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CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL
JOURNAL OF PROCEEDINGS

No. 97 City Council Regular Meeting, Thursday, October 18, 1990, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

NICHOLAS W. EASTON

IN CITY COUNCIL

NOV 1 - 1990
APPROVED: *Richard R. Christ* CLERK
First Deputy

ROLL CALL

Present: Council President Easton, Councilmen Annaldo, Clarkin, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Farmer, Glavin, Igliozi, Lombardi, Lopes, Petrosinelli, Rollins, and Councilwoman Young - 14.

Absent: Councilmen Cola - 1.

INVOCATION

The Invocation is given by COUNCILMAN
DAVID G. DILLON

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

COUNCILMAN MALCOLM FARMER, III
leads the members of the City Council and
the Assemblage in the Pledge of Allegiance
to the Flag of the United States of America.

APPROVAL OF RECORDS

The Journal of Proceedings No. 95 of the
Regular Meeting of the City Council held
October 4, 1990 and Posted October 15, 1990
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.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication dated October 11, 1990, 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 appointing Michael Solomon of 55 Kossuth Street, Providence, Rhode Island, as a Member of the Providence Redevelopment Agency for a term expiring in July of 1995, replacing Joseph Esposito who has Resigned.

Dear Honorable Members:

Pursuant to Sections 302 (b) and 1108 of the Providence Home Rule Charter of 1980, I am this day appointing Michael Solomon of 55 Kossuth Street, Providence, RI, as a member of the Providence Redevelopment Agency for a term expiring in July of 1995 replacing Joseph Esposito who has resigned.

October 11, 1990

Respectfully Submitted,

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

JOSEPH R. PAOLINO, JR.
Mayor of Providence

Received.

ORDINANCE SECOND READING

The following Ordinance was in City Council October 4, 1990, Read and Passed the First Time and is Returned for Passage, the Second Time:

An Ordinance Extending the time within which Bonds authorized by the Electors at the November 3, 1987 Election and by Ordinance entitled: "An Ordinance to appropriate \$15,000,000 and to authorize the issuance of not in excess of \$15,000,000 General Obligation Bonds for the purpose of Acquiring and Preserving Open Space and Acquiring, Preserving, Restoring or Improving Recreational Areas" may be issued.

Be it ordained by the City of Providence:

Section 1. Pursuant to the authority contained

in Section 807 (p) of the Home Rule Charter of the City of Providence, the time within which the Treasurer may issue bonds authorized by "An ordinance to appropriate \$15,000,000 and to authorize the issuance of not in excess of \$15,000,000 General Obligation Bonds for the purpose of acquiring and preserving open space and acquiring, preserving, restoring or improving recreational areas" being Ordinance No. 205 (Chapter 1988-12) is hereby extended to the date which is five (5) years following the certification of the approval of the voters of the City of Providence at the election held on November 3, 1987.

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

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, Councilmen Annaldo, Clarkin, Dillon, Councilwom-

en DiRuzzo, Fargnoli, Councilmen Farmer, Glavin, Igliozi, Lombardi, Lopes, Petrosinelli, Rollins and Councilwoman Young — 14.

Absent: Councilman Cola — 1.

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 Chapter 1990-14, as approved July 3, 1990 entitled: "An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 1989-14, approved June 22, 1989, as Amended", relative to Various City Departments.

An Ordinance in Amendment of Chapter 1990-15, as approved July 3, 1990 entitled: "An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Ordinance Chapter 1989-13, approved June 22, 1989, as Amended", relative to Various City Departments.

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

The motion to Refer is Sustained.

COUNCILWOMAN YOUNG (By Request):

An Ordinance in Amendment of and in addition to Chapter 1984-17, of the Ordinances of the City of Providence, approved March 9, 1984 and entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Upper South Providence Revitalization Project" for Additional Acquisition and Development Controls

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

Ayes: Council President Easton, Councilmen Annaldo, Clarkin, Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Farmer, Glavin, Igliozi, Lombardi, Lopes, Petrosinelli, Rollins and Councilwoman Young — 14.

Absent: Councilman Cola — 1.

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

An Ordinance in Amendment of and in addition to Chapter 1983-19, of the Ordinances of the City of Providence approved May 3, 1983, entitled: "An Ordinance Approving and Adopting the Official

Redevelopment Plan for the Trinity Gateway Revitalization Project" for additional acquisition and development controls

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

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

COUNCILMAN ANNALDO (By Request):

Resolution Requesting the Chief Electrical Inspector to order the installation of a street light on Poles Numbered 6 and 7, located along Gloucester Street.

Resolved, That the Chief Electrical Inspector is requested to order the installation of a street light on Poles Numbered 6 and 7, located along Gloucester Street.

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

The motion for Passage is Sustained.

COUNCILMAN CLARKIN (By Request):

Resolution accompanied by petition, to cause the direction of Traffic on Thayer Street, between Transit Street and Power Street, be converted

from partly one-way north and partly two-ways, north and south, to wholly one-way north.

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

The motion to Refer is Sustained.

COUNCILMAN DILLON:

Resolution Directing the Director of the Department of Inspection and Standards to place a Moratorium on the Issuance of Building Permits for new construction in the Reservoir Triangle Neighborhood as that neighborhood is defined on the official neighborhood maps of the City as attached hereto, pending the adoption of a new Zoning Ordinance by the City Council, or for 180 days, whichever comes first.

Whereas, The Zoning Commission, the City Plan Commission, and the Department of

Planning and Development have been working for some time on a revised Zoning Ordinance for the City of Providence, and

Whereas, This recised Zoning ordinance will be a blueprint for the development of our City for future generations, and

Whereas, This revised ordinance is to be submitted to the City Council in the very near future, and

Whereas, It is preferable to have development conform to the new Zoning Ordinance and avoid situations in which developers rush to obtain permits under the existing 1951 Zoning Ordinance,

Now, Therefore, Be It Resolved. That the Director of the Department of Inspection and Standards is directed to place a Moratorium on the issuance of building permits for new construction in the Reservoir Triangle Neighborhood as that neighborhood is defined on the official neighborhood maps of the City as attached hereto, pending the adoption of a new Zoning Ordinance by the City Council, or for 180 days, whichever comes first.

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

COUNCILMEN IGLIOZZI and LOMBARDI desire to be recorded as "Not Voting".

The motion for Passage is Sustained

COUNCILWOMAN DiRUZZO (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Dunford Street, from Pocasset Avenue to Plainfield Street on Saturday October 20, 1990 from 8:30 o'clock A.M. to 4:00 o'clock P.M., to accommo-

date the Fifteenth Ward's Flea Market and Cake Sale to benefit St. Jude's Children's Cancer Research Hospital.

Resolved, That the the Traffic Engineer is requested to prohibit motor vehicle traffic along Dunford Street, from Pocasset Avenue to Plainfield Street on Saturday, October 20, 1990 from 8:30 o'clock A.M. to 4:00 o'clock P.M., to accommodate the Fifteenth Ward's Flea Market and Cake Sale to benefit St. Jude's Children's Cancer Research Hospital.

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

The motion for Passage is Sustained

Resolution that Florence Street be made a One-Way Street from Kossuth Street to Manton Avenue, traveling in a southerly direction.

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

The motion to Refer is Sustained

COUNCILWOMAN FARGNOLI (By Request):

Resolution Requesting the Chief of the Providence Police Department to assign a detail to Mount Pleasant High School at specific times to disperse non-student loitering.

Resolved, That the the Chief of the Providence Police Department is requested to assign a detail to Mount Pleasant High School at specific times to disperse non-student loitering.

Read and 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 Convey to the Providence Redevelopment Agency a Certain Parcel of Land for the sum of One Dollar (\$1.00), on Lot 138 on City Assessor's Plat 99, containing approximately 1,033,643 square feet of land.

Resolution Authorizing the Board of Contract and Supply on behalf of the City of Providence, to purchase from the Providence Redevelopment Agency for the sum of One Dollar (\$1.00), certain parcels of land for the Parks Department to be used as Public Open Space.

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

The motion to Refer is Sustained

COUNCILMAN IGLIOZZI (By Request):

Resolution Requesting the Traffic Engineer to cause the installation of Traffic Signal Lights at the intersection of Plainfield Street and Duxbury Street.

Resolved, That the Traffic Engineer is requested

to cause the installation of Traffic Signal Lights at the intersection of Plainfield Street and Duxbury Street.

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

The motion for Passage is Sustained

COUNCILMAN LOMBARDI (By Request):

Resolution Granting Authority to the City Treasurer to Assign the Tax Title to the Providence Preservation Society Revolving Fund of that Property located at 142 Bridgham Street.

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

The motion to Refer is Sustained

COUNCILWOMAN YOUNG (By Request):

Resolution Requesting the Commissioner of Public Safety and the Chief of the Providence Police Department to order footpatrols to be placed within the Eleventh Ward.

Resolved, That the Commissioner of Public Safety and the Chief of the Providence Police Department are requested to order footpatrols to be placed within the Eleventh Ward.

Resolution Requesting the Environmental Enforcement Supervisor to cause that Garbage,

Debris and Overgrown Brush to be removed from that vacant Lot and Sidewalk located near 335 Dudley Street.

Resolved, That the Environmental Enforcement Supervisor is requested to cause that Garbage and Debris and Overgrown Brush to be removed from that vacant lot and sidewalk located near 335 Dudley Street.

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

The motion for Passage is Sustained

COUNCILMAN GLAVIN moves Reconsideration of "An Ordinance in Amendment of and in Addition to Chapter 1983-19 of the Ordinances of the City of Providence approved May 3, 1983, and entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Trinity Gateway Revitalization Project" for

additional acquisition and development controls".

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 and Referred to Committee on Urban Redevelopment, Renewal and Planning.

This motion being seconded by COUNCILWOMAN FARGNOLI is Put to Vote and Passed by the following Roll Call Vote:

Ayes: Council President Easton, Councilmen Annaldo, Clarkin, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Farmer, Glavin, Igliozi, Lombardi, Lopes, Petrosinelli, Rollins and Councilwoman Young — 14.

Absent: Councilman Cola — 1.

The motion for Passage the First Time and to Refer is Sustained.

REPORTS FROM COMMITTEES

COUNCILMAN DAVID G. DILLON, Chairman COMMITTEE ON FINANCE

Transmits the following with Recommendation the Same be Severally Adopted:

Resolution that the City Council exempt certain Teachers from the Residency Requirements established under Section 1210 of the providence Home Rule Charter of 1980.

Resolved, That the City Council exempt the following teachers from the residency requirements established under Section 1210 of the providence Home Rule Charter of 1980.

(Letters of requests appended)

Erick Irizarry

Marilyn Cimini

Carol Sneider

Beverly Andrade

James Ryan

Donna Manion

Kathleen Collins-Pucino

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

COUNCILMAN ROLLINS Desires to be recorded as voting "No".

The motion for Passage is Sustained

Resolution Authorizing the City Collector to cause taxes to be abated on that property under the S.W.A.P. Program, located along 15 Marlborough Avenue, in the amount of Five Thousand, Six Hundred Eighty-Nine Dollars, Twenty-Nine Cents (\$5,689.29) in accordance with the application filed by Judith J. Speaks.

Resolved, That the City Collector is hereby authorized to cause taxes to be abated on that property under the S.W.A.P. Program, situated on Lot 675, as set out and delineated on City Assessor's Plat 45, located along 15 Marlborough Avenue, in the amount of Five Thousand, Six Hundred Eighty-Nine Dollars, Twenty-Nine Cents (\$5,689.29) in accordance with the application filed by Judith J. Speaks.

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

Ayes: Council President Easton, Councilmen Annaldo, Clarkin, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Farmer,

Glavin, Igliozi, Lombardi, Lopes, Petrosinelli, Rollins and Councilwoman Young — 14.

Absent: Councilman Cola — 1.

The motion for Passage is Sustained

Resolution Authorizing the City Council to Indemnify Gloria Lincourt, City Controller, for any sums that she may be liable for in the McElroy & Atigian Cases and in any case that may be brought against her by the Retirement Board.

Resolved, that the City Council is hereby authorized to indemnify *Gloria L. Lincourt, City Controller* for any sums that she may be liable for in the *McElroy* and *Atigian* cases, and in any cases that may be brought against her by the Retirement Board, provided that Gloria Lincourt is not finally determined by the Court to have been acting outside the scope of her official duties of employment and/or to have been acting in bad faith.

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

Ayes: Council President Easton, Councilmen Annaldo, Clarkin, Dillon, Councilwoman Fagnoli, Councilmen Farmer, Glavin, and Petrosinelli — 8.

Noes: Councilwoman DiRuzzo, Councilmen Igliozi, Lombardi, Lopes, Rollins and Councilwoman Young — 6.

Absent: Councilman Cola — 1.

The motion for Passage is Sustained.

**The following are transmitted with
Recommendation the Same be Adopted, as
Amended:**

Resolution Authorizing the Hiring of Outside Legal Counsel in the case of Hillside Associates, L.P. vs. Louis R. Stravato.

suit was that she wrote to the Providence Journal a controversial issue regarding the Carousel at Roger Williams Park. That was the basis that suit was brought against her.

Resolution Authorizing the City Council to Indemnify Nancy Derrig, Superintendant of Parks in the case of Raymond Tomasso vs. Nancy Derrig.

In the case of Miss Lincourt, it was in her capacity as City Controller and by virtue of that office, a member of the Retirement Board.

COUNCILWOMAN DiRUZZO requests the City Solicitor submit his opinion on the three foregoing Resolutions:

In the case of Mr. Stravato, the suit was brought against him arising out of conduct in which it was determined by the Zoning Board he had a legitimate right to do representing his particular Ward.

City Solicitor Clifton: Mr. President and Members of the City Council. The preceding Monday night at the Finance Committee, I presented a written opinion as to each of these particular matters. First of all, in Rhode Island, there is a General Law which authorizes the City or Town Councils to indemnify appointed or elected officials if they were acting in good faith or in the scope of their employment. That statute is in conformity with Statutes in most of the jurisdictions in the United States. And in the case of McQuillan's Municipal Corporation, at least one version of the Bible, whether or not it is permissible for a City or Town Council to indemnify an elected official, in the majority of the cases, the law says that the City or Town Councils could. The Rhode Island Statute is not mandatory, it is discretionary. There is a three prong test which I suggested to each member of the Finance Committee review before the Committee makes its determination to indemnify these three individuals.

Preliminary determinations in my opinion, was that each individual was acting under the scope of their employment.

The next question is whether each person has a right or duty or obligation to protect the department or interest in which they represent?

In the case of Ms. Derrig, the Parks Department, it was in a major enterprise within the park and she had a duty to make sure that the matter was addressed.

In the case of Miss Lincourt, over the matter concerning the Retirement Act, and it was certainly something she had a duty to do in the course of her employment.

In the case of Mr. Stravato, which arose out of a hearing before the Zoning Board, they decided he had legal standing in appealing from the issuance of Building Permits for Hillside Village.

The first test is whether or not the person was acting within the scope of his or her employment. In every one of these matters, specifically with the case of Nancy Derrig, the basis for the law-

The Third test is whether the persons are acting in good faith, with respect to the Resolutions before you, as Mr. Dillon indicated with respect for the Resolutions before you, with regards to the case of Lincourt and Derrig, that ultimately

must be decided by the court if they proceed that far. In that instance, and the Resolutions are clear, if the court said that they acted either in bad faith or outside the scope of their employment the City will not be obligated to indemnify them in that case.

In the case of Mr. Stravato, there was an additional law suit brought by a land developer Mr. Mesolella which said Mr. Stravato abused the legal process when he appealed to the Zoning Board from the decision by the Director of the Department of Building Inspections granting the developer the building permit and the lawsuit was dismissed by the Superior Court. So the action was dismissed and one can reasonably speculate and conclude, that had there been bad faith by Mr. L. Stravato the case would not have been dismissed, but nothing is presently pending in court and that decision has not been appealed. The court found in that matter, Mr. Stravato was acting in good faith and that was basically my opinion to the Finance Committee.

The recommendation from myself was that the Council always considered these cases on a case by case instead of indemnifying a person for all the things they might do. That does not set a precedent, you would evaluate each case in the future.

Assuming that you vote in the affirmative tonight, you can vote in the negative next time, it is a case by case basis.

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

Ayes: Council President Easton, Councilmen Clarkin, Dillon, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Igliozi, Lombardi, Petrosinelli, Rollins and Councilwoman Young — 11.

Noes: Councilwoman DiRuzzo and Councilman Lopes — 2.

Not Voting: Councilman Annaldo — 1.

Absent: Councilman Cola — 1.

The motion for Passage, as Amended, is Sustained.

COUNCILWOMAN DiRUZZO, COUNCILMEN LOMBARDI, LOPES, ROLLINS and COUNCILWOMAN YOUNG desire to be recorded as voting "No" and COUNCILMEN ANNALDO, FARMER and IGLIOZZI desire to be recorded as "Not Voting" relative to the following:

"Resolution Authorizing the Hiring of Outside Legal Counsel in the Case of Hillside Associates, L.P., vs. Louis R. Stravato".

RECAPITULATION OF VOTE:

AYES: 6.

NOES: 5.

NOT VOTING: 3.

ABSENT: 1.

Resolved, that the City Council is hereby authorized to indemnify Nancy L. Derrig, Superintendant of Public Parks for any sums that she may be liable to the Plaintiff, Raymond A. Tomasso, arising out of a lawsuit which has been filed and is currently pending in the Providence Superior Court captioned as follows: Raymond A. Tomasso vs. Nancy L. Derrig, C.A. No: 90-857, provided that Nancy L. Derrig is not finally determined by the Court to have been acting outside of the scope of her official duties or employment and/or to have been acting in bad faith.

The motion for Passage, as Amended, is Defeated.

**The following are transmitted with
Recommendation the Same be Severally
Approved:**

Communication from His Honor the Mayor, dated September 25, 1990, Informing the Honorable City Council that pursuant to Chapter 1987-29 of the Ordinances of the City of Providence, he is this day appointing Mr. John E. Martinelli of 61 Forbes Street, Providence, RI, Associate Justice of the Providence Housing Court for a term to expire in January of 1992 to replace Frederick Lippitt, who has resigned and respectfully submits same for Approval.

September 25, 1990

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

Dear Honorable Members:

Pursuant to Chapter 1987-29 of the Ordinances of the City of Providence, I am this day appointing Mr. John E. Martinelli of 61 Forbes Street, Providence, Rhode Island, Associate Justice of the Providence Housing Court for a term to expire in January of 1992 to replace Frederick Lippitt who has resigned. 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 of Approval is Sustained.

Communication from His Honor the Mayor, dated October 1, 1990, Informing the Honorable City Council that pursuant to Section 302 (b) of the Providence Home Rule Charter of 1980, he is this day appointing Raymond J. Esposito of 389 Benefit Street, Providence, RI, as a Member of the Providence Off Street Public Parking Corporation for a term expiring in August of 1995, replacing John O'Brien who has resigned and respectfully submits same for Approval.

October 1, 1990

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 appointing Raymond J. Esposito of 389 Benefit Street, Providence, Rhode Island, as a member of the Providence Off Street Public Parking Corporation for a term expiring in August of 1995 replacing John O'Brien who has resigned, 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 of Approval is Sustained.

The following is Transmitted with Recommendation the Same be Disapproved:

Communication from His Honor the Mayor, dated October 1, 1990, Informing the Honorable City Council that pursuant to Sections 302 (b) and 1103 of the Providence Home Rule Charter of 1980, he is this day appointing Betsy Holland of 21 Glen Drive, Providence, RI, as a Member of the Human Relations Commission for a term expiring in January of 1993 replacing Dempsey Varner whose term has expired, and respectfully submits same for Approval.

October 1, 1990

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 1103 of the

Providence Home Rule Charter of 1980, I am this day appointing Betsy Holland of 21 Glen Drive, Providence, Rhode Island, as a member of the Human Relations Commission for a term expiring in January of 1993 replacing Dempsey Varner whose term has expired, 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 of Approval is Sustained.

**COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman
COMMITTEE ON URBAN REDEVELOPMENT,
RENEWAL AND PLANNING**

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

An Ordinance in Amendment of and in Addition to Chapter 1979-26 of the Ordinances of the City of Providence, approved June 22, 1979 and entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for the West End Project" for Additional Acquisition and Project Improvements, as Amended.

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

Ayes: Council President Easton, Councilmen Clarkin, Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Farmer.

Glavin, Igliozi, Lombardi, Lopes, Petrosinelli, Rollins and Councilwoman Young

The motion for Passage the First Time, is Sustained.

Absent: Councilmen Annaldo and Cola —
2.

**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 (1U, 2U, 3U, 5U, 6U, 8U, and 11U) 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 Approved for Cancellation, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI by the following Roll Call Vote:

Ayes: Council President Easton, Councilmen Clarkin, Dillon, Councilwoman Fargnoli, Councilmen Farmer, Glavin, Igliozi, Lopes, Petrosinelli, Rollins and Councilwoman Young — 12.

Certificates from the City Collector (Nos. 72, 73, 74 and 75) Recommending the Same be Severally Canceled, pursuant to the provisions of Section 44-7-14 of the General Laws of the State of Rhode Island, 1956, as Amended, inasmuch as the same have been determined to be Uncollectible.

Absent: Councilmen Annaldo, Cola and Councilwoman DiRuzzo — 3.

The motion of Approval is Sustained.

**COUNCILMAN JAMES A. PETROSINELLI, Chairman
COMMITTEE ON PUBLIC WORKS**

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

Resolution that South Main Street be established as a One-Way Street, in a southerly direction, from Tockwotton Street to India Street.

Resolved, That that South Main Street, in a southerly direction from Tockwotton Street to India Street, be established as a One-Way Street temporarily, due to the congestion in the area and for the good of public safety.

a One-Way Street, in a northerly direction, from India Street to Tockwotton Street.

Resolved, that Traverse Street, in a northerly direction, from India Street to Tockwotton Street, be established as a One-Way Street temporarily, due to the congestion in the area and for the good of public safety.

Resolution that Tockwotton Street be established as a One-Way Street, in a westerly direction, from Traverse Street to Benefit Street.

Resolved, that Tockwotton Street, in a westerly direction, from Traverse Street to Benefit Street, be established as a One-Way Street temporarily, due to the congestion in the area and for the good of public safety.

Resolution establishing Grotto Avenue, from Mount Avenue to Magellan Street, as a One-Way Street.

Resolved, That the Traffic Engineer is requested to establish Grotto Avenue, from Mount Avenue to Magellan Street, as a One-Way Street, with traffic permitted to travel only in a north-to-south direction.

Resolution that Benefit Street be established as a One-Way Street, in a southerly direction, from Tockwotton Street to India Street.

Resolved, that Benefit Street, in a southerly direction, from Tockwotton Street to India Street, be established as a One-Way Street temporarily, due to the congestion in the area and for the good of public safety.

Resolution establishing Viola Street as a One-Way Street.

Resolved, That Viola Street is hereby established as a One-Way Street.

Resolution Ordering the Abandonment of Lake Street.

Resolved, Decreed and Ordered

Resolution that Traverse Street be established as

That the following named street shown as cross-

hatched area on the accompanying plan entitled: "Providence, Rhode Island Department of Public Works — Engineering Office, Street Line Section Plan No. 064480 dated December 27, 1989",

Viz:

Lake Street, shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-A), having ceased to be useful to the public and the same is proposed to be abandoned as a public highway, provided that the Water Supply Board be granted a perpetual and permanent right and easement over, along, under and above that certain parcel of land for the purpose of the Grantee herein installing, maintaining, operating, inspecting, repairing, replacing or renewing water pipes, conduits, mains, valves, blowoffs, miscellaneous devices or the like, including any and all appurtenances thereto, necessary for or used in connection therewith and the right and privilege at such time as in its sole discretion and without notice as it deems necessary for said City, its successors, assigns, agents, servants and employees, to enter upon, over, along, under and above said premises with vehicles, apparatus, personnel, equipment and appliances to dig and excavate the pavement and soil about said pipes, mains, services and the like as may be necessary therefore but in any of such entry to refill and repair any such excavation, carry away any surplus, material and leave said premises in as good condition as it was prior to the making of any such excavation, at its sole expense, but not for the replacement, if any, of any out of the ordinary material placed thereon by the Grantor herein. And for the consideration received, the Grantor, its successors and assigns, covenants and agrees that it will not build or erect a structure of any kind, in, over, above, or on the herein-described parcel, nor shall it store or allow to accumulate any material on said parcel, and said Grantor shall maintain and be responsible for the normal repair of the surface of the herein-described parcel, 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 a 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 the State.

Resolution Ordering the Abandonment of Portions of Somerset Street and Myrtle Street.

Resolved, Decreed and Ordered

That the following named streets shown as shaded areas on the accompanying plans:

Viz:

Somerset Street (Portion of) shown as shaded area on accompanying plan entitled: "Providence, Rhode Island, Department of Public Works — Engineering Office, Street Line Section Plan No. 064482 dated January 10, 1990,"

Myrtle Street (Portion of) shown as shaded area on the accompany plan entitled: "Providence, Rhode Island, Department of Public Works — Engineering Office, Street Line Section Plan No. 064483 dated January 10, 1990", having ceased to be useful to the public and the same is proposed to be abandoned as a Public Highway, provided that an easement be granted to New England Telephone which will permit retention of their facilities in existing locations, together with the right to inspect, maintain, operate and replace the same and with twenty-four-hour access to facilities, if it is decided by the petitioner that telephone

facilities are to be relocated, the petitioner will assume all costs of the relocation and an easement be granted to the Providence Gas Company for its mains and 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 highways 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 a 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 highways which has been abandoned, who is known to reside within the State.

Resolution Granting Permission to Peter and Susan Allen to replace the front porch and stairs on their property located along 98 Transit Street.

Resolved, That Permission is hereby granted to Peter and Susan Allen to replace the front porch and stairs on their property located along 98 Transit Street, in accordance with their plans as submitted and approved by the Director of Inspection and Standards, subject to the petitioners obtaining a variance from the Building Board of Review, and

Be It Further Resolved, That the petitioner will indemnify the City of Providence and hold it harmless from, and against and any all loss, cost, damage, liability, and expense incurred by the City of Providence arising out of the construction, maintenance, and/or use of the aforesaid porch and extension, and

Such agreement shall be in a form satisfactory to the Department of Law.

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

The motion for Passage is Sustained.

The following are Transmitted with Recommendation the Same be Severally Denied:

Resolution Requesting the traffic Engineer to cause the installation of Four-Way "Stop" Signs at the intersection of Savoy Street and Morris Avenue.

Denied, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Deny is Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of Four-Way "Stop" Signs at the intersection of Updike Street and Whitmarsh Street.

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

The motion to Refer Back to Committee is Sustained.

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

Petition to Abandon the westerly end of Gilbert Street, at Powhattan Street.

motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

Petitioner Granted Leave to Withdraw, on

The motion to Withdraw is Sustained.

COMMUNICATIONS AND REPORT

FROM THE CITY ASSESSOR:

The motion to Refer is Sustained.

Certificates (47T and 13U) Requesting the same be Severally Amended on the 1990 Tax Roll and the Assessments Tax to be increased as set forth, pursuant to the provisions of Section 14 and 15 of Title 44, Chapter 7 of the General Laws of the State of Rhode Island, 1956, as Amended.

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

FROM THE BOARD OF LICENSES:

Report for the Quarter ended September 30, 1990.

Received.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Taino F. Adewuyi

Lisa and Michael Blais vs. M. DeConti, et als

Briggs, Antoinette, p.p.a. Keilon

Margaret Browne

Frank Cavanaugh

Della D. Davis

Lucia DiPalma

Arlene M. Nolan

Margaret P. Foss

Gerald R. Scott

Honorbilt, Ltd.

June A. Sullivan

Joan C. Johnson

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

Wendy Leiter

The motion to Refer is Sustained.

John and Donna Manfredi, p.p.a. Matthew

Italo Marandola

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 expressed to the
families of the following:

Theresa Ricciardi

Alice B. Martin

Greta O'Rourke

Domenico Mariotti

Peter P. Evonska

Rita M. Beanland

Timothy F. Healy

Adeline A. O'Connell

Elena Sharkey

Ida M. Fioravanti

Louis Rosati

Victoria Amodei

Raymond J. Collins

Lillian DeLeo

Olga G. Tramonti

Peter Manfredo

Florian J. Anzeveno

Lorenzo Caprio

James Mitchell

Mary A. Barricelli

Margaret M. Deignan

COUNCILMAN GLAVIN, seconded by
COUNCILWOMAN FARGNOLI.

The motion for Passage is Sustained.

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

ADJOURNMENT

There being no further business, on
motion of COUNCILMAN GLAVIN, second-
ed by COUNCILWOMAN FARGNOLI, the
City Council adjourns at 9:00 o'clock P.M.
(E.D.T.) to meet again on THURSDAY,
NOVEMBER 1, 1990 at 7:30 o'clock P.M.
(E.D.T.).

Rose M. Mendonca

City Clerk