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**CITY OF PROVIDENCE  
RHODE ISLAND**



**CITY COUNCIL**

**JOURNAL OF PROCEEDINGS**

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No. 54 City Council Regular Meeting, December 19, 1996, 7:30 o'clock P.M. (E.S.T.)

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**PRESIDING**

**COUNCIL PRESIDENT**

**EVELYN V. FARGNOLI**

**ROLL CALL**

**Present: Council President Fargnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliozi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Councilwomen Romano, Williams and Young—15.**

**Absent: None.**

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IN CITY COUNCIL

*JAN 16, 1997*

APPROVED:

*Michael R. Clement* CLERK

## INVOCATION

The Invocation is given by COUNCILWOMAN CAROL A. ROMANO.

## PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCILWOMAN JOSEPHINE DiRUZZO leads the members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

## APPROVAL OF RECORDS

The Journal of Proceedings No. 50 of the Regular Meeting of the City Council held October 19, 1996 and Posted December 10, 1996 and No. 51 of the Regular Meeting of the City Council held November 7, 1996, and Posted December 12, 1996, on that Bulletin Board located on the Ground Floor Level of City Hall, are Severally Approved, as Printed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO.

## ORDINANCES SECOND READING

**The following Ordinance was in City Council, December 4, 1996, Read and Passed the First Time and is Returned for Passage the Second Time:**

An Ordinance amending Article VI "Retirement System", Section 17-189 of the Code of Ordinances captioned "Benefits Payable".

*Be it ordained by the City of Providence:*

**Section 1.** Section 17-189(2) (b) of the Code of Ordinances is hereby amended to read as follows:

(b) If the member is a Class A employee who first becomes a member prior to July 1, 1996, a pension which together with his normal annuity, exclusive of any excess annuity, shall be equal to one-fortieth of his final compensation multiplied by the first twenty (20) years of his total service credited and equal to one-fiftieth of his final compensation multiplied by the number of years of his total service credited in excess of twenty (20) years; and, in addition, an excess annuity which shall be the actuarial equivalent of his accumulated excess contributions at the time of his retirement. If the member is a Class A employee who first becomes a member on or after July 1, 1996, a pension together with his normal annuity, exclusive of any excess annuity, shall be equal to one-fiftieth of his final compensation multiplied by the number of years of his

total service credited; and, in addition, an excess annuity which shall be the actuarial equivalent of his accumulated excess contributions at the time of his retirement.

**Section 2.** This Ordinance shall take effect upon its passage.

**Read and Passed, the Second Time, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DIRUZZO, by the following Roll Call Vote:**

**Ayes:** Council President Fagnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Mancini, Councilwomen Nolan, Romano, Williams and Young—14.

**Noes:** None.

**Absent:** Councilman Rollins—1.

**The motion for Passage the Second Time is Sustained.**

## PRESENTATION OF ORDINANCE

**COUNCILWOMAN WILLIAMS (By Request):** ers the Ordinance to the Committee on Ordinances.

An Ordinance approving and adopting the Americans With Disabilities Act Compliance Report of the City of Providence.

The motion to Refer is Unanimously Sustained.

**COUNCIL PRESIDENT FARNOLI Ref-**

## PRESENTATION OF RESOLUTIONS

**COUNCIL PRESIDENT FARNOLI (By Request):**

Resolution Requesting the Chief Electrical Inspector to increase the Lumen of the Street Lighting along Jastram Street.

*Resolved, That the Chief Electrical Inspector is requested to increase the Lumen of the Street Lighting along Jastram Street.*

**COUNCILMAN IGLIOZZI (By Request):**

Resolution Requesting the Traffic Engineer to cause the installation of a "Handicapped" Sign in front of 51 Heath Street.

*Resolved, That the Traffic Engineer is requested to cause the installation of a "Handicapped" Sign in front of 51 Heath Street.*

**COUNCILMAN CLARKIN:**

Resolution Extending sincere best wishes to Betty Andrade for a complete and speedy recovery from her recent surgery.

*Resolved, That the Members of the City Council hereby extend their sincere best wishes to Betty Andrade for a complete and speedy recovery from her recent surgery.*

**COUNCILMAN LOMBARDI (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Aborn Street, from Washington Street to Empire Street, on Tuesday, December 10, 1996 at 9:00 o'clock A.M. to Wednesday, December 11, 1996 at 2:00 o'clock A.M. for the Trinity Brewhouse promotion of the Providence College vs. University of Rhode Island Basketball Game at the Providence Civic Center.

*Resolved, That the Traffic Engineer is requested*

to prohibit motor vehicle traffic along Aborn Street, from Washington Street to Empire Street, on Tuesday, December 10, 1996 at 9:00 o'clock A.M. to Wednesday, December 11, 1996 at 2:00 o'clock A.M. for the Trinity Brewhouse promotion of the Providence College vs. University of Rhode Island Basketball Game at the Providence Civic Center.

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Resolution Requesting the Chief Electrical Inspector to upgrade the street lighting on Poles numbered 3, 4 and 5 to 27,500 lumen located in front of 33-35 Swiss Street.

*Resolved*, That the Chief Electrical Inspector is requested to upgrade the street lighting on Poles numbered 3, 4 and 5 to 27,500 lumen located in front of 33-35 Swiss Street.

**Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO.**

**The motion for Passage is Unanimously Sustained.**

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**COUNCILMAN LOMBARDI and COUNCILMAN ALLEN:**

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

**COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Finance.**

**The motion to Refer is Unanimously Sustained.**

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**COUNCILWOMAN WILLIAMS (By Request):**

Resolution Requesting the Chief Electrical Inspector to cause the installation of additional lighting facing into Sessions Street Park.

*Resolved*, That the Chief Electrical Inspector is requested to cause the installation of additional lighting facing into Sessions Street Park.

**Read and Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO.**

**The motion for Passage is Unanimously Sustained.**

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## REPORTS FROM COMMITTEES

### COUNCILWOMAN JOSEPHINE DiRUZZO, Chairwoman COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

**Transmits the following with recommendation the same be Severally Adopted:**

An Ordinance in Amendment of and in Addition to Chapter 1982-15 of the Ordinances of the City of Providence, approved March 26, 1982 and entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for the Hartford Avenue Renewal Project" for the deletion of Lot 83 on Plat 107 and Lot 275 on Plat 114, from the Acquisition List.

An Ordinance Amending the Official Redevelopment Plan for the Special Vacant Lot Project, Chapter 1986-53, No. 561, approved October 23, 1986.

**Severally Read and Collectively Passed, the First Time, on motion of COUNCILMAN**

**IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO, by the following Roll Call Vote:**

**Ayes:** Council President Fagnoli, Councilmen Allen, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins and Councilwomen Romano, Williams and Young—14.

**Noes:** None.

**Absent:** Councilman Clarkin—1.

**The motion for Passage the First Time is Sustained.**

**Transmits the following with recommendation the same be Approved:**

Resolution Authorizing the City Council of the City of Providence, Rhode Island, to request United States Bureau of Census Tracts 1, 2, 5, 6 and 15 that the Mayor nominate to the Enterprise Zone Council of the State of Rhode Island, for renewal as an Enterprise Zone and when and if such tracts are renewed, use his best efforts to ensure Federal and Municipal Resources are targeted for and allocated to said zone.

*Whereas,* The neighborhoods of Upper and Lower South Providence, Washington Park, Elmwood, South Elmwood and Reservoir have lost their competitive edge in attracting business investment; and

*Whereas,* The City of Providence is interested in fostering economic growth and development within these neighborhoods; and

*Whereas*, Within these neighborhoods lies the entirety of United States Bureau of the Census Tracts 1, 2, 5, 6 and 15; and

*Whereas*, The economic and demographic conditions existing within these neighborhoods qualify them for nomination as an Enterprise Zone pursuant to Chapter 64.3 of the General Laws of Rhode Island; and

*Whereas*, The Mayor as the chief signatory of the City of Providence must be authorized to submit the nominating application to the Enterprise Zone Council of the State of Rhode Island,

*Now, therefore, be it Resolved*, The City Council of the City of Providence, County of Providence, State of Rhode Island, hereby authorizes the City of Providence, through its representative, the Mayor, to nominate United States Census Tracts 1, 2, 5, 6 and 15 to the Enterprise Zone Council of the State of Rhode Island, for renewal of designation as an enterprise zone, and, if such nomination is favorably accepted, to request the Mayor to allocate Federal and municipal resources to the betterment of the economic and social

fabric within said zone. These resources shall include, but not be limited to, 1) the priority use of federal funds available from the U.S. Department of Housing and Urban Development, the Economic Development Administration, and the U.S. Department of Labor for the purpose of housing or economic development assistance; 2) the amendment, when necessary and applicable, of local zoning ordinances or regulations; 3) the granting of certain reductions in the local tax liability as allowable under Chapters 3 through 9 of Title 44; and finally 4) the full cooperation of all municipal offices in the administration of and record keeping related to, the operation of the Enterprise Zone.

**Read and Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO.**

**The motion for Passage is Unanimously Sustained.**

## **COUNCILMAN KEVIN JACKSON, Chairman SPECIAL COMMITTEE ON RECREATION**

**Transmits the following with recommendation the same be Approved as Amended:**

**Resolution Requesting the City Council to create a Special Committee on Recreation.**

*Whereas*, The Providence City Council is hereby requested to create a Committee on Recreation for the City of Providence, and

*Whereas*, The said Committee would be in charge of the responsibility to meet with the Director of Recreation and his/her subordinates and Members of the Recreational Advisory Board, and

*Whereas*, This newly created Committee would meet in order that some concrete discussion would be made relative to the management and delivery of services to the Providence Taxpayer, and

*Whereas*, Rule 20(c) of the said Rules of the City Council does hereby provide for the creation of all Special Committees of the City Council,

*Now, therefore, be it Resolved*, That pursuant to Rule 20(c) of the Rules of the Providence City Council, a Special Committee on Recreation is

hereby created. That the charge of said Special Committee shall meet with the Director of Recreation, subordinates and any other City Officials which it may deem necessary for the purpose of advising the City Council as to the proper management and delivery of services to the people of the City of Providence, and

*Be it further Resolved*, That said Special Committee shall consist of five (5) Members of the City Council who shall be appointed by the President of the City Council or the Council President Pro Tempore pursuant to said Rule 20(c) and that the term of said Special Committee shall expire on January 1, 1998.

COUNCILMAN JACKSON moves that the Resolution be amended by deleting the

words in the paragraph "WHEREAS" and inserting in lieu thereof, "NOW, THEREFORE, BE IT RESOLVED".

This motion is seconded by COUNCILMAN IGLIOZZI.

COUNCILMAN IGLIOZZI thereupon moves that the Resolution be Read and Passed as Amended.

This being seconded by COUNCILWOMAN DiRUZZO is Put to Vote and Passed.

The motion for Passage as Amended is thereupon Sustained.

### COUNCILWOMAN PATRICIA K. NOLAN, Chairwoman COMMITTEE ON FINANCE

Transmits the following with recommendation the same be Adopted:

An Ordinance in Amendment of Chapter 1996-29, as approved July 23, 1996, entitled: "An Ordinance Establishing a Classification Plan for the City of Providence and Repealing Ordinance Chapter 1995-30, approved December 28, 1995, as amended" relative to various City Departments as amended.

Read and Passed, the First Time, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO, by the following Roll Call Vote:

Ayes: Council President Fagnoli, Coun-

cilmen Allen, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins and Councilwomen Romano, Williams and Young—14.

Noes: None.

Absent: Councilman Clarkin—1.

The motion for Passage the First Time is Sustained.



**Transmits the following with recommendation the same be Received and Approved:**

Communication from His Honor the Mayor dated November 4, 1996, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1011 of the Providence Home Rule Charter of 1980, he is this day appointing Mr. Steven J. Antonson, Sr., of 113 Radcliffe Avenue, Providence, Rhode Island 02908, as a Member of the Building Board of Review for a term to expire in January, 1997 and respectfully submits the same for approval. Mr. Antonson will fill the unexpired term of the late Caesar Floriani.

**Communication Received and Appointment Approved, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO.**

**The motion to Receive and Approve is Unanimously Sustained.**

## COMMUNICATION

**FROM COUNCIL PRESIDENT PRO TEM-  
PORE JOHN J. LOMBARDI:**

**Million Dollar Bond Issue, Privatization of the Water Supply Board and next year's Revaluation.**

Communication dated December 12, 1996, Informing the Honorable Members of the City Council of his concerns relative to statements made by Mayor Vincent A. Cianci, Jr., on the \$50

**Received.**

## PERSONAL EXPRESSION

**COUNCILMAN LOMBARDI requests the privilege of the floor to speak on a point of personal expression and states:**

"Madam President and Members of the City Council. Just with regard to this, each and everyone of you received a packet put together by the City Council Office, basically a letter from myself, the minutes of several meetings and the

transcript of a memorandum from Chris Nocera and a transcript from the show that took place "Newsmakers" December 8th, 1996 and much to my concern, the Mayor made some comments with regard to those three issues which I think have been enunciated in the communication. But, I just have some concerns and I think it is important because I certainly respect the hard work and the diligent work that my colleagues have put

together in the last couple of years in trying to create at least some semblance of the checks and balances and that is basically what this is. We want to send out a message to the Administration that we will be the Watchdog, that we will be the checks and balances that we have to be because we are a co-equal branch of Government and just to refer to the Article for those of you who read it this morning and I'm sorry I did not provide it for you, the Mayor talks about worrying about spending money to demolish houses and fixing streets and doing the things that are important to our infrastructure and that is something that this Council has spoken at . . . in favor of and we will just say "where's the beef?" When is this going to happen and you know, they talk about knocking down homes and it is going to cost 2 or 3 million dollars for 100 homes. I say, fine, I think all of us support that. However, I think it is not unfair to ask for where are those houses located, how much is it going to cost, when is it going to happen, at what expense and it is certainly something that the majority leader and have spoken about in the last six or seven years. Have we exhausted those Laws that are on the books, the receivership statute, the code enforcement, having the Solicitor do their job, the housing court, do they need legislation, do they need ordinances, do they need resolutions to strengthen their position. I don't know. The majority leader a couple of weeks ago made it a very cogent . . . and argument with regard to the 150 or 180 days that you should take to have many of these issues resolved. Are some of these homes salvageable? Is someone interested in purchasing them? Are they in a historical district? Do those laws apply? Do those ordinances apply? I think there are several questions that this Council has been asking for at least the 12 years that I have been on this Council and they are legitimate questions. Two million here, three million there, nine million . . . there, seven million, there is not going to be 50 million to pass around, there is only going to be a few million and I think that we have to send the message and that was certainly one of the purposes that I had and my feeling was to send a message that we will be there every step of the way, we want to be there,

we insist on being there, we must be there. That is our duty and that is what we were sworn in to uphold. This isn't about checkmate, this is about doing what is proper and prudent for each and every one of our neighbors and let me say this, I think that the best arbiters or spokespeople on this are the Council people because we are involved on the day to day problems of our neighborhoods and I certainly would point to any one of my colleagues and say what are the concerns in whatever Ward, 1, 2, 3, 4, 5 or whatever Ward that may be and I know that the individual Council people would be the first person I would go to and I'm sure they could rattle off a myriad of problems and a myriad of things that must be addressed in their neighborhoods. Prioritize, because my speculation is that if I were to partake in games of chance, I would bet that they could tell you . . . that they could prioritize those kinds of things that must be addressed in order to improve the quality of life and each and every Council member wants to do that every step of the way to address those issues. At least when I met with the 4 Department Heads, they came in with a list of things they said should be done. It's funny because I certainly support items in other neighborhoods but one of the items that was on my list was an item in the 15th Ward and I have no problem supporting that because I will be the first to admit that Olneyville will improve West Broadway, it will improve Broadway. If you improve Bridgman, it will improve Broadway and Westminster Street. There are quality of life issues, everyone knows that. But the Council has been on the forefront on those issues. The Council has been the one that has said over and over it is neighborhoods, we need to improve the neighborhoods and the quality of life because we want to be the welcome mats we want to be able to say look, this is a beautiful City to live in that is what this is all about. So, I just want to correct the Administration with regard to that we want to be there every step of the way and we are putting the gauntlet down. Don't spend piecemeal two million here, three million there five million there, nine million there, because there's not going to be 50 million dollars left and I must admit I did have a crystal ball because one of the things that

I talked about when I talked to the reporter Tuesday, I had asked "what's next, the Civic Center?" and lo, behold, in yesterday's paper, that is the next thing that is going to sold and I don't know where it end because I thought this Council was empathic several years ago when they said about selling off these valuable assets, these jewels and I don't know, I don't know where we are going but that was my purpose for this and I want to thank my colleagues those that called me today in support of this because I think it is important. It is important for the next 2 years, thank you".

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**COUNCILMAN DeLUCA requests the privilege of the floor to speak on a point of Personal Expression and states:**

"Madam President . . . I will continue with what Councilman Lombardi was speaking about and I don't know how else to put it other than that the Mayor did in fact misrepresent the truth on this Sunday Morning Television Station and there is no other way to summarize it. I suppose if it wasn't so close to the Christmas Season and the Spirit within us, I might expand on that a little bit more. But, I want to commend Councilman Lombardi for his efforts to clarify that misrepresentation of the truth for the general public and all of us and we'll leave that one side.

On a more victorious note, I would like to commend the Solicitor's Office for the victory, both in the Superior Court and the Supreme Court with regards to the Teachers Parity lawsuit as you know we were victorious and when that decision came down thanks to Councilman Lombardi again, we received a copy of that decision and the wording of it and the foundation of that decision seemed to be that since the Council did not ratify the Contract they did not have a Contract so what parity are you talking about? Or, what issue are you talking about? But, if we go back a few years ago and the . . . authority in the negotiating room and if you don't have one

you are not bargaining in good faith and Rhode Island Labor Laws might supersede all of these other ideas and these overwhelming shadows that were all a bunch of baloney to begin with because there is only one final ultimate authority and that is the legislative authority that has to pay for those contracts that have to approve it and back then all of these swing shots . . . corporate authority bargaining in good faith and labor laws were being thrown at us and finally to me with regards made by the arbitration board which over the years have come close to bankruptcy in the City, this decision creates that window of opportunity that we were talking about to try and create through legislation last summer. This, for the first time that I can recall if Charles can comment, that an arbitration board award has been struck down. The Superior and the Supreme Court told them that they had no business getting involved in that issue so this victory was phenomenal for me, really. I don't know why that mood was not in the Supreme Courts heart when the COLA issue was before them because the issue was very, very similar. The appropriating authority the legislative authority . . . approve the COLA agreement. So, that give me a hot and cold feeling towards the Court, but I would hope that we could continue this COLA battle at another level to ensure that the whole book will be opened and then I will look at it with a different perspective.

The last issue is an athletic one, I just want to report that we had about 200 young men from around the City who played football up at the Hope High School on Sunday Morning but some of them are not as young as the rest but most of them are and the . . . did win the State Championships this year and three teams were represented from Rhode Island in New Jersey in the National Flag Football Tournament and they were Jovan's Nightclub I believe that is in Balbina's area, and Ciccone Outlaws, he's from every area, his office is down at Davol Square but he has Kids from all over and of course the . . . is down there as the State Champs and I want to report to you that all the Rhode Island Teams did very respectively down there and they all won

their Saturday three back to back games which is not easy to do.

You ask the NFL to play 3 games in one day and they'll go on strike. Then, come Sunday Morning they had to play another 3 games back to back and Ciccone's and Jovan's failed with that attempt but the Tamarand? went on to the Championship game and they got beat in the Championship Game but came in second which as I told Mike, earlier they were looking for prime rib, but the hamburger tasted pretty good as second place. So, thank you very much."

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**COUNCILMAN IGLIOZZI requests the privilege of the floor to speak on a point of personal expression and states:**

"I also want to commend the Law Department with regard to the recent decision of the Supreme Court but more importantly, for those of us who have been here since 1990 and I 3 of you have not, it is interesting to note that if you and I know that Madam President has scheduled a Council Meeting of the whole to get to the bottom of these labor negotiation issues and the impact of the decision for Monday. But, I encourage all of you to take the time to get all the cases that we have been fighting since 1990 and take the time to read them, what we lawyers like to call synthesize them — try to piece them together like a puzzle because if you think that, I have stood upon this Council time and time again and I have always said when it comes to issues involving the Charter, the Charter is a baby, it is a very immature document. It is only 15 years old, unlike the Constitution of the United States and sometimes the powers that are in that Charter until they are accepted and validated and receive the stamp of approval of the Supreme Court of the highest Court in the State of Rhode Island, people don't accept it. Case in point, first and foremost, keep in mind that fundamental not only to the Charter of the City of Providence but fundamental to all Government, is that those who are elected, those who are elected

are responsible and accountable to the taxpayers . . . and that is really taking time to put the cases together and synthesize it, is the fundamental thread that follows through every single decision. Case in point, the Retirement Board is an appointed body, we all know that, when they thought they could give increased pension benefits that we would have to be stuck with and pay for as an appropriating authority . . . the Supreme Court said no. The Retirement Board thought that they had the power to invest City Retirement Funds anyway they want and the City Council couldn't shift that power to the Board of Investment, they were wrong. Why did the Supreme Court and the Courts uphold that, more importantly but not only does the Charter allow it they are not . . . getting that unelected appointed people have that kind of control, because then there is no need for us to be here and I think that same issue happened again with the School Department, the same issue happened with the case Council vs. Cianci with the right to ratify because if you don't have the right to ratify, then you don't have the right to appropriate you only have the right to pay and that is not what we are here for and that is the consistent thread and I encourage everyone . . . to do this. With regard to the School Department case, the Supreme Court has spoken in the most strident, strong and aggressive language that I have seen in years with regard to this power and what they are saying is democracy prevails and the fundamental issue in democracy is electability equals accountability not somebody who is appointed and the reason they make the distinction between us as a City Council and this appointed School Board of the City of Providence and the West Greenwich Case, is because the West Greenwich School Board is elected, that is why they have the power to negotiate a contract of the Town because they are elected by the people of that Town. If we had an elected School Board, the decision would have been just the opposite. The School Board had negotiated it we probably not have been able to enforce our right to ratify.

I say that because if you think of it consistently the Supreme Court has been consistent time and

time again and in the COLA case the Supreme Court has been consistent and they did see the light. Unfortunately, the way that has been framed right now and what we are fighting about right now is what is on the record in the Supreme Court I have examined this in great detail, unfortunately, the Supreme Court is under the impression that the Council agreed by a stipulation of facts that Cavanaugh???? was authorized, that is the mistake in that overall decision that is the fundamental . . . in a stipulation. I figured if that was the case and obviously it was and I could tell you this . . . has understood and appreciated the fact that we, by Ordinance, stopped all of our COLA as of January 1st of 1994. He appreciates the fact that when we speak by Ordinance the appropriating authority of the City of Providence those who have the pullstrings the 15 of us here, that when we speak, that becomes the Law. So, I have to tell you and I have to say this that I think on Monday the City Solicitor will give us a wrap up, but the piecemeal legislation that we have been putting in and saying how come they are not forcing it, it is for the same reason that they have been ignoring the Charter. Until those boys up there say that Law is the Law, the Unions won't accept it and that is what we keep on running into as you notice. We passed an Ordinance and they it doesn't matter, only Labor Law matters. The Charter doesn't matter, only Labor Law matters, but, we all know that is not how it is going to be from this day forward the Supreme Court has made that clear and by the way, that's never been the way that was and unfortunately until they say

that up there Benefit Street, it is not accepted and we all know that so, I encourage you to look at that and I encourage you to look at that and you can't possibly go into a dissertation about the Law but if you take the time to read those decisions and piece them together like a puzzle you will understand where the Supreme Court is going and you will start understanding where the Supreme Court has gone and you will start understanding and appreciating the job that the City Solicitor has done, what Kelly Sheridan has done and obviously we have many battles ahead of us but we are definitely turning the corner. The reality is that the City Solicitor just saved us 7 million dollars, that's the reality. Our Law Department which is relatively an inexpensive Law Department, saved us 7 million dollars because if it wasn't appealed and they didn't win this case we would be paying 7 million dollars in parity, by the way, this year and every year hereafter. The parity raise would have been multiplied much like the COLA spiraling out of control and so I just say that and I'm sorry for being longwinded but it is such a really critical case and it is what I would call a bright line case or a signpost of how lawyers are going to deal with these issues in the future. So, I say that especially for the people who are new and I encourage you to read those decisions and maybe talk with the City Solicitor's Office who obviously does not charge us by the hour when they sit down and talk with us. They will give us a real perspective. So, I thank you very much."

## COMMUNICATIONS AND REPORTS

### FROM THE CITY ASSESSOR:

Certificates (Nos. 13A and 14A) Recommending the same be severally canceled pursuant to the

provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of the State of Rhode Island, 1956, as amended.

**COUNCIL PRESIDENT FARGNOLI Refers the Certificates to the Committee on Claims and Pending Suits.**

**The motion to Refer is Unanimously Sustained.**

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## FROM THE CLERK'S DESK

Petition of J.C.A.C. Associates, Inc., Alfred A. Cavallaro, President, Caserta Pizzeria, 121 Spruce Street, Providence, RI requesting permission to abandon a portion of Acorn Street.

**COUNCIL PRESIDENT FARGNOLI Refers the Petition to the Committee on Public Works.**

**The motion to Refer is Unanimously Sustained.**

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**Petitions for Compensation for Injuries and Damages, viz:**

Teresa Votta

Casco Indemnity Co., a/s/o Paul and Leo Colardo

City of Cranston

Wilmington Figueroa

Vincente Gomez

Salavatore Notarianni

Dorothy Miller

Dennis J. Williams, Jr.

Christine Johnson

Helene Stecker

Robert Oliver

Judith Watson

Amre, Inc.

Shirley Sagen

**COUNCIL PRESIDENT FARGNOLI Severally Refers the Petitions to the Committee on Claims and Pending Suits.**

**The motion to Refer is Unanimously Sustained.**

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## PRESENTATION OF CITATIONS

### *"In Congratulations"*

**COUNCIL PRESIDENT FARGNOLI and  
the MEMBERS of the CITY COUNCIL:**

recognition of the celebration of their 50th  
Wedding Anniversary married on September 9,  
1946.

Citations Extending Congratulations.

*Resolved*, That the Members of the City Council  
extend their sincere congratulations to the  
following:

John Mancini, in recognition of the celebration  
of his 70th Birthday.

Mr. and Mrs. Vincent A. Meola, in recognition  
of the celebration of their 50th Wedding Anniver-  
sary married on October 26, 1946.

**Severally Read and Collectively Passed,  
on motion of COUNCILMAN IGLIOZZI, sec-  
onded by COUNCILWOMAN DIRUZZO.**

Mr. and Mrs. Guido Lepore, in recognition of  
the celebration of their 50th Wedding Anniversary  
on January 11, 1997.

**The motion for Passage is Unanimously  
Sustained.**

Mr. and Mrs. William R. Paniccia, Sr., in

## PRESENTATION OF RESOLUTIONS

### *"In Memoriam"*

**COUNCIL PRESIDENT FARGNOLI and  
the MEMBERS of the CITY COUNCIL:**

Ruth I. Hanley

Resolutions Extending Sympathy.

Harriet Gladstone

*Resolved*, That the Members of the City Council  
extend their sincere sympathy to the families of  
the following:

William D. Markarian

Roger "Deno" Ferreira

Peter Paolissi, Sr.

Keary Chea

Victor Patalano

Rose Chadronet

John F. Capezza

Trevis R. Lopes

Armando S. Boffi

The motion for Passage is Unanimously Sustained.

Severally Read and Collectively Passed, by a Unanimous Rising Vote, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO.

## RULE SUSPENSION

On motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO, it is voted to Suspend Rule 2 of the Rules of the City Council in order to allow the City Council to meet on a day other than provided for in said Rule 2.

## ADJOURNMENT

There being no further business, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN DiRUZZO, it is voted to adjourn at 8:30 o'clock P.M. (E.S.T.) to meet again on THURSDAY, JANUARY 16, 1997 at 7:30 o'clock P.M. (E.S.T.).

*Michael R. Clement*

City Clerk