

December 12, 1955.

City Hall,

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The Committee on Finance meets this day in Committee Room "A" at 11:00 o'clock a. m.

Present, Councilmen O'Connor, Loughran and Boyle.

Also present are Finance Director Cashman, Budget Officer Moran and Assistant City Controller Duffy.

Present by invitation, Lewis A. Marshall, Chief of the City of Providence Fire Department. (William E. McWilliams, Assistant Clerk)

Budget Officer Moran outlines the following Ordinances:

The following Ordinances were in City Council December 1, 1955.
Read and Passed the first time.

1. An Ordinance amending Section 21 of Chapter 975, "Establishing Classes of Positions" for the City of Providence as Approved September 16, 1955.

This Ordinance amends Section 21 of Chapter 975 by deleting 1 Fire Captain and adding 1 Battalion Chief. This change has been requested by the Commissioner of Public Safety in order to have a Battalion Chief in charge of the training school.

Chief Marshall appears and outlines to the Committee the reason for the request of Commissioner of Public Safety to have in charge of the training school, a Battalion Chief and the elimination of 1 Fire Captain.

He outlines the duties of the Battalion Chief stating it is a full time job and entails a thorough knowledge of recruiting, training and promotions on a merit basis for its personnel.

He further states that while it is not an Ordinance, the job as set up by the Bureau of Fire calls for a Battalion Chief rating and he so recommends.

Considerable discussion ensues among the Committee and upon motion of Mr. Boyle, seconded by Mr. Loughran, it is voted to return the above Ordinance to the City Council with recommendation of passage a second time.

2. An Ordinance amending Chapter 987 by adding Fifty Thousand (\$50,000) Dollars to the appropriation contained therein for Public Works-Garbage Collection and Disposal Section, Item I.

This Ordinance adds \$50,000 to Garbage Collection and Disposal Section, Item I for relining the furnace, combustion chamber and bypass chamber of Incinerator Unit #2. Increase estimated receipts from Reserve for Extraordinary Expenditures.

By adopting this Amendment, the Department will have two units in A-1 condition, so that if when necessary one Boiler is shut down, the other one can be used.

On motion of Mr. Boyle, seconded by Mr. Loughran, it is voted to return the above Ordinance to the City Council with recommendation of passage a second time.

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Assistant City Solicitor McManus appears at this time and informs the Committee that with respect to the vote taken at the last meeting to request the City Solicitor to provide by Ordinance for License Fees for the storage of petroleum products in bulk, in accordance with the schedule of fees shown in the record of the meeting. Assistant Solicitor McManus reports that he has examined the statutes to determine whether or not the City Council has authority to license gasoline storage on an annual basis and he finds that the State Legislature has not authorized the City of Providence to enact License Ordinance with respect to the storage of gasoline.

Chapter 2241 of Public Laws of 1922 provides for the issuance of a permit for the construction of gasoline storage tanks and the License Board is given some authority with respect to licenses by Chapter 2721 of the Public Laws of 1951, but that a tax on the storage of gasoline must be expressly by Legislature and that such a tax cannot be passed upon by implied powers.

The Supreme Court of the State of Rhode Island has considered somewhat similar problems on two occasions, and expressly states it will approve an annual license fee only when such license is expressly and explicitly authorized by the State Legislature.

It follows that it will be necessary to have some action by the State Legislature authorizing an annual license before the City Council can provide for the license and fees to be assessed.

REQUESTS FOR LEAVE OF ABSENCE.

NAME	POSITION	LOCATION	EFFECTIVE DATE
Lew W. Weeden,	Laborer II	Roger Williams Park	December 1, 1955.
Joseph Castrataro,	Laborer I	Roger Williams Park	December 1, 1955.

On motion of Mr. Boyle, seconded by Mr. Loughran, it is voted to grant the above temporary leaves of absence.

ADJOURNMENT: The meeting is adjourned at 12:40 o'clock p. m.

William E. McManus
Assistant Clerk.

Copied A.R.R.

Compared E.L.