Williams Church Flea Market and Annual Outing.

Resolved, That the Traffic Engineer is requested to prohibit Motor Vehicle Traffic along Woodward Road, from Beulah Street to Veazie Street, on Saturday, September 26, 1981, between the hours of 9:00 o'clock A.M. to 5:00 o'clock P.M., to accommodate the Roger Williams Church Flea Market and Annual Outing.

COUNCILMAN SNOWDEN and COUNCILMAN MOISE:

Resolution Endorsing the Month of September as CPR Month for Blue Cross and Blue Shield.

Whereas, Heart Disease is the number one cause of death in Rhode Island and across the nation as well as a leading cause of cardiac arrest, and

Whereas, The people of the City of Providence share in this suffering with a cardiac-related death rate that needs to be reduced, and

Whereas, The timely application of proper cardiopulmonary resuscitation (CPR) to cardiac

arrest victims can sustain lives until medical help can be obtained, and

Whereas, Blue Cross, Blue Shield and Delta Dental of Rhode Island will sponsor a Special Five-Part Television Series — "Five Minutes to Live" — beginning September 11 at 8:00 P.M. in cooperation with WJAR-TV, the Rhode Island Chapters of the American Red Cross, The Rhode Island Affiliate of the American Heart Association and the Rhode Island Department of Health to help meet the goal of one trained CPR-person in every Rhode Island household during the month of September, 1981,

Now, Therefore, Be It Resolved, That the members of the Providence City Council, do proclaim the month of September, 1981, as CPR AWARENESS MONTH and urge every able-bodied citizen of at least 13 years of age to view the CPR series and to seek follow-up CPR training.

COUNCILMAN XAVIER (By Request):

Resolution Requesting the Traffic Engineer to permit angle parking along the Easterly Side of Empire Street, from Fountain Street Southerly to Westminster Street to compensate for the lost parking spaces due to the Construction along the Westerly Side of Empire Street.

Resolved, That the Traffic Engineer is requested to permit angle parking along the Easterly Side of Empire Street, from Fountain Street Southerly to Westminster Street to compensate for the lost parking spaces due to the construction along the Westerly Side of Empire Street.

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

The motion for Passage is Sustained.

REPORTS FROM COMMITTEES

COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

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

An Ordinance in Amendment of Section 15-2 of the Code of Ordinances of the City of Providence Entitled, "Penalties for Traffic Violations" by Adding Subsection (c) to be entitled "Parking in Downtown Area of Providence after 6:00 o'clock P.M." as Amended.

Read and Passed, the First Time As Amended, on motion of COUNCILMAN FLYNN, seconded by COUNCILMAN GLAVIN, by the following Roll Call Vote:

Ayes: Council President Fargnoli and Councilmen Almagno, Councilwoman Brassil, Councilmen Brennan, Cirelli, Dillon, Easton, Flynn, Glavin, Griffin, Lynch, Mansolillo, O'Connor, Paolino, Pennine, and Snowden—16.

Not Voting: Councilman Moise—1.

Absent: Councilmen Boyle, Cola, Farmer, Johnson, Pearlman, Petrosinelli, Salvatore Stravato and Xavier—9.

The motion for Passage the First Time As Amended is Sustained.

COUNCILMAN GLAVIN Moves for Reconsideration of the Vote.

This motion being seconded by COUN-

CILWOMAN BRASSIL is Put to Vote and Passed.

The motion for Reconsideration is Sustained.

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

This motion being seconded by COUNCILMAN GLAVIN is Put to Vote and Passed by the following Roll call Vote:

Ayes: Council President Fargnoli and Councilmen Almagno, Councilwoman Brassil, Councilmen Brennan, Cirelli, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pennine, and Snowden—18.

Absent: Councilmen Boyle, Cola, Johnson, Pearlman, Petrosinelli, Salvatore, Stravato and Xavier—8.

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

The following are Transmitted with Recommendation, the Same be Severally Adopted:

Resolution that a Policy be Adopted Excluding F.I.C.A. Tax Payment for Sick Pay.

Whereas, The Federal Government will consider exempting the City of Providence, from F.I.C.A. tax payment for wages paid due to sickness,

Now, Therefore, Be It Resolved, That a policy excluding F.I.C.A. tax payment for sick pay be adopted.

Resolution Requesting the Honorable City Clerk to Supply the Providence Public Library with a Copy of the Code of Ordinances Together with Supplements as Printed, and the Journals of Proceedings of the City Council.

Resolved, That the Honorable City Clerk is hereby requested to supply the Providence Public Library with a copy of the Code of Ordinances, together with supplements as printed and the Journals of Proceedings of the City Council.

Resolution Requesting the Committee on Finance

to Undertake a Study as to the Feasibility of Imposing a Use Tax on Educational Facilities, Churches and Trucks.

Whereas, The City of Providence is in need of additional sources of revenue, and

Whereas, Numerous Properties are exempt from taxation and are receiving all benefits, such as police and fire protection, rubbish pick-up, and other City Services, at no cost, and

Whereas, The taxpayers of the City of Providence are paying for the City Services rendered to exempt institutions as well as their own, which has placed a burden on many families and businesses,

Now, Therefore, Be It Resolved, That the Committee on Finance is requested to undertake a study as to the feasibility of imposing a Use Tax on Educational Facilities, Churches and Trucks.

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

The motion for Passage is Sustained.

**COUNCILMAN HARRY A. JOHNSON, Chairman
COMMITTEE ON CITY PROPERTY**

Transmits the following with Recommendation the Same be Severally Adopted:

Resolution Authorizing His Honor the Mayor to Enter into a Lease/Purchase Agreement with Industrial National Bank for the Use of the Three Used Gantry Cranes.

Whereas, The City of Providence proposes to enhance the Port of Providence as an economically successful port; and

Whereas, The City of Providence proposes to establish a container operation at the Port of Providence as one of its means to enhance its economic viability; and

Whereas, The City of Providence deems it necessary and in the public interest (1) to increase the City's employment base, (2) to increase the City's tax base, and (3) to diversify industrial activity through increased export and import activity at the Port of Providence; and

Whereas, The City proposes to lease and/or purchase three used gantry cranes to support the container program at the Port of Providence.

Now, Therefore, Be It Resolved By The City Council of the City of Providence as follows:

1. That the Chief Executive of the City of Providence be authorized to enter into a lease/purchase agreement with Industrial National Bank for the use of three used gantry cranes for a term of fifteen (15) years.

2. That the lease/purchase agreement also includes the cost of relocating the cranes from Weehawken, New Jersey, to the Port of Providence.

3. That the lease agreement also include the refurbishing and replacement of tracks at Berth 6, Port of Providence, and all pertinent engineering and architectural costs to support the placement of the cranes at the Port of Providence.

4. Authorizing the Chief Executive Officer of the City of Providence to enter into an agreement with Port Providence Warehousing, Inc., to perform all necessary functions for the operation of the container program for a term of fifteen (15) years. For this service and if the use of the cranes for container operations does not generate sufficient revenue for the City of Providence to pay for the fee of the lease with Industrial National Bank, Port Providence Warehousing, Inc., will guarantee subject fee to Industrial National Bank for the fifteen (15) year term.

5. That Port Providence Warehousing, Inc., will insure that sufficient land is provided to accommodate the storage of subject containers for a fifteen (15) year term.

COUNCILMAN FLYNN moves the Resolution be Passed.

This Motion is seconded by COUNCILMAN MANSOLILLO.

COUNCILMAN MOISE moves the Resolution be Referred Back to the Committee on City Property.

This Motion being seconded by COUNCILMAN BRENNAN and having precedence over the Motion for Passage is Put to Vote and Not Passed.

The Motion to Refer is Not Sustained.

The Motion for Passage is thereupon Put to Vote and Passed by the following Roll Call Vote:

Ayes: Council President Fagnoli and Councilmen Almagno, Cirelli, Easton, Farmer, Flynn, Glavin, Griffin, Lynch, Mansolillo, O'Connor and Pennine—12.

Noes: Councilmen Brennan, Dillon and Moise—3.

Not Voting: Councilwoman Brassil—1.

Absent: Councilmen Boyle, Cola, Johnson, Paolino, Pearlman, Petrosinelli, Salvatore, Snowden, Stravato and Xavier—10.

The motion for Passage is Sustained.

Resolution Authorizing His Honor the Mayor to Execute a Deed of Conveyance to Andrew J. Patrick, Jr., of that Certain Lot or Parcel of Land located along 35 Potters Avenue, designated as Lot 390 on City Assessor's Plat 46, for the Sum of One Thousand One Hundred Seven Dollars (\$1,107.00).

Resolved, That His Honor the Mayor is hereby authorized to execute a Deed of Conveyance to Andrew J. Patrick, Jr., of 37 Potters Avenue, Providence, Rhode Island, of that certain lot or parcel of land comprising of approximately Five Thousand, Five Hundred Thirty-Five (5,535) square feet of land, more or less, situated on Lot 390, as set out and delineated on City Assessor's Plat 46, located along 35 Potters Avenue, for the sum of One Thousand, One Hundred and seven Dollars (\$1,107.00).

Read and Passed, on motion of COUNCILMAN FLYNN, seconded by COUNCIL-

MAN GLAVIN, by the following Roll Call Vote:

Ayes: Council President Fagnoli and Councilman Almagno, Councilwoman Brassil, Councilmen Cirelli, Dillon, Easton, Farmer, Flynn, Glavin, Lynch, Mansolillo, Moise and Pennine—13.

Noes: Councilman Brennan—1.

Not Voting: Councilman Griffin—1.

Absent: Councilmen Boyle, Cola, Johnson, O'Connor, Paolino, Pearlman, Petrosinelli, Salvatore, Snowden, Stravato and Xavier—11.

The motion for Passage is Sustained.

Resolution Authorizing His Honor the Mayor to Execute a Lease with P & P Development Corporation of an Area of Land along the Plaza above Lot 171, containing Approximately Eight Hundred and Fifty (850) Square Feet of Land, more or less, said lease to contain the same Terms and Conditions as set forth in Resolution No. 736, approved December 12, 1980.

Resolved, That His Honor the Mayor is hereby Authorized to Execute a Lease with P & P Development Corporation, 33 French Street, Pawtucket, Rhode Island, of that area of land along the Plaza above Lot 171, containing approximately eight hundred and fifty (850) square feet of land, more or less, and

Be It Further Resolved, That Resolution No. 736, Approved December 12, 1980, is hereby amended to incorporate that area of land and the same terms and conditions as set forth in Resolution No. 736, shall apply, and

Be It Further Resolved, That the area of land

shall be designated by the Engineering Division of the Department of Public Works and incorporated in the Deed for Lot 171 on City Assessor's Plat 20 as outlined on accompanying site plan.

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

Ayes: Council President Fargnoli and Councilman Almagno, Councilwoman Bras-sil, Councilmen Cirelli, Dillon, Easton, Farmer, Flynn, Glavin, Griffin, Lynch, Mansolillo and Pennine—13.

Noes: Councilman Moise—1.

Not Voting: Councilman Brennan—1.

Absent: Councilmen Boyle, Cola, Johnson, O'Connor, Paolino, Pearlman, Petrosinelli, Salvatore, Snowden, Stravato and Xavier—11.

The motion for Passage is Sustained.

FROM THE CITY CLERK:

Communication, dated September 11, 1981, informing the City Council of the following Members elected as Representatives of the Employee's Retirement System of the City of Providence for the Ensuing Term of Four (4) Years, Ending on the First Monday in October, 1985.

Two (2) Class "A" Members — Ann T. McCrink, Thomas J. Graves.

Class "A" Member Retired — Alfred B. Mendillo.

Class "B" Member Fire Department — Enrico J. Landi.

Class "B" Member Retired — Edmond F. Marnane.

Class "B" Member Police Department — John J. Power, Jr.

Received.

FROM THE CLERK'S DESK

Petition of Michael A. Kelly, Attorney for Greater Providence Associates requesting permission for the Installation of a Physically Handicapped Ramp on City Owned Property at the 170 Westminster Street entrance to the Greater Providence Bank Building.

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

The motion to Refer is Sustained.

Petitions for Compensation for Injuries and Damages, viz:

Patricia A. Corio

Robin Dean

Ethel McCullough

Linda McDonnell

Shirley Rotkin

Robert Schleser

Donna Sutherin

Kerri Lynn Sutherin

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

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

"In Congratulations"

COUNCIL PRESIDENT FARGNOLI and the MEMBERS of the CITY COUNCIL:

Resolution Extending Congratulations to the Following:

Vincent Marino, Upon the Occasion of his Eighty-Seventh Birthday.

Mr. and Mrs. James A. Freethy, Upon the Occasion of their Fiftieth Wedding Anniversary.

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

The motion to Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT FARGNOLI and the MEMBERS of the CITY COUNCIL:

Resolutions Extending the Sympathy of the Members of the City Council to the Families of the following Decedents:

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

Dora Badessa

James C. Comer

Annetta B. McLaughlin

Armando Mallozzi

Margaret E. McGinity

Albertine C. Pacific

Joe Arango

Frank Dias

Antonio Mortoro

John J. Mendonsa

Thomas J. Reddington, Jr.

James M. Duffy

James Bryce

John Ravo

Peter Perrotti

William E. Cavanaugh

Joseph Sarcione

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

Alfred F. Xavier

The motion for Passage is Sustained.

Earl H. Taft

Elia Venditti

Petrina Carbone

ADJOURNMENT

There being no further business on motion of COUNCILMAN FLYNN, seconded by COUNCILMAN GLAVIN, the City Council adjourns at 10:40 o'clock P.M. (E.D.T.) to meet again on THURSDAY, OCTOBER 1, 1981 at 8:00 o'clock P.M. (E.D.T.).

Rose M. Mendonca

City Clerk

September 17]

1642

[1981
