

DEPARTMENT OF CITY CLERK

CITY HALL

SEPTEMBER 26, 1980

The Committee on Finance meets this day at 12:00 o'clock Noon in Committee Room "A", City Hall.

PRESENT: Chairwoman Brassil and Councilmen Addison, Easton and Paolino.

Also present are City Solicitor Glantz, City Treasurer Napolitano, Acting City Controller Pitassi, and Director of Public Works Cesaro. (Rose M. Mendonca, Clerk.)

City Solicitor Glantz, being questioned by Chairwoman Brassil as to who the Acting Finance Director is, informs the Members they are in the process of looking for someone. The position is vacant.

Chairwoman Brassil questions as to who can answer the questions pertaining to the City's finances, City Solicitor Glantz states himself, Mr. Tarro, Mr. Pitassi and Mr. Littler.

Councilman Easton states that at a previous meeting, City Solicitor Glantz had said he would submit an opinion with respect to the Charter as to whether it forbids the disbursement of the Water Supply Board funds which he stated at the time was irrelevant.

City Solicitor Glantz states he has a list of questions which the Auditors submitted for a response, relating to the Charter, those questions are being answered now.

With respect to the Water Supply Board, he will have that answer in a couple of days.

The water rates have been stayed by the Supreme Court pending a hearing by the Public Utilities Commission.

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He states Councilman Easton is asking what happens to that money and according to the Public Utilities Commission's regulations, it has to be used for the Water Supply Board. When the amended budget is submitted, it has to go back in to balance.

Chairwoman Brassil questions as to where the money is coming from for the School Department.

City Solicitor Glantz states he is putting together the new revised budget which is not completed. He has a letter from the School Department saying they will be out of money in May and he sent a letter to see what they are asking for.

Questioned by Chairwoman Brassil as to when they will receive the amended budget, he states at this point it is a set of circumstances and he had stated previously he would try to get it done prior to election.

When the Federal Government says Valley View is not a viable option, that money goes out of the picture. There is no increase in water rates that can be counted on until PUC meets, it just becomes not budgeted.

Chairwoman Brassil states that at one of the meetings, Thomas Belcher advised there would have to be a supplemental tax increase and City Solicitor Glantz advised it is illegal.

City Solicitor Glantz informs that once the tax roll is closed in July, he does not think it can be done.

Chairwoman Brassil states at the Public Hearing in July, Mr. Tarro was before the Committee, and the Committee was told to set the tax levy so that the City would not go into fiscal chaos and City Solicitor Glantz stated they could have a supplemental tax increase if needed.

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City Solicitor Glantz states there are ways to raise money but the City cannot change the tax rate once the levy is set. Once the roll is certified they are locked to that figure.

There are ways to raise money, whether it be in anticipation of next year's taxes.

Councilman Easton states at this point and time, the budget before the Committee is unbalanced by Four Million for Valley View and Four Million in proposed water rate increases, not counting what is needed by the School Committee, the Three and One Half Million Dollars.

City Solicitor Glantz states he comes up with Seven and One Half Million Dollars. There are certain things I know will happen this year, but he cannot say 100%. He knows Valley View can be sold, whether this year or next makes a difference.

Discussion ensues relative to the budget and School Department.

Councilman Easton: It is my understanding by reading the newspaper that you told the School Committee that you would make provision for Three and One Half Million Dollars in the budget.

City Solicitor Glantz: Yes, I said we would make a provision.

Councilman Easton: Which added to the Seven and One Half Million , makes it over Ten Million.

City Solicitor Glantz: Taking that into consideration,

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I come up with Seven and One Half Million Dollars shortfall.

Councilman Easton: Based on the speculation that we would either sell Valley View or get the water rate increase.

City Solicitor Glantz: I think that will happen in this fiscal year.

Councilman Easton: You then intend to submit in the revised budget either one as a source of revenue. I advise that is a serious mistake because budgeting these speculative items is what got us into this.

City Solicitor Glantz: The only alternative is to borrow, that is not our recommendation. At this time that is not the solution to the problem.

Councilman Easton: You are sitting here as the fiscal adviser to this Committee. Can you wear both hats? You sit as the City Solicitor, financial advisor and an Aide to the Mayor.

City Solicitor Glantz: I am not sitting as financial Advisor but as a Representative of the Administration, you're asking me questions. I am not the only one that deals with finances of the City. Mr. Bernardo is still on the payroll.

On motion of Councilman Easton, seconded by Councilmen Addison and Paolino, it is voted to direct the Clerk to transmit a letter to the Mayor asking him to advise this Committee who is Acting as Finance Director.

Councilman Easton: Is it fair to say if you are not able to get a water increase, if the current status remains and

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no water/<sup>rate</sup>increase, or Valley View sale, there will be a shortfall of Eleven Million Dollars.

City Solicitor Glantz: I say steps would have to be taken to reduce employment or projects the City might have to produce a balanced budget. You say Eleven and One Half Million, I say Seven and One Half Million.

Chairwoman Brassil, we asked you at a previous meeting what will happen if the Supreme Court decides against the City and you responded, (Chairwoman Brassil reads from the record of the Committee dated June 23, 1980).

City Solicitor Glantz: We would have to look right now where the bulk of things are in Item O, if you are going to do things, if these things do not come into play or come into the budget there has to be a hearing which I believe has been set after the election. If you're asking me if we are getting the total amount asked for from the Water Supply Board, no it won't be the total amount but it will be something. My summantics would be to borrow in anticipation of next year's taxes and that in effect, would be an increase. Next year raise the taxes to pay for the borrowing.

Chairwoman Brassil: Are you thinking of withdrawing the budget pending or amending it?

City Solicitor Glantz: Amending it.

Chairwoman Brassil: What would happen if we pass the budget as it stands now?

City Solicitor Glantz: If nothing was done by the Administration or the City Council and it just passed, at some point, we would be out of money, in March or April.

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Chairwoman Brassil: You said it was not a realistic budget, we sent it back, why didn't you take it back and come up with a realistic budget?

City Solicitor Glantz: I didn't consider it at the time as unrealistic. There were things built in to happen that didn't happen. I have respect for what you have to say but at that time it was realistic. When things come out of balance or <sup>your</sup> guesses don't meet expectations of what you think, then you go into revision. It will be difficult but not impossible.

Discussion ensues relative to the budget and the City operating on last year's budget and City Solicitor Glantz explains how that is done.

Councilman Addison is excused at this time.

The members review Mr. Piccirilli's letter where it resulted in each employee is receiving \$2.00 more per week in their salary for payment of Union dues and City Solicitor Glantz states the members would have to invite Mr. Piccirilli into the meeting to answer their questions.

Clement Cesaro, Director of Public Works speaks before the Committee at this time. He states he would like the City Solicitor to remain to answer legal questions

Mr. Cesaro: The question is, has the City, at any time, the Law Department, investigated the responsibility of putting on a licensed or certified person in the capacity of distributing pesticides or poisons out to the general public. Whether a decision has been made as to whether or not the Supervisor of Environmental Control is legally right in doing so.

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City Solicitor Glantz: In the 16 years I have been connected with the City Solicitor's Office no Director of Public Works has requested an opinion.

Mr. Cesaro: I would appreciate it if you would just hear some of the testimony from some of the people and the recommendations.

(He states he will request a legal opinion, in writing, of the City Solicitor relevant to the distribution of rat poison and the health and welfare of the tax payers in the City of Providence.)

Director of Public Works Cesaro reads a communication dated September 26, 1980, recommending to the Finance Committee that the Rodent Control Program be put out for bids to professional exterminating companies, licensed and certified by the State of Rhode Island to perform rodent control services.

Mr. Cesaro states he proposed this after rather extensive research with various people.

He reads the following communication from Manuel T. Canario, Chief, Division of Food Protection and Sanitation, State Department of Health dated August 19, 1980:

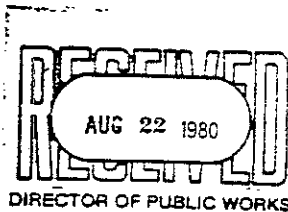
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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH  
Davis Street  
Providence, RI 02908

19 August 1980



Mr. Clement Cesaro,  
Public Works Director  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

Dear Mr. Cesario:

It is recommended that your rodent control program be put out for bids to professional exterminating companies.

This will insure the city of Providence a rodent control program conducted by professional persons who are trained to detect signs which indicate the presence of rodents, the extent of rodent infestation, and a proper baiting program. It will eliminate unnecessary treatment of areas which do not require treatment. Further, it will free your personnel to follow, with a cleaning and maintenance program, those areas which have been determined by the exterminating company to be free of rodents.

The State has received few, if any, complaints from areas which have awarded contracts to professional exterminating companies. You can monitor programs conducted by these companies, obtaining a list of the areas treated, dates of treatment, baits used, and the condition of the area after treatment. The State will also monitor any program conducted by a private company which has received money from a State approved program.

Further, this will remove any obligation to issue poisonous materials to persons who are not familiar with rodent control procedures nor the hazards associated with rodenticides.

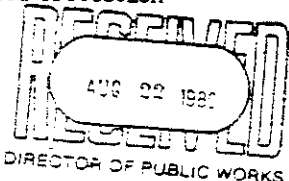
Exterminators are also required to be licensed by the State of Rhode Island.

Sincerely,

COMMUNITY HEALTH SERVICES

*Manuel T. Canario*  
Manuel T. Canario, Chief  
Division of Food Protection  
& Sanitation

MTC/jad



He further submits data from the Environmental Protection Agency and laws governed by the Federal Registration and Regulation Act to the members relative to control procedures and informs he has spoken to professionals relative to rodent control. He states Boston, Massachusetts, which is a larger area than the City of Providence has experts who would be very constructive to this Committee.

Mr. Cesaro: What I am saying, after speaking to the professionals, is that baiting procedures should be given out for competitive bids to licensed certified exterminators.



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This should be taken into consideration, the fact that the people that are dispensing any kind of poisons should be a licensed certified individual and should not be entertaining anyone less than that capacity.

Councilman Paolino: Who are the people you have here today to speak?

Mr. Cesaro: I have here David Hartley, Senior Plant Pathologist, Division of Agriculture. I also have a representative of Griggs & Browne and New England Pest Control.

Mr. Hartley is responsible for inspections to be sure that any labels or statements put on pesticides is in compliance with D.E.M. requirements and not violating any rules or regulation set forth.

Mr. Cesaro requests George D. Cardoza of Griggs & Browne to express his functions outside of his particular company.

Mr. Cardoza: My name is George Cardoza, Vice-President of Griggs & Browne and also the current President of New England Pest Control System who represent more than one hundred pest control firms in New England and also am the Director on the Board of National Pest Control Association representing several thousand companies throughout the Country and willing to help any way I can.

Councilman Paolino: This Council took action as it felt their should be an investigation to the abuses relative to rodent control. Two people are missing, the company that we are buying the rat poison from and the Supervisor of Environmental Control.

Mr. Cesaro: I asked Mr. Melise, in the presence of people in my office this morning to make himself available for this meeting. I felt it proper to be here to hear what is being said. He said he would attend this meeting.

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City Solicitor Glantz: This has to go out of this budget as an item and be competitively bid with specifications. He has to line item the Division of Environmental Control out of this budget.

Mr. Cesaro: It isn't my intention to do that. It is going through the process of placing bait without certified licensed people and background, that is wrong, they can clean up the areas.

City Solicitor Glantz: He just indicated the City is no longer baiting and rats are all over the City. The administration strongly objects waiting for the processing of the budget to be passed, specifications and bids going out for competitive bidding; it is unconscionable not to bait the rats now and if it requires supervision, let him put something down to supervise. We receive many phone calls because we are not baiting and haven't been for six or seven weeks. Eliminate that department or lay them off.

Mr. Cesaro: That isn't my intent.

City Solicitor Glantz: When was the last time they baited for rats?

Mr. Cesaro: I have no idea, Mr. Melise could tell you that.

Considerable discussion ensues between Mr. Cesaro and City Solicitor Glantz.

City Solicitor Glantz: You haven't baited for rats. You have money. You can go to the Board of Contract and Supply and tell them you want to hire someone. They will draw the specifications for you. The other thing is, you have two companies here, I don't care who they are, they are prospective bidders on specifications. I don't want to be a party to it, Griggs &

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Browne and New England Pest Control. There are other companies.

Chairwoman Brassil: (To Mr. Cesaro) What are you asking the Finance Committee for today?

Mr. Cesaro: I am saying the baiting procedure, which these experts will tell you, that has been performed in the past has not led to the annihilation of the problem but has led to the increase of feeding of the rodents and as an end product even though we have not baited for the past eight weeks, we have possibly decreased the populace because we are not feeding them.

Chairwoman Brassil: What are you asking this Committee to do at this time, what are your recommendations?

Mr. Cesaro: I am making this recommendation, that it has evidently been handled improperly in the past. They have asked the Department of Public Works to research, I have and I want to present the facts for your consideration and the City Solicitor's consideration, to hear the experts give their professional opinion. The baiting problem he has said that is delinquent for the past eight weeks, it has been incorrect baiting and as an end product, serves no purpose - by expending money officially, it has not been performed properly. I think I have saved the taxpayers money because it has not been improperly baited and not decreased the populace, but increased it in the past.

Chairwoman Brassil requests one of the gentlemen present speak as to whether that information is correct.

George D. Cardoza: The proper procedure is - One: To limit yourself to single bait is inconsistent with rodent control. There is no one bait that will serve one purpose. Two: When you bait a given area, there must be a follow-through. What the City has been using is an incoagulant material, basically incompetent. It is slightly less effective, that is my personal observation. If you put less than the amount of bait down that it takes to kill all the rats there, then you have not killed

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all the rats. Any coagulant bait requires that you put more bait down than the rats can consume over a period of days, most labels say up to fourteen days. If the rats eat all the bait in two or three days and no one returns to check the situation, then you have done nothing but feed the rats. You kill the less dominant rats called the guinea pigs. In that respect you are not doing a good job and never were. I have seen your people out there, they toss bait down, clean up the lot and never return.

Chairwoman Brassil: Is it true the population has not grown due to nothing being done recently?

Mr. Cardoza: I believe it is stable. The rats like people and have been with people for as long as there are people. They are social groups who feed off the cast-off products. Not everyone is sanitary. They are a social problem. If the sanitary conditions lend itself to rat infestation, they will seize that opportunity immediately. That type of bait you are using is effective most of the time. If there is competitive food around, garbage, the rats won't eat hamburger if they can have steak.

I would like to address myself to another question. I don't believe I am speaking out as the President of the New England Pest Control System, this City and no other City, should be competing directly with private enterprise, it is unfair. I appreciate the political factor, I know it is nice to help people who are living in houses owned by absentee landlords, but there are laws on the books. The Health Department requires landlords to provide pest control services - professional. Years ago they used to demand it. Myself and other colleagues would be called to a home and the inspector would not leave until an agreement was reached to correct the problem, let it be rodents, roaches or whatever. It is impossible for any company to compete with the City of Providence who will do the work for nothing, using our tax dollars, going onto private property, whether outside or inside, it is not fair.

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You should limit yourself to City property, you are responsible for it. It is important to have an inspector go out there and be sure it doesn't come from the lot next door.

You should also know that we hear stories all the time of private citizens getting hold of bait and treats his income property in East Providence or North Providence. We hear this all the time. I cannot give you the names and dates but you should be aware of this. It is unfair for a City to compete with private enterprise, whatever the motive. We are licensed and we are certified. This certification demands that we be competent, the Environmental Protection Agency sees to that. Mr. Hartley's Office reviews it and he can testify. It is a stringent examination the Pest Control experts are required to pass. You can then use any pesticide, not just one.

You have an entire sewer system. There is a pesticide that only pest control operators can buy who have a million dollar liability. It is highly effective. We get called constantly by people who complain of rats climbing up their toilets. They come right up the sewer system and it happens almost weekly and I think you should know that.

Chairwoman Brassil questions Mr. Brennan as to whether he agrees with what was said here today and states he does as Mr. Cardoza is the spokesman. He further informs of the problems existing and of the avenues that licensed people can use that the City does not.

Discussion ensues between City Solicitor Glantz and Mr. Cesaro, during which Mr. Cesaro is reminded he signed requisitions going back to 1978 for pesticides.

City Solicitor Glantz is excused at this time.

Councilman Paolino: This is a big problem the City has and I think there are many questions the Committee has. I want to listen to Clem today but I think we should also, next week, if

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the Committee feels there is time, have a meeting specifically for this purpose. Go through an investigation of what did happen in the past and then get our recommendations from the experts and Mr. Cesaro and his staff as to what should be done to correct it.

Chairwoman Brassil: Some steps should be taken in the interum.

Mr. Cesaro: I suggest that we put out for bids immediately to treat the sewer system in the City of Providence by professional licensed applicators.

Chairwoman Brassil suggests he submit his request to the Board of Contract and Supply.

Councilman Easton: What about vacant lots owned by the City of Providence.

Mr. Cesaro: That is another question. We have to address this once and for all. The City of Boston and other municipalities only bait city owned property. What is going on now is we are baiting private properties and by doing so it will continuously expand and as this gentleman has pointed out clearly it should not be the responsibility of the City of Providence.

I think we have overstepped our boundaries in that area and we will have to make a decision as to where the responsibility is going to lie. That is very crucial. In the interum period, we must protect the health of our people and this situation in the sewer system requires the services of a certified licensed exterminator.

Lets get bids out immediately for them to bait properly the sewer system in the City of Providence which is the contributor of the rats that come through the toilets and come onto the roof-

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tops.

had  
We have/brought to our attention in the past that the situation exists right now and I feel that we should act on that particular phase of it and after that award is made, then have put out for bid specifications for the City owned property.

We must make a predetermination prior to that whether or not we are going to encompass privately owned lots and if we decide about that, how many lots we will be involved with because we cannot put out an intelligent bid with out knowing the lots we are going to service.

Before I conclude my presentation, I just want to make a few statements.

The way the work was performed, we cleaned the lot and baited and rebaited and that is absolutely incorrect. The area of concern should be baited and then annihilated and then clean the lot from the nesting criteria that they have fed on. The procedure that has been performed by our Department has been incorrect. We have not annihilated the problem but maybe enhanced the problem.

The gentlemen accompanying Mr. Cesaro are excused at this time.

Mr. Cesaro: I would like to discuss the bills but there is no Finance Director. There is no question in my mind that the bills that have been paid are probably bills that are required to be paid but I feel that I, as the Director of Public Works, was not completely informed that the bills from the revolving fund last year were going to be extracted from this year. I believe Mr. Pitassi holds the bills seeing as there is no Finance Director.

Mr. Pitassi: Apparently, there was not enough money. I find it hard to believe that before anyone contacted myself regarding

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the revolving fund, you were on the radio that One Quarter of One Million Dollars was missing and spent on last year's bills and Chairwoman Brassil went along with it.

The procedure is, you could have called me down to see if I could substantiate this and help you out.

Chairwoman Brassil: Has One Quarter of One Million Dollars been spent out of the Revolving Fund?

Mr. Pitassi: Yes.

Chairwoman Brassil: Who have you the authority? Doesn't it have to come through the Directors?

Mr. Pitassi: These are purchase orders signed on the schedule of receipts.

Chairwoman Brassil: Do you hold back bills due to be paid last year in the Purchasing Department?

Mr. Pitassi: That has been the procedure for the past one hundred years.

Chairwoman Brassil: What happens to the revolving fund? Each year you are going more and more into it and you are depleting the Revolving Fund.

Mr. Pitassi: The point I am trying to make is that this matter should have been discussed before going out to the media. I was not invited here today. I came of my own free will to answer questions.

Councilman Easton: Who's responsibility is it to pay the bills?

Mr. Pitassi: They are sent to the Finance Director for the



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bills to be approved first.

Considerable discussion ensues as to who is the Acting Finance Director and who is doing his work.

Mr. Pitassi: When there is not enough money in the account the bills are sent back to Purchasing. I don't know what happens from there and can only explain the procedure in my department.

Discussion ensues as to who called the news media and each person states they did not call the news media.

At this time, Mr. Cesaro compliments the former Finance Director James Bernardo and states since Mr. Bernardo has left, he has been left in complete confusion regarding finances and does not know who the Acting Finance Director is and who can answer questions relative to the Revolving Fund.

Mr. Pitassi states there is no Acting Finance Director but he will be glad to discuss any problem that he can help Mr. Cesaro with and in fact, will go to his office to help.

Discussion ensues as to the reason Mr. Cesaro approached the Finance Committee and his responsibility to his budget.

Mr. Pitassi explains the procedure of the Revolving Fund, the handling by former Finance Director Bernardo stating said procedure has been the same for many years. He obtains the money and pays it to the General Fund-Public Works Garage Maintenance Equipment and Repairs Account.

This is to reimburse, more or less, for the payrolls that are charged to that account. The rest of the invoices are signed by the Director of Public Works and are under schedule of receipts.

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Mr. Cesaro states he is just trying to clarify that he, as a Department Director, should be fully assessed of the funds extracted out of his Department. He wants to know for the record how he will not run into deficit criteria when 60% of the Revolving Fund has already been consumed.

His request was 16 Million Dollars in the proposed budget and he was reduced by Three Million Dollars and is of the opinion that is a tough pill to swallow. However, he proposed to do his best to try to perform the services required by his Department, but Three Million out of Sixteen Million is a lot of money.

He is extra careful when he faces a major expenditure coming from his department.

Mr. Pitassi explains a new plan formed with the computer center, each department gets a list of expenditures each week together with encumbrances.

Mr. Cesaro refers to the Bond money approved by the voters and states he has no knowledge as to how that money will be handled.

He speaks of the problems of invoices and that he as Director of Public Works should be assessed as to how the money should be handled.

Mr. Pitassi informs him that he will transmit a copy of the account to him and any information he has on it.

Messers Cesaro and Pitassi are excused at this time.

RESOLUTION REPORTING RECEIPTS OF CERTAIN GIFTS OF MONIES BY THE BOARD OF PARK COMMISSIONERS FOR THE PRESERVATION AND CARE OF SPECIFIED BURIAL LOTS IN NORTH BURIAL GROUND.

On motion of Councilman Easton, seconded by Councilman Paolino,

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it is voted to transmit the foregoing Resolution to the City Council with recommendation of Adoption.

REQUEST OF MELANIE D. SANTOS FOR A LEAVE OF ABSENCE FROM THE CITY CLERK'S DEPARTMENT.

A request from Melanie D. Santos, Clerk-Stenographer III in the City Clerk's Department for a Leave of Absence for one year commencing October 20, 1980 is presented to increase education.

On motion of Councilman Addison, seconded by Councilman Easton the foregoing request is approved.

ADJOURNMENT: On motion of Councilman Paolino, seconded by Councilman Addison, the Committee adjourns at 2:00 o'clock P.M.

Copied

J.L.D.

Compared

JMA

Rose M. Mendonca  
Clerk