

DEPARTMENT OF CITY CLERK

CITY HALL

APRIL 4, 1983

The Committee on Finance meets this day in Committee Room "A" at 3:30 o'clock P.M. (EST).

Present: Councilwoman Brassil, Chairwoman and Councilwoman Fagnoli, Councilmen Dillon, Easton and Farmer.

(Helen G. Gibbons, Assistant Clerk).

RELATIVE TO AN ORDINANCE IN AMENDMENT OF SECTION 46 OF CHAPTER 1982-44 APPROVED JULY 7, 1982, 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 1981-40 EFFECTIVE JULY 20, 1981" RELATIVE TO DIVISION OF GROUNDS MAINTENANCE SERVICES.

Chairwoman Brassil reads a communication dated March 16, 1983 from John T. Campanini, Jr., of the Park Department requesting to amend the Ordinance by Deleting One (1) Heavy Equipment Operator Position and Add One (1) Tree Trimmer Position: since the salary for both positions is equal, this change represents no increase cost to City government, the change is sought, however to enhance job function flexibility in the forestry unit.

Also presented is a communication from Mr. Frank Romanelli, Budget Analyst dated April 4, 1983 informing the Committee of the amendment same being as follows:

Delete: One (1) Heavy Equipment Operator \$7.18 hr and  
Add: One (1) Tree Trimmer \$7.18 per hour.

Accordingly, on motion of Councilman Easton, seconded by Councilman Dillon, it is voted to Approve the Ordinance and Transmit same to the City Council with recommendation of Adoption.

RELATIVE TO AN ORDINANCE IN AMENDMENT OF THE APPROPRIATION ORDINANCE, CHAPTER 1982-42 APPROVED JULY 7, 1982 BY TRANSFERRING THE SUM OF TEN THOUSAND DOLLARS (\$10,000.00) FROM APPROPRIATION RESERVE TO CITY COUNCIL, 1-001-02-122 AND CITY CLERK 1-001-03-501.

On motion of Councilwoman Fagnoli, seconded by Councilman Easton, it is voted to approve the Ordinance and transmit same to the City Council with recommendation of Adoption.

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RELATIVE TO RESOLUTION AUTHORIZING THE CITY COLLECTOR TO CAUSE THE TAXES TO BE ABATED ON THAT PROPERTY UNDER THE SWAP PROGRAM, LOCATED ALONG 51 LINWOOD AVENUE, LOT 171, PLAT 42 FOR THE SUM OF ONE THOUSAND, SEVENTY-NINE DOLLARS FIFTY CENTS (\$1,079.50).

Chairwoman Brassil informs that all reports have been received together with a communication from Frank Romanelli dated April 4, 1983 informing the Committee that the subject abatement will reduce the revenue amount to be received by the City by \$1,079.50.

RELATIVE TO RESOLUTION AUTHORIZING THE CITY COLLECTOR TO CAUSE THE TAXES TO BE ABATED ON THAT PROPERTY UNDER THE SWAP PROGRAM, LOCATED ALONG 145 WADSWORTH STREET, LOT 721 PLAT 43 FOR THE SUM OF ONE THOUSAND, FOUR HUNDRED NINETY-FIVE DOLLARS AND THIRTY CENTS (\$1,495.30).

Chairwoman Brassil informs that all reports have been received together with a communication from Frank Romanelli, Budget Analyst dated April 4, 1983, informing the Committee that the subject abatement will reduce the revenue amount to be received by the City by \$1,495.30.

RELATIVE TO RESOLUTION AUTHORIZING THE CITY COLLECTOR TO CAUSE THE TAXES TO BE ABATED ON THAT PROPERTY UNDER THE SWAP PROGRAM, LOCATED ALONG 45-47 PEKIN STREET, LOT 504 LOT 69 FOR THE SUM OF ONE THOUSAND, SIXTY-FOUR DOLLARS, TWENTY-EIGHT CENTS (\$1,064.28).

Chairwoman Brassil informs that all reports have been received together with a communication from Frank Romanelli, Budget Analyst dated April 4, 1983, informing the Committee that the subject abatement will reduce the revenue amount to be received by the City by \$1,064.28.

RELATIVE TO RESOLUTION AUTHORIZING THE CITY COLLECTOR TO CAUSE THE TAXES TO BE ABATED ON THAT PROPERTY UNDER THE SWAP PROGRAM, LOCATED ALONG 36 STANWOOD STREET, LOT 246, PLAT 49 FOR THE SUM OF ONE THOUSAND, SIX HUNDRED THIRTY-TWO DOLLARS AND FIFTY-EIGHT CENTS (\$1,632.58).

Chairwoman Brassil informs that all reports have been received together with a communication from Frank Romanelli, Budget Analyst dated April 4, 1983 informing the Committee that the subject abatement will reduce the revenue amount to be received by the City by \$1,632.58.

Accordingly, on motion of Councilman Easton, seconded by Councilman Dillon, it is voted to approve the foregoing Resolutions and Refer them to the City Council with recommendation of Adoption.

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RELATIVE TO RESOLUTION ENDORSING THE SENATE BILL ENTITLED:  
"AN ACT RELATING TO NON-PAYMENT OF PARKING VIOLATIONS IN  
PROVIDENCE".

Communication from Mr. Frank Romanelli, Budget Analyst dated April 4, 1983 informing the Committee of the Resolution Endorsing the Senate Bill entitled: "An Act Relating to Non-Payment of Parking Violations in Providence; registration will be denied for non-payment of three (3) or more illegal parking tickets".

Councilman Easton states that the Resolution would be a burden to most people and is of the opinion that the penalty is somewhat harsh and would like to see the Resolution not be passed,

Councilman Dillon is of the opinion that the subject Ordinance should take the place of the Towing Ordinance.

At this time, Councilman Farmer informs that both the Police Department and the Mayor are in favor of the Resolution.

Further discussion ensues regarding registrations and the possibility of having an employee from the City Collector's Office posted at the Registry to make it more convenient for the taxpayers to register their cars instead of coming to City Hall and then going back to the Registry.

Further discussion ensues, the members being of the opinion that 3 tickets are a very small amount to be penalized for and discussion ensues as to whether or not the amount could be changed to 5 tickets instead of 3.

Accordingly, discussion ensues relative to the penalties that will be imposed and whether or not arrangements may be made with the Municipal Court as far as collection of the monies, there being many people owing 3 or more tickets in the City of Providence.

On motion of Councilman Farmer, seconded by Councilwoman Fagnoli, it is voted that the subject Resolution be referred to the City Council with recommendation of Passage, as it is presented.

Following further discussion, Councilman Farmer withdraws his motion for passage and Councilwoman Fagnoli withdraws her second for passage.

On motion of Councilman Easton, seconded by Councilman

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Farmer, it is

VOTED: to continue the subject Ordinance and that the Municipal Court be contacted relative to the subject Ordinance and that Judge Malloy be present at the next meeting for discussion.

RELATIVE TO RESOLUTION AUTHORIZING AND DIRECTING THE CITY TREASURER ACTING UNDER THE DIRECTION OF THE COMMITTEE ON FINANCE, TO BORROW FROM TIME TO TIME, IN SUCH SUMS AS MAY BE NECESSARY NOT EXCEEDING ONE MILLION, TWO HUNDRED SIXTY-NINE THOUSAND DOLLARS (\$1,269,000.00) TO BE USED EXCLUSIVELY FOR CARRYING OUT THE OFFICIAL REDEVELOPMENT PLAN FOR THE OLNEYVILLE SQUARE REVITALIZATION PROJECT.

On motion of Councilman Easton, seconded by Councilman Dillon, it is voted that the Resolution be continued until the next meeting.

RELATIVE TO AN ORDINANCE IN AMENDMENT OF AND IN ADDITION TO CHAPTER 21 OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE ENTITLED: "TAX STABILIZATION FOR INDUSTRIAL PROPERTY".

Councilman Dillon informs that he is investigating the subject Ordinance and will report back to the Committee at its next meeting.

On motion of Councilman Easton, seconded by Councilwoman Fargnoli, it is voted to continue the subject Ordinance to the next meeting.

RELATIVE TO AN ORDINANCE IN AMENDMENT OF CHAPTER 1982-60 ENTITLED: "AN ORDINANCE ESTABLISHING A COMPENSATION PLAN FOR THE CITY OF PROVIDENCE AND REPEALING CHAPTER 1982-43 APPROVED DECEMBER 10, 1982, RELATIVE TO CITY SOLICITOR AND PERSONNEL DIRECTOR."

Chairwoman Brassil presents a communication from Mayor Cianci, dated March 25, 1983, recommending that the salary of the City Solicitor be set at \$42,500 and the salary of the Personnel Director be set at \$30,800 same being in accordance with Section 415 of the Home Rule Charter of 1980.

Also presented is a communication from James R. Winoker, Chairman of the Salary Review Commission dated March 25, 1983 recommending that the salary level for the City Solicitor not exceed \$42,500 per annum and the salary level of the Personnel Director not exceed \$30,800 per annum.

Chairwoman Brassil also presents a communication from Mr. Frank Romanelli, Budget Analyst dated March 31, 1983 which states:

"Changing the salary of the City Solicitor from \$35,000 to \$42,500 per year will cost the City of Providence \$3,871.90 including FICA and longevity on an annualized basis. Changing Personnel Director from grade 26 to \$30,800 per year will cost the City of

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Providence \$5,773.70 on an annualized basis including FICA and longevity."

Councilman Farmer informs that he will go along with approving, rejecting or reducing, but informs that the recommendations cannot be increased.

Councilman Easton informs that he would like to have an overall report submitted regarding the increases in salary, and is of the opinion that the request should be tabled until the Committee has an opportunity to meet with the Salary Review Commission for more information.

Councilman Farmer informs that the only reason the two requests were incorporated is that the Personnel Director is the only department head that is getting less money than a department head.

Accordingly, following further discussion, on motion of Councilman Easton, seconded by Councilman Dillon, it is voted that the subject Ordinance be referred to the City Council with recommendation of Adoption.

RELATIVE TO AN ORDINANCE IN AMENDMENT OF ARTICLE II SECTION 15-18 (b), 15-22 (a) AND 15-25 (a) OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE, RELATIVE TO VEHICLE TOWING AND STORAGE CHARGES.

Chairwoman Brassil submits a communication dated April 4, 1983, from Mr. Frank Romanelli, Budget Analyst:

"This letter is to inform you of an Ordinance in amendment of Article II Section 15-18 (b), 15-22 (a) and 15-25 (a) of the Code of Ordinances of the City of Providence relative to towing illegally parked vehicles and storage fees.

Chairwoman Brassil informs that this communication does not answer the Committee's question and accordingly, on motion of Councilman Easton, seconded by Councilman Dillon, it is voted to continue the Ordinance pending receipt of the legal opinion as previously requested.

OFF THE AGENDA  
COMMUNICATION RELATIVE TO RESOLUTION CONCERNING HYPERTENSION AND HEART ATTACK - POLICE AND FIRE DEPARTMENT.

Chairwoman Brassil presents the following communication from Charles A. Pisaturo, Esquire, City Solicitor, dated April 4, 1983:

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"This opinion is in response to your request for the same dated March 29, 1983. The issue presented is whether or not the Committee on Finance and/or the City Council must act on a Resolution which manifests this municipality's support of a recent General Assembly proposal. That proposal, as initially drafted, would amend the existing Retirement Act, so as to raise a presumption that any police personnel suffering from heart attack or hypertension developed those illnesses in the line of duty. This amendment would facilitate the receipt of a disability pension by police personnel suffering from such illnesses.

The inference which this Department has drawn from this proposed enactment is that it is very difficult to prove to the Board that these diseases are job related. It appears that the amendment as originally sponsored, would diminish the proof required to show this casual connection (that is a police person suffering from heart attack or hypertension would be presumed to have developed those illnesses in the line of duty unless it is otherwise proven).

The circumstances surrounding this amendment are complicated by language contained in Article X Section 6 of the existing Bargaining Agreement between the Fraternal Order of Police and the City.

That Section states:

"Whenever a member of the bargaining unit suffers a heart attack or is suffering from hypertension, it shall be presumed that either of said conditions were caused as a result of the members duties as a police officer and he shall be entitled to all of the foregoing benefits set forth in this article.

This section shall apply to any member of the bargaining unit who suffers a heart attack or is suffering from hypertension whether or not said condition occurred while the member was actually on a tour of duty."

Thus it appears by virtue of the above section, that the City may be liable to any such afflicted police person under the contract whether or not this amendment to the Retirement Act is effectuated.

Hence, neither the Committee on Finance nor the City Council is mandated by rule, statute, or ordinance to take any action of the proposed Resolution. However, the City may be deemed liable to provide comparable benefits to police persons afflicted with heart attack or hypertension whether or not the Retirement Act is amended. Such payments may be made from funds other than those controlled by the Retirement Board, since they would be owed under the contract and not by virtue of the City's Retirement Plan.

Should you have any further questions, please do not hesitate to contact this office."

Following discussion, on motion of Councilman Easton, seconded by Councilwoman Fagnoli, it is voted that the subject matter be continued pending a representative of the Law Department and Mrs. Spratt of the Retirement Office being present at the next meeting of the Committee for discussion.

Adjournment. On motion of Councilman Easton, seconded by Councilman Dillon, the meeting adjourns at 4:35 o'clock P.M.

Copied

Compared

*J.L.D.*

*Helen S. Gibbon*  
ASSISTANT CLERK

*Rose M. Mendonca*  
CLERK