

DEPARTMENT OF CITY CLERK

CITY HALL

SEPTEMBER 29, 1982

The Committee on Finance meets this day at 4:00 o'clock P.M. in Committee Room "A", City Hall.

Present: Chairwoman Brassil and Councilmen Dillon, Mansolillo, Flynn, Easton, Paolino and Farmer.

Also present are Finance Director Baron, City Treasurer Napolitano, City Council Internal Auditor Woerner, City Controller Corrente, Director of Planning and Urban Development Bernstein, Alec Prignano and Mark Dunham of the Finance Department. (Rose M. Mendonca, Clerk).

REQUEST FOR LEAVE OF ABSENCE FOR MICHAEL W. MASELLI, EQUIPMENT OPERATOR FOR THE WATER SUPPLY BOARD, FROM AUGUST 29, 1982 TO FEBRUARY 28, 1983, TO RELOCATE IN ORDER TO HELP A CLOSE RELATIVE.

Chairwoman Brassil reviews the request of Michael Maselli for a Leave of Absence for a period of six months from the Water Supply Board to relocate to help a close relative.

A communication from Wiley J. Archer, Chief Engineer of the Water Supply Board, recommends the leave be granted.

On motion of Councilman Dillon, seconded by Councilmen Flynn and Mansolillo, the request of Michael Maselli for a leave of absence from August 29, 1982 to February 28, 1983 is Granted.

AN ORDINANCE ESTABLISHING A COMPENSATION PLAN FOR THE CITY OF PROVIDENCE AND REPEALING CHAPTER 1982-43, APPROVED JULY 7, 1982.

Chairwoman Brassil states in reviewing the Ordinance she found an increase was granted to everyone in the amount of 7% or more, with the exception of the City Clerk, Director of Recreation, Superintendent of Parks and Director of the Department of Public Buildings and Properties.

Councilman Mansolillo states the Administration felt those positions were in a class slightly less responsible. This is the judgment on the part of the Administration. The Administration is convinced that we have an obligation to present a plan that fairly reflects compensation that should be given to various department directors. He states certain directors stand apart, such as the Finance Director. There has been no attempt to do anything other than to reflect a fair table organization in terms of compensation. This Committee can act as it did last week in revising that schedule.

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He states there is a director of a major department of this government, receiving a salary not in the Administrations judgement commensurate with his responsibilities and he has been offered jobs in other areas, the Director of Department of Building Inspection. There are different types of department directors.

Councilman Easton states certain department heads have been singled out and it cannot be by the size of the departments due to the Director of the Park Department being involved and the number of people that work there.

Ensuing a considerable discussion, Councilman Easton suggests the City Council Internal Auditor take the Compensation Ordinance and try to submit a uniform Ordinance.

Chairwoman Brassil states she has two requests from the Board of Canvassers and Registration. One is requesting a \$25.00 a week pay increase for Dorothy M. Ibbitson and the second is requesting a \$25.00 a week pay increase for Jacqueline A. Gooden.

She further is in receipt of a list of 33 employees submitted by Joseph Virgilio, of Local 1033, who is present at this time.

Mr. Virgilio states in everyone of the cases he has submitted, the people are, in effect, working out of classification. If he is seeking a change in grade, it is because the people are functioning. In some cases, the City is already paying them.

The list was submitted to the Personnel Director of June 10, 1982. Mr. Virgilio followed it up right to last week and the Personnel Director, Mr. Dutcher, stated he had reviewed all the matters and everything was all set. It was not. This left no alternative but to appear before this Committee and submit the request.

This Committee had acted in upgrades which violates a labor relations board decision order whereby changing or upgrading or abolishing titles, without going to the Union is improper.

Chairwoman Brassil states Mr. Virgilio has stated people are being paid out of classification and the Committee was assured that no one is being paid out of classification. Are they still being paid in that manner, she questions.

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Mr. Dunham states an employee can only work three consecutive days out of classification when a letter is received from the department head.

Mr. Virgilio states there are some being paid out of classification. If this Committee or the City does not want to pay out of classification, the employees will not perform out of classification.

Chairwoman Brassil states, fine don't let them work out of classification.

Councilman Mansolillo states a number of people feel they should be compensated at higher levels. He is sure there are numerous people working out of classification. They are doing jobs not specifically addressed in their specifications.

Councilman Farmer joins the Committee at this time.

Councilman Mansolillo further states they can follow procedure of arbitration. He does not feel this is the appropriate forum to review the entire work force in the City of Providence, There are many others in the City that are not in this room who are working out of classification.

He suggests the requests be made through their department directors or through arbitration. The Committee should not make policy decisions.

Mr. Virgilio states the department heads requested the Union seek the changes. They went through the Personnel Director since last June. He was told it was taken care of.

Councilman Farmer reminds the members this matter is presently not before the Committee as changes must be made to the Classification Ordinance, in accordance with the request submitted by Mr. Virgilio and they passed that Ordinance. The appropriation and classification Ordinance would have to be amended as money would have to be added to increase the salaries.

Chairwoman Brassil suggests Mr. Virgilio have the Administration submit the Ordinances with the necessary changes.

Considerable discussion ensues relative to Mr. Virgilio's requests and the Contract Agreement which was negotiated.

Councilman Mansolillo states Mr. Virgilio should formally communicate with the Mayor requesting the changes in the Classification Ordinance based on the Union's position regarding the job functions.

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When reviewed by the Finance Director and Personnel Director, a decision will be brought before this Committee to be ratified.

Mr. Virgilio states he will tell the Mayor that the Union has reached an agreement with the Personnel Director and let him take it from there.

Mr. Virgilio leaves at this time.

Discussion ensues relative to the three year contract signed with the Union and asks if there is a fiscal note.

Finance Director Baron states there is a break down each year over the three year period and the estimated number of people that will retire by October 31, due to the blue cross being paid.

Councilman Easton requests the Compensation Ordinance be referred to City Council Internal Auditor so that he can submit a uniform package as to who got what increases and where it makes sense.

Councilman Paolino leaves at this time.

AN ORDINANCE ESTABLISHING A COMPENSATION PLAN FOR THE WATER SUPPLY BOARD.

Chairwoman Brassil notes the Attorney for the Water Supply Board has been raised from \$9,630.00 to \$18,385 per year and the Water Supply Board members have doubled.

Councilman Mansolillo is of the opinion the responsibility of the Attorney has expanded dramatically. He is involved in negotiations.

Councilman Flynn states he is paid by the Public Utilities Administration. He further refers to Supervisor of Meter Readers, a job that was abolished and is now in the Ordinance again.

He states in 1975, the Attorney for the Water Supply Board received \$3,000.00 a year and the pay has increased to the \$9,000 figure. Mr. McGair, the Attorney, had stated he had never received a 7% increase since he took the job. The pay has doubled. He also gets paid by the Public Utilities Commission for handling briefs, it is fixed in the rate.

Councilman Mansolillo states it was brought in parity with the Assistant City Solicitors. There is an extraordinary

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amount of legal work during rate increases.

Councilman Easton suggests the matter be referred to Mr. Woerner.

RELATIVE TO BOND SALE.

Discussion ensues relative to the 22.5 Million Dollar Bond Sale held and Chairwoman Brassil requests a breakdown from Finance Director Baron.

Mr. Baron states for the	
Port-Berth 3	\$4,768,066
Sewage Treatment	4,985,033
Schools	1,253,307
Prior Redevelopment Projects	8,293,594
New Development Projects	3,200,000

Mr. Baron submits a list of the Schools requiring window replacements and roof repairs.

Councilman Dillon notes Gilbert Stewart and Reservoir Avenue Schools are not on the list.

Councilman Mansolillo reviews each Resolution in detail and explains the procedure of bond sale and borrowing money. The Resolutions grant authority to the City Treasurer to issue checks.

The members review the pending Ordinances relative to a Bond Sale.

Councilman Mansolillo states a bond sale must reflect projects that are complete or expected to proceed. The Administration indicated to the various neighborhood organizations that failure to pass the 22.5 Million Dollar Bond Issue would be failure for a line of credit to open up to the City.

He reviews the routine of Neighborhood projects, starting with the Committee on Urban Redevelopment Renewal and Planning and explains in detail.

Questioned by Councilman Easton as to what happens to the interest accumulated from the bond sale, Councilman Mansolillo states it goes into the General Fund.

Councilman Dillon speaks on the subject and states the time to work on next years budget is now, not in May.

Councilman Easton requests a fiscal note from Finance Director Baron and the Committee can then decide on what capital project they can afford.

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On motion of Councilman Easton, seconded by Councilman Dillon, it is voted to continue the Resolutions relative to borrowing and the Finance Director is requested to submit a fiscal note on the labor contracts and a projection as to what this will add to the short term borrowing next year.

Councilman Mansolillo states he hopes Councilman Easton's attempts to delay the projects are not motivated for political reasons.

He is of the opinion the City Council, as a whole, has really expected the members to allow their agent of government, the Department of Planning and Urban Development, to proceed with projects that they can be working on. There is a plan that is approved by every body it has to be except when it gets to this point.

Stanley Bernstein, Director of Department of Planning and Urban Development being present, speaks on the Resolution requesting the City Treasurer to borrow \$4,624,000.00 for the Downtown Providence Renewal Project.

He states \$250,000 is necessary at this time to start the Capital Center Project and then proceed with the next plan. \$3,250,000 is necessary for December 1, 1982.

On motion of Councilman Mansolillo, seconded by Councilman Easton, it is voted to amend the Resolution by deleting the figures Four Million Six Hundred Twenty-Four Thousand (\$4,624,000.) and insert in lieu thereof, "Two Hundred Fifty Thousand (\$250,000.) Dollars."

On motion of Councilman Easton, seconded by Councilman Mansolillo, it is voted to approve the Resolution as amended and transmit same to the City Council with recommendation of Adoption.

RELATIVE TO LEGAL OPINION PERTAINING TO EXPENDITURES FROM THE GENERAL FUND FOR CAPITAL PURPOSES.

Chairwoman Brassil reads a legal opinion submitted by Gerard McG. Decelles, Acting City Solicitor in response to a request from the Committee as to whether or not expenditures from the General Fund for Capital Purposes is specifically prohibited by the City Charter unless appropriated.

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This department is unable to locate any prohibitions against such expenditures in either the Charter of the Providence Code of Ordinances. Charter sections relevant to this question are inter alia Sections 6.27 and 6.28 which declare which monies comprise the General Fund. There is however, no expression in either this or other charter sections as to the propriety of capital expenditures from these monies. Likewise, the General Laws of Rhode Island are silent as to a municipality expending General Funds for capital Improvements.

Further, McQuillin Municipal Corporations Section 39.45 states:

"So when there is no requirement, by statute or otherwise, that money coming into the city treasury shall be kept in a special fund and applied to a particular purpose, it is proper, of course, to place it in the general fund, and to use it for general city purposes." Thus, it appears that General Funds may be expended for capital improvement.

This department offers no opinion, of course, as to the advisability of such an expenditure.

Very truly yours,

/s/
Gerard McG. Decelles,
Acting City Solicitor

The opinion is received.

Adjournment. On motion of Councilman Easton, seconded by Councilman Dillon, the Committee adjourns at 7:00 o'clock P.M.

Rose M. Melbourn
Clerk

Copied

Compared

J.M.A.
J.H.D.