

DEPARTMENT OF CITY CLERK
CITY HALL
APRIL 9, 1986

The Committee on Finance meets this day at 4:30 o'clock P.M. in Committee Room "A", City Hall.

Present: Councilwoman Brassil, Councilman Glavin, Councilwoman Fagnoli and Councilman Farmer. Councilman Dillon subsequently joins the meeting.

Also present are City Internal Auditor Woerner, City Controller Corrente, Director of Administration Simmons, Thomas LaFauci of the Mayor's Office and Roland J. Desaulniers and Jo-Ann Benevides of the Providence Retired Senior Volunteer Program. (Rose M. Mendonca, Clerk and Sandra Ginsberg, Assistant Clerk).

REPRESENTATIVES OF PROVIDENCE RETIRED SENIOR VOLUNTEER PROGRAM INVITED.

Chairwoman Brassil introduces Mr. Desaulnier and Ms. Benevides, stating RSVP is requesting \$5,000 from the City of Providence to be applied toward the support of a van.

Mr. Desaulniers states he had originally requested \$20,000 months ago, then reduced the amount to \$10,000, then \$5,000. Their proposal had stated that it was not only for van expense, but for program setups, namely, Minority Volunteers, more male participation in the City of Providence. Although they have a plan whereby they would like to assist in the security setup in senior high rises in the City of Providence, they are aware that Councilman Griffin is Chairman of a Commission funded an amount of money for security purposes. He states that he has attempted to contact Councilman Griffin many times relative to this matter, but has been unsuccessful. He would like to offer Councilman Griffin RSVP assistance in the form of senior volunteers, possibly between 10:00 o'clock A.M. and 2:00 o'clock P.M. This is an attempt to get some of the senior citizens in the high rises to start volunteering.

Councilwoman Brassil reads from a communication stating that in Rhode Island; Cranston provides strong support (\$65,000); East Providence provides \$15,000; Warwick provides \$2,000; and Woonsocket provides \$18,000. She states that the Finance Committee can provide the \$5,000 amount requested, and she would like to support this program.

On motion of Councilwoman Fagnoli, seconded by Councilman Farmer, it is voted to provide the Providence Retired Senior Volunteer Program with \$5,000.00, to be transferred from the Finance Committee line item

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and the appropriate Ordinance is to be transmitted to the City Council.

Chairwoman Brassil thanks Mr. Desaulniers and Ms. Benevides, and they are excused. They thank the Committee.

AN ORDINANCE IN AMENDMENT OF AND IN ADDITION TO ARTICLE III OF THE CODE OF ORDINANCES , ENTITLED: "COMPENSATION AND OTHER BENEFITS."

City Controller Corrente is present and is asked by Chairwoman Brassil to join the Committee.

Chairwoman Brassil reads from the response of the Actuary, George B. Buck Consulting Firm in response to a request for information:

I am writing in response to your letter of February 20 in which you ask my opinion of a draft of an Ordinance regarding purchase of service into a retirement system.

I feel the use of the words, "full actuarial value", is proper. This phrase, however, will produce different results, depending upon the underlying assumptions. Therefore, I suggest the words, "based on the assumptions then in use in the annual actuarial valuation of the retirement system" to be added to the Ordinance.

Enclosed is a marked up copy of the Ordinance, which shows where I feel these words should go. Please let me know if you have any questions.

Councilman Farmer wishes to know what the Ordinance does, to which Councilwoman Brassil responds that it reads, as follows:

The City Council, the Administration of the City, shall not pass or cause to have passed any legislation, Ordinance, or regulations, which would allow any individuals to purchase time within the Providence Retirement System for a contribution, which is less than the full actuarial value, based on the assumptions then in use in the annual actuarial valuation of the retirement system other years and fractions thereof, which they seek to acquire.

Mr. Corrente wishes to say a few words because he states he happens to be the officer in charge of the system and he operates the system on a day-to-day basis, sees the problems, hears the people, and thinks he knows some of the problems.

It is his opinion that the City Council cannot pass any Ordinance that reflects the operation of the Retirement System, unless they first determine whether the original act passed by the State Legislature no longer has control over it. Then, and only then, can the City Council exercise its prerogatives and its legislative authority. Unless that is determined, there are only two ways it can happen, and that is either through the State Legislature, or the Board.

Chairwoman Brassil reminds Mr. Corrente that there has previously been an attempt to clarify this with the Retirement Board, and she is

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still not clear as to who is in charge.

Mr. Corrente responds that the Retirement Board, if a vote were taken, would rule that the State still has control. He agrees, stating that he has examined the opinion of a prominent law firm that found that the State did still have that prerogative. If that is the case, he states, something needs to be done, and quickly.

Councilman Farmer reminds the Committee that this Ordinance merely states the Council will not enact anything. Mr. Simmons states that it states there will be no new legislation giving anybody rights to buy into the system.

Mr. Corrente speaks, stating he does not mean to be disrespectful, but the Council does not have the right to tell the Board they can't do this.

Councilman Farmer states that they are not, that the Ordinance reads that clearly.

Councilwoman Brassil reads the Ordinance once again confirming that.

Councilman Farmer states that all this Ordinance states is that to the extent that the Council can, they will do this.

Chairwoman Brassil states that what this is saying is they purchase time within the Providence Retirement System for contribution which is less than the full actuarial value.

Mr. Corrente states the Ordinance previously passed by the Council clearly states the Council must give approval before time is purchased and he states that is wrong. He states the Act states the Board can do it.

Mr. Simmons states that the City Retirement Board is a creation of the Charter, which is again approved by the State and by the people of the City of Providence. If one reads the Charter, he states, there is a Retirement Board, and that is why (in essence) they went for a Charter change to change the makeup of the Retirement Board. The Charter is approved by the General Assembly, saying this is what you do. Anything subsequent to that is an amendment of the Charter, which according to the Home Rule Statute says it has to be done by the people of the City of Providence and not by the State.

Mr. Simmons responds that is the opinion of the City Solicitor's Office. Mr. Corrente states that the fact of the matter is that for

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argument sake, should Mr. Simmons' opinion be incorrect, then where would the City stand. He states that as a member of the Board, he would be in favor of getting an independent opinion on that issue to protect the Board members and himself.

Councilman Glavin responds to Mr. Corrente that what is before the Council is whether or not they wish to accept the Solicitor's opinion, and he, personally, is very comfortable with the Solicitor and his opinion and has no problem with it.

On motion of Councilman Farmer, seconded by Councilman Glavin, it is voted that the Ordinance be amended to reflect the suggested phraseology.

On motion of Councilman Glavin, seconded by Councilman Farmer, it is voted the Ordinance be approved as amended, and transmitted to the City Council with recommendation of Adoption.

Mr. Corrente is excused.

RESOLUTION REQUESTING THE CITY COLLECTOR TO CAUSE THE TAXES TO BE ABATED ON THAT PROPERTY LOCATED AT 85 HUDSON STREET, LOT 206, PLAT 36, IN THE AMOUNT OF TWO THOUSAND THIRTEEN DOLLARS AND THIRTY-SIX CENTS (\$2,013.36) AS REQUESTED BY COSTANZO CACCHIOTTI.

Inadvertently, Plat 36, Lot 206 was not removed from a list given to the Title Company drafting titles to the City of Providence for the tax sale held at the end of the year and a deed of this property to the City was drafted. After receiving tax title to the deed, the Collector's Office proceeded to draft a new deed. That deed was not received until October of 1984, reverting it back to the owners of record. All the factors considered, the amount of \$1,685.71, which included the tax of '79 and '85 to be removed from their receivable rolls.

Councilman Glavin finds the explanation confusing, and Chairwoman Brassil cannot understand why \$2,013.36 is being requested to be abated, when City Collector Tarro is addressing an amount of \$1,685.71.

Discussion ensues relative to the confused explanation of this matter, and it is determined that City Collector Tarro will be invited to explain this at the next meeting of this Committee.

On motion of Councilwoman Fagnoli, seconded by Councilman Glavin, it is voted to Continue this matter, until such time as City Collector Tarro can be present to clearly explain the reason for

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this request.

RESOLUTION OPPOSING HOUSE BILL 86-H 7343 RELATING TO
STATE AFFAIRS AND GOVERNMENT.

Chairwoman Brassil states this is relative to the Act requiring that the record of all votes taken at all meetings of public bodies be available within two working days of such vote, instead of within two weeks of such vote.

On motion of Councilwoman Fargnoli, seconded by Councilman Glavin and Councilman Farmer, it is voted to approve the foregoing Resolution, and transmit same to City Council, with recommendation of Adoption.

DISCUSSION RELATIVE TO LEGISLATIVE MATTERS PENDING BEFORE
THE GENERAL ASSEMBLY.

On motion of Councilman Glavin, seconded by Councilman Farmer and Councilwoman Fargnoli, it is voted to request the Rhode Island General Assembly not to pass any bills that will effect the Retirement System of the City of Providence, without approval of the Providence City Council and the Clerk is requested to prepare the Resolution for transmittal to the City Council.

Councilman Dillon joins the meeting at this time.

RESOLUTION OF THE CITY COUNCIL ENDORSING HOUSE BILL
86-H 7853, RELATING TO BOXING ON SUNDAYS.

Chairwoman Brassil states this is to allow a one-time exemption to the Sunday prohibition against boxing.

On motion of Councilman Glavin, seconded by Councilman Farmer and Councilwoman Fargnoli, it is voted to approve the foregoing Resolution and transmit same to the City Council with recommendation of Adoption.

ADJOURNMENT: On motion of Councilman Glavin, seconded by Councilwoman Fargnoli, it is voted to adjourn this meeting at 5:05 o'clock P.M.

Sandra P. Finberg
Assistant Clerk

Rose M. Mendonca
Clerk

Copied *J.M.A.*

Compared *J.L.M.*