

DEPARTMENT OF CITY CLERK

CITY HALL

MAY 27, 1997

The Committee on Finance meets this day in the Department of City Clerk, City Hall, Committee Room "A", at 5:00 o'clock p.m.

PRESENT: Chairwoman Nolan, Vice Chairman Rollins, Council President Fagnoli-3.

ABSENT: Councilman Igliazzi, Councilman Mancini-2.

Also present are Councilman Lombardi, Councilwoman DiRuzzo, Charles Mansolillo, City Solicitor, Chris Nocera, Thomas Deller, Deputy Director, Planning & Development, Barbara A. Poirier, Second Deputy City Clerk and Anna M. Stetson, Assistant Clerk.

Resolution Authorizing Reimbursement for legal fees sustained by Christine Roundtree, Director of Human Relations Commission, pursuant to Rhode Island General Law 45-15-16 "Indemnity of Public Officials, Employees or Elected Officials" for approximately \$2,300.00.

CHAIRWOMAN NOLAN: I do think that we should go into executive session because I don't think it's a matter....it's a personnel issue and I don't think that it should be discussed on the record. Is there any reason why this did not go to the claims commission?

COUNCILMAN LOMBARDI: It's a money issue.

On motion of Councilman Rollins, seconded by Council President Fagnoli, it is voted to go into Executive Session pursuant to State Law 42-46-4(1)(2) by the following Roll Call Vote:

AYES: Chairwoman Nolan, Vice Chairman Rollins, Council President Fagnoli-3.

ABSENT: Councilman Igliazzi, Councilman Mancini-2.

EXECUTIVE SESSION

RECONVENTION

On motion of Council President Fagnoli, seconded by Councilman Rollins, it is voted to reconvene into regular session by the following Roll Call Vote:

AYES: Chairwoman Nolan, Vice Chairman Rollins, Council President Fagnoli-3.

ABSENT; Councilman Igliazzi, Councilman Mancini-2.

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On motion of Councilman Rollins, seconded by Council President Fagnoli, it is voted to Seal the Records of the Executive Session.

Motion Carries.

COUNCIL PRESIDENT FARGNOLI: This has been on for three years. If the Board was satisfied with the explanation. If the Board was satisfied that this thing was thrown out maybe in the future we should, if these people want to hire outside council, maybe they should get permission. Under the circumstances it is a law firm that is expecting to be paid. She had to defend herself. I would move approval.

On motion of Council President Fagnoli, seconded by Chairwoman Nolan, it is voted to approve the foregoing matter.

COUNCILMAN ROLLINS: I didn't second it, but I will approve it.

Motion carries.

COUNCIL PRESIDENT FARGNOLI: I would suggest when anyone who has affiliation with the city wants to hire legal counsel they should have our approval before they go and do it.

COUNCILMAN LOMBARDI: It's just that they are on the horns of a dilemma. There is a blatant conflict and the solicitor certainly has a duty to represent that to the council. It could be a councilman, a department director, someone in the clerk's office. I think this is a situation where you certainly need an attorney. You need competent representation. Maybe what should be said is they should be advised that they may have to at their own cost.

MR. MANSOLILLO: It's difficult to indemnify someone up front and then find out that wasn't the case.

COUNCIL PRESIDENT FARGNOLI: In the future, I think some clearance should be had from the council or the solicitor's office.

CHAIRWOMAN NOLAN: I think the solicitor's office should give us clear guidance and then we could get the word out to all departments.

COUNCILMAN LOMBARDI: I think that the solicitor has been very clear that there is a blatant conflict in that he has to represent the city and that it could be a council member or department, and if you want to send a memo to that, that's fine.

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Resolution Authorizing the City to enter into a Contract with the State of Rhode Island and Amtrak for the construction of a new Roger Williams Avenue Bridge.

MR. DELLER: As you well know, there has been discussions with Amtrak and the Rhode Island Department of Transportation about the Roger Williams Bridge. Amtrak has funding. The Rhode Island Department of Transportation will be creating a third rail as far as the economic development package that was passed by the voters at the last election. Both of those improvements require that either the bridge be raised or the railroad tracks be lowered. Initially both of those organizations were proposing that the tracks be lowered or the bridge be removed. Councilman Allen invited me to a neighborhood meeting and invited Amtrak and DOT to come and speak on it, and it was very clear that the people are greatly concerned about the condition of the Roger Williams Bridge, and that they feel that the bridge is necessary for the vitality of the neighborhood. After the meeting DOT representatives approached the city and said they would be willing to enter an agreement where DOT and Amtrak would pay their share and that the city would work with them. This contract is before you tonight. There are two requirements for the city. One is we will acquire to purchase for condemnation the necessary right of way lands or easement lands to make sure that the bridge can be relocated and request that we dedicate \$250,000 to acquire that property and any left over funds be made available to DOT for improvement of the bridge. Amtrak is required to put in no less than \$828,000 and no more than \$1.2 million. The numbers are in there. And DOT is responsible for the balance under this agreement. We have worked out the agreement. There are a few minor modifications that have to be approved. We did request Councilman Allen, and I will explain his side, that \$250,000 be made available. We would like to execute this contract in a reasonable time frame and look forward to this project so that the new bridge can be completed by the fall of 1999.

COUNCILMAN ALLEN: This contract is the result of a win/win/win situation. It was clear at the neighborhood meetings by how many people were concerned over the fact that the bridge was being torn down. All three parties, the city, the state and Amtrak have been cooperative and very diligent in trying to work out something they think that everybody can live with. I think it's a good situation for the neighborhoods and for Amtrak. I will support this.

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MR. MANSOLILLO: I just have some language changes to make.the Mayor is hereby authorized to execute an agreement substantially in accordance with the attached draft with the intention to fund not more than \$250,000 from the Ward 8 allocation of the \$50 million dollar bond issue in accordance with the contract...

On motion of Councilman Rollins, seconded by Council President Fagnoli it is voted to pass the foregoing amendment.

Motion carries.

On motion of Councilman Rollins, seconded by Council President Fagnoli, it is voted to pass the foregoing matter as amended.

Motion carries.

Resolution authorizing the City Collector to cause the taxes to abated in the amount of One Thousand, Five Hundred Ninety Dollars, Twenty Cents (\$1,590.20) on that property located along 100 Lydia Street and designated as Assessor's Plat 68, Lots 551 and 552, as requested by Jose E. and Alida M. Liril.

CHAIRWOMAN NOLAN: Do we have everything that we need attached.

MR. MANSOLILLO: I haven't seen that.

CHAIRWOMAN NOLAN: Patricia will be here tomorrow night and she is familiar with that. Maybe we can continue it until tomorrow night.

On motion of Council President Fagnoli, seconded by Councilman Rollins, it is voted to continue the foregoing matter.

(The committee moves into the Council Chambers where there are a substantial number of parents, teachers, etc. waiting to be heard)

ADJOURNMENT: On motion of Council President Fagnoli, seconded by Councilman Rollins, it is voted to adjourn the meeting at 6:25 o'clock p.m.


SECOND DEPUTY CITY CLERK


ASSISTANT CLERK