

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL
JOURNAL OF PROCEEDINGS

No. 43 City Council Regular Meeting, June 20, 1996, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT

EVELYN V. FARGNOLI

IN CITY COUNCIL

SEP 5 1996

APPROVED:

ROLL CALL

Michael R. Clement CLERK

Present: Acting Council President Fargnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliozi, Jackson, Lombardi, Mancini, Councilwomen Nolan, Williams and Young—13.

Absent: Councilman Rollins—1.

INVOCATION

The Invocation is given by COUNCIL-
WOMAN RITA M. WILLIAMS.

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

COUNCILMAN DAVID V. IGLIOZZI leads
the members of the City Council and the
Assemblage in the Pledge of Allegiance to
the Flag of the United States of America.

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Communication dated June 16, 1996, Informing
the Honorable Members of the City Council of
his Veto of that Resolution pertaining to the
establishment of a Gambling Facility in the City
of Providence.

COUNCILMAN IGLIOZZI moves the fore-
going item be considered as No. 44a on the
Docket.

This motion being seconded by COUNCIL-
MAN MANCINI is put to Vote and Passed.

The motion to consider the foregoing as
No. 44a is Unanimously Sustained.

SCHEDULE OF BILLS

FROM THE CITY CONTROLLER:

Street Lighting Bill from Narragansett Electric Company for the month of May, 1996, in the Amount of One Hundred Twenty-Three Thousand, Seven Hundred Fifty-Seven Dollars, Seventy-One Cents. (\$123,757.71).

Approved, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI, by the following Roll Call Vote:

Ayes: Acting Council President Fagnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Mancini, Councilwomen Nolan, Williams and Young—13.

Noes: None.

Absent: Councilman Rollins—1.

The motion for Approval is Sustained.

ELECTION OF PRESIDENT OF CITY COUNCIL

PRESIDING OFFICER IGLIOZZI calls for Nominations for the Office of President of the City Council to fill the unexpired term of JAMES A. PETROSINELLI for 1995-1999.

PRESIDING OFFICER IGLIOZZI nominates ACTING COUNCIL PRESIDENT EVELYN V. FARGNOLI and this nomination is seconded by COUNCILMAN LOMBARDI, COUNCILMAN MANCINI, COUNCILWOMAN WILLIAMS and COUNCILWOMAN DIRUZZO.

PRESIDING OFFICER IGLIOZZI calls for further Nominations and there being none, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI, it is voted that Nominations be Closed and the Clerk is directed to cast One Ballot for ACTING COUNCIL PRESIDENT EVELYN V. FARGNOLI.

The Clerk casts one ballot as directed.

PRESIDING OFFICER IGLIOZZI thereupon declares ACTING COUNCIL PRESIDENT EVELYN V. FARGNOLI President of the City Council for the ensuing term of Four Years, ending on the First Monday in January, 1999.

The Clerk Calls the Roll for Evelyn V. Fagnoli as Council President.

For Evelyn V. Fagnoli: Councilmen Allen, Clarkin, DeLuca, Councilwomen DiRuzzo, Fagnoli, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Mancini, Councilwomen Nolan, Williams and Young—13.

Noes: None.

Absent: Councilman Rollins—1.

The Solemn Oath of Office is thereupon
administered by City Solicitor, Charles R.
Mansolillo, Esquire.

COUNCIL PRESIDENT EVELYN V. FARGNOLI IN THE CHAIR

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated June 6, 1996, Informing the Honorable Members of the City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980 and Section 2 of Chapter 332 of the Public Laws of 1981, he is this day reappointing Mr. Jay S. Goodman of 15 President Avenue, Providence, Rhode Island, as a Member

of the Capital Center Commission for a term to expire in June, 2000.

Received.

PRESENTATION OF ORDINANCES

COUNCIL PRESIDENT FARGNOLI (By
Request):

An Ordinance making an Appropriation of One Hundred Sixty-Six Million, Three Hundred Sixty Thousand, Six Hundred Twenty-Seven Dollars (\$166,360,627.00) for the support of the Providence School Department for the fiscal year ending June 30, 1997.

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Finance.

The motion to Refer is Unanimously Sustained.

An Ordinance establishing a Compensation Plan for the School Department and repealing Ordinance Chapter 1990-18, approved July 3, 1990.

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Finance.

The motion to Refer is Unanimously Sustained.

An Ordinance establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes in the School Department and Repealing Ordinance Chapter 1990-17, approved July 3, 1990.

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Finance.

The motion to Refer is Unanimously Sustained.

COUNCILMAN ALLEN (By Request):

An Ordinance in amendment of Chapter 564 of the Ordinances of the City of Providence entitled: "The City of Providence Zoning Ordinance" approved June 27, 1994, and amended May 26, 1995, by amending Providence Zoning District Map Number 43 of the Official Zoning Map by changing the Zoning District Designation of Lots 385 and 386 from R-3 to C-2.

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Ordinances.

The motion to Refer is Unanimously Sustained.

COUNCILMAN ALLEN and COUNCILMAN ROLLINS (By Request):

An Ordinance in amendment of and in addition to Chapter 1984-17 of the Ordinances of the City of Providence approved March 9, 1984 entitled: "An Ordinance approving and adopting the Official Redevelopment Plan for the Upper South Providence Revitalization Project" for additional acquisition.

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Unanimously Sustained.

COUNCILMAN IGLIOZZI (By Request):

An Ordinance Relating to Revenue and Finance — Article VII Tax Exemption for Computer and Telephone Equipment.

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Finance.

The motion to Refer is Unanimously Sustained.

COUNCILMAN JACKSON (By Request):

An Ordinance amending Section 4-27 of the Code of Ordinances of the City of Providence to also include "Cats".

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Ordinances.

The motion to Refer is Unanimously Sustained.

New Construcion, Alteration, Demolition or other Building Operations pursuant to Title 27.3-118.011."

COUNCILWOMAN YOUNG (By Request):

COUNCIL PRESIDENT FARGNOLI Refers the Ordinance to the Committee on Ordinances.

An Ordinance in amendment of and in addition to Chapter 1995-21 of the Ordinances of the City of Providence, approved August 17, 1995 and entitled: "An Ordinance setting fee schedules for

The motion to Refer is Unanimously Sustained.

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT FARGNOLI, COUNCILMAN ALLEN, COUNCILMAN CLARKIN, COUNCILMAN DeLUCA, COUNCILWOMAN DiRUZZO, COUNCILMAN GLAVIN, COUNCILMAN IGLOZZI, COUNCILMAN LOMBARDI, COUNCILMAN MANCINI, COUNCILWOMAN NOLAN, COUNCILMAN ROLLINS, COUNCILWOMAN WILLIAMS and COUNCILWOMAN YOUNG:

Resolution Congratulating James Lombardi, Director of Administrative Services of the Water Supply Board upon his retirement.

Whereas, James A. Lombardi, started employment with the City of Providence on January 26, 1971 at the Providence Water Supply Board as an Accountant I and excelled in that position where he was promoted to the position as Meter Superintendent, and

Whereas, After some four years, James was again rewarded for his fine work and accomplishments, then again promoted to the rank of Administrative Assistant to the Chief of the Water Supply Board, and

Whereas, James' continued knowledge of the Providence Water System helped quality water become a household name throughout the State and Country as being second to none, and

Whereas, With his hard work and dedication to the System, James rose to the rank of Director of Operations of the Providence Water Supply Board which was well deserved,

Now, therefore, be it Resolved, That James has committed some 25 years of service to the City of Providence and it is only appropriate that he, his wife Vickey and their children, Jayne, Jennifer and Jason, enjoy the rewards of retirement, and

Be it further Resolved, That the Members of the Providence City Council do hereby congratulate James A. Lombardi upon his retirement and that he flow like waters to a happy life to the World of Leisure.

Resolution Congratulating Mary A. Nocera upon her retirement of 23 years of service to Rhode Island College in the Communications and Theater Departments.

Resolved, That the Members of the City Council hereby extend their sincere congratulations to Mary A. Nocera upon her retirement of 23 years of service to Rhode Island College in the Communications and Theater Departments.

COUNCILMAN ALLEN (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Carlisle Street at Elmwood Avenue and also Alger Avenue at Depew Street, on Thursday, July 4,

1996, between the hours of 10:00 o'clock A.M. to 6:00 o'clock P.M. in celebration of the 5th Annual South Elmwood Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Carlisle Street at Elmwood Avenue and also Alger Avenue at Depew Street, on Thursday, July 4, 1996, between the hours of 10:00 o'clock A.M. to 6:00 o'clock P.M. in celebration of the 5th Annual South Elmwood Neighborhood Block Party.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.

The motion for Passage is Unanimously Sustained.

AT EASE

COUNCIL PRESIDENT FARGNOLI declares the City Council stand at ease and requests CITY SERGEANT GUGLIELMINO escort Mary Nocera and Larry Mancini/ Democratic City Chairman to the Podium.

RECONVENTION

The meeting Reconvenes at 8:15 o'clock P.M. and the City Clerk is directed to record there is a quorum present.

PRESENTATION OF RESOLUTIONS

COUNCILMAN CLARKIN (By Request):

Resolution Changing that portion of Canal Street, between Waterman Street and College Street, as "Canal Walk" and that all street addresses shall reflect the change in the street name.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning.

The motion to Refer is Unanimously Sustained.

COUNCILMAN CLARKIN:

Resolution Extending the sincere best wishes of the Members of the City Council to Bart McElroy for a complete and speedy recovery from his recent surgery.

Resolved, That the Members of the City Council hereby extend their sincere best wishes to Bart McElroy for a complete and speedy recovery from his recent surgery.

COUNCILMAN DeLUCA:

Resolution Requesting the President of the City Council appoint a Seven (7) Member Committee to study the feasibility of Casino Gambling in the City of Providence.

Resolved, That the Acting President of the City Council is requested to appoint a Seven (7) Member Committee to study the feasibility of Casino Gambling in the City of Providence.

COUNCILWOMAN DiRUZZO:

Resolution Congratulating Gary Morach, Principal of the Flynn Model Elementary School, Abigail Mills, Director/Music Teacher, the faculty, students and the PTA upon their successful production of "Annie" last weekend.

Resolved, That the Members of the City Council hereby extend their sincere congratulations to Gary Morach, Principal of the Flynn Model Elementary School, Abigail Mills, Director/Music Teacher, the faculty, students and the PTA upon their successful production of "Annie" last weekend.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.

COUNCILMAN GLAVIN, COUNCILWOMEN WILLIAMS and YOUNG desire to be recorded as voting "No".

The motion for Passage is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "No Parking to Corner" Signs on both sides of Bancroft Street, at its intersection with Pocasset Avenue, in front of Lupita's Market.

Resolution Requesting the Traffic Engineer to purchase "Pedestal Mounted Active School Limit" Signs with Flashing Beacons of 20 m.p.h. for posting in front of all Elementary Schools in the City of Providence.

Resolution Requesting the Traffic Engineer to cause the installation of "25 Miles Per Hour" Speed Limit Signs on Rill Street and Dorr Street in the Valley Neighborhood.

COUNCIL PRESIDENT FARGNOLI Severally Refers the Resolutions to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Traffic Division of the Providence Police Department to place Radar on Webster Avenue.

Resolved, That the Traffic Division of the Providence Police Department is requested to place Radar on Webster Avenue.

COUNCILMAN IGLIOZZI (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Kinfield Street, from Barbara Street to Grimwood Street on Thursday, July 4, 1996, between the hours of 12:00 o'clock Noon to 12:00 o'clock Midnight to accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Kinfield Street, from Barbara Street to Grimwood Street on Thursday, July 4, 1996, between the hours of 12:00 o'clock Noon to 12:00 o'clock Midnight to accommodate a Neighborhood Block Party.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.

The motion for Passage is Unanimously Sustained.

COUNCILMAN JACKSON (By Request):

Resolution Requesting the Providence School Department and/or the Department of Public Property to study the feasibility for the use of Camp Cronin for Summer School Sessions.

COUNCIL PRESIDENT FARGNOLI Jointly Refers the Resolution to the Committee on Finance and the Committee on City Property.

The motion to Refer is Unanimously Sustained.

Resolution Requesting the Superintendent of Parks to prepare Billy Taylor Park for the Educational Enrichment Program for the Summer by replacing the lights, replacing the nets, cleaning the park and repainting the lines.

Resolved, That the Superintendent of Parks is requested to prepare Billy Taylor Park for the Educational Enrichment Program for the Summer by replacing the lights, replacing the nets, cleaning the park and repainting the lines.

Read and Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.

The motion for Passage is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "Handicapped Parking" Signs in front of the Olney Street Baptist Church located at 100 Olney Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "Handicapped Parking" Signs in front of the Olney Street Baptist Church located at 100 Olney Street.

COUNCILMAN LOMBARDI (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Dexter Street, from Division Street to Hollywood Road, on Saturday, June 8, 1996, between the hours of 8:00 o'clock A.M. to 5:00 o'clock P.M. and on Sunday, June 9, 1996, between the hours of 8:00 o'clock A.M. to 12:00 o'clock P.M. for a Church Revival by the Hmong Evangelical Church.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Dexter Street, from Division Street to Hollywood Road, on Saturday, June 8, 1996, between the hours of 8:00 o'clock A.M. to 5:00 o'clock P.M. and on Sunday, June 9, 1996, between the hours of 8:00 o'clock A.M. to 12:00 o'clock P.M. for a Church Revival by the Hmong Evangelical Church.

COUNCILWOMAN NOLAN (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Gallatin Street, at its intersections with Elmwood Avenue, Melrose Street, Kipling Street and Ruskin Street, on Saturday, August 3, 1996 between the hours of 9:00 o'clock A.M. to 12:00 o'clock Midnight to accommodate a Neighborhood Block Party.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Gallatin Street, at its intersections with Elmwood Avenue, Melrose Street, Kipling Street and Ruskin Street, on Saturday, August 3, 1996 between the hours of 9:00 o'clock A.M. to 12:00 o'clock Midnight to accommodate a Neighborhood Block Party.

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Adelaide Avenue, from Elmwood Avenue to Melrose

Street on Saturday, July 6, 1996, between the hours of 9:00 o'clock A.M. to 9:00 o'clock P.M.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Adelaide Avenue, from Elmwood Avenue to Melrose Street on Saturday, July 6, 1996, between the hours of 9:00 o'clock A.M. to 9:00 o'clock P.M.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.

The motion for Passage is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to study the feasibility of designating Laura Street as a One-Way Street, from Melrose Street to Broad Street.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

COUNCILWOMAN NOLAN:

Resolution Requesting the Superintendent of Schools to submit the Administrative and Clerk's Contracts to the City Council for ratification.

Resolved, That the Superintendent of Schools is requested to submit the Administrative and Clerk's Contracts to the City Council for ratification.

COUNCILMAN ROLLINS (By Request):

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Montgomery Avenue, from Narragansett Boulevard to Virginia Avenue on Friday, June 14, 1996, Saturday, June 15, 1996, Friday, June 21, 1996 and Saturday, June 22, 1996, between the hours of 7:00 o'clock P.M. to 11:00 o'clock P.M. for the Feast of the Crown.

Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Montgomery Avenue, from Narragansett Boulevard to Virginia Avenue on Friday, June 14, 1996, Saturday, June 15, 1996, Friday, June 21, 1996 and Saturday, June 22, 1996, between the hours of 7:00 o'clock P.M. to 11:00 o'clock P.M. for the Feast of the Crown.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.

The motion for Passage is Unanimously Sustained.

Resolution Requesting the Traffic Engineer to cause the installation of "Slow Children" Signs on Alabama Avenue, from Narragansett Boulevard to Michigan Avenue.

COUNCIL PRESIDENT FARGNOLI Refers the Resolution to the Committee on Public Works.

The motion to Refer is Unanimously Sustained.

COUNCILMAN ROLLINS:

Resolution Requesting the Department of Environmental Control to clean the debris from various lots located within the Tenth Ward.

Resolved, That the Department of Environmental Control is requested to clean the debris from various lots located within the Tenth Ward.

REPORTS FROM COMMITTEES

COUNCILMAN ROBERT M. CLARKIN, Chairman

COMMITTEE ON PUBLIC WORKS

Transmits the following with recommendation the same be severally approved:

Resolution Requesting the Traffic Engineer to post "Slow-Children" Signs along Weymouth Street.

Resolved, That the Traffic Engineer is requested to post "Slow-Children" Signs along Weymouth Street

Resolution Requesting the Traffic Engineer to cause Jenckes Street, from Benefit Street to Pratt Street to be made a "One-Way" Street in an easterly direction.

Resolved, That the Traffic Engineer is requested to cause Jenckes Street, from Benefit Street to Pratt Street to be made a "One-Way" Street in an easterly direction.

south side of the street with a "No Parking" Sign on the corner.

Resolved, That the Traffic Engineer is requested to remove all "Loading Zone" Signs on the south side of Meeting Street at Thayer Street and place them on the north side of the street; also that "two (2) Hour Parking" Signs be placed on the south side of the street with a "No Parking" Sign on the corner.

Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.

Resolution Requesting the Traffic Engineer to remove all "Loading Zone" Signs on the south side of Meeting Street at Thayer Street and place them on the north side of the street; also that "two (2) Hour Parking" Signs be placed on the

The motion for Passage is Unanimously Sustained.

COUNCILWOMAN EVELYN V. FARGNOLI, Chairwoman COMMITTEE ON FINANCE

Transmits the following with recommendation the same be approved:

Communication from His Honor the Mayor dated May 17, 1996, Informing the Honorable Members of the City Council that pursuant to Sections 302(b) and 1002 of the Providence Home Rule Charter of 1980, he is this day appointing Mr. Ferdinand Ihenacho of Pawtucket, Rhode Island, Director of the Department of Public

Works and respectfully submits the same for approval.

Received.

COMMUNICATIONS AND REPORTS

FROM THE CITY ASSESSOR:

Certificates from the City Assessor (Nos. 26Z and 2Z) 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 Severally Refers the Certificates to the Committee on Claims and Pending Suits.

The motion to Refer is Unanimously Sustained.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Chubb Insurance Co., a/s/o/ Angeline Piccirillo

Mark Chagnon

Alex Lee Scurry

Robert A. Mello

Shawn Southerland

Robert P. Quinn Trust

Yuang-Shang Lee

Pravin Krishna

Hanover Ins., Co., Christine DiSanto

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

The motion to Refer is Unanimously Sustained.

COMMUNICATIONS FROM HIS HONOR THE MAYOR

Communication dated June 16, 1996, Informing the Honorable Members of the City Council of his Veto of that Resolution pertaining to the establishment of a Gambling Facility in the City of Providence.

June 16, 1996

The Honorable Michael R. Clement
City Clerk
City Hall
Providence, RI 02903

Dear Mr. Clerk:

Pursuant to Sections 302(f) and 412 of the Providence Home Rule Charter of 1980, I hereby disapprove and veto the attached resolution posing the question of the establishment of a gambling facility in the City of Providence.

I have taken this action because this question has already been recently considered and decided by the people of the City of Providence and the State of Rhode Island.

Additionally, with the likelihood that the Narragansett Tribe will establish a casino in this state, I take this action in the firm belief that our local economy could not support two such facilities.

Respectfully submitted,

VINCENT A. CIANCI, JR.
Mayor of Providence

COUNCILMAN DeLUCA moves that the Communication be Laid on the Clerk's Desk.

This motion is seconded by COUNCILMAN LOMBARDI.

COUNCILMAN DeLUCA states: "Just a brief explanation as to why this action was being requested with regards to this veto, there seems to be a great deal of controversy as to whether or not the Mayor, as granted by the City Charter, has 100% veto power over all Ordinances that the City Council passes and all Resolutions that the City Council passes. I have taken some time to go through the Charter and you see before you the first three pages of particular instances in the Charter where the Mayor does not have the authority to veto and one Act we recently acted on and that was to enforce the Residency Rule, where an individual had not complied with Residency and it was the Solicitor's opinion at the time, that the Council was the only body that could deal with it. We initiated the referendum and Personnel could not, the Administration could not, it was just a matter that the Council had to deal with and we did. That Act was not able to be vetoed.

Section 401 on Legislative Powers clearly defines what the powers of the City Council are and they are by Charter, granted to this legislative body by Charter and by State Law. So that we will find instances and several State Laws which grant us powers and authority that we do not have in the City Charter and I'm not going to elaborate on all these issues, because what I hope to do is to call a meeting to discuss all of this particular circumstances in the Charter and some others in State Law, at length, so that you will understand the full impact of this issue. This is an authority granted to us by Charter that is being taken by the Mayor and we have had to fight. We don't have many authorities in this Charter. It is basically a 99 percent Mayor written Charter. But,

those few choices that we do have we certainly want to hold on to. There are very few times that the Mayor cannot veto a Resolution or an Ordinance compared to the number of Resolutions and Ordinances that we pass on an annual basis. He can probably veto 99 and 9/10th's of them. These are just a few that I could find in areas where he cannot.

On 204 regarding the Ward Boundaries. That's something we recently did. The Charter directs the Council to hold a public hearing to elect a Commission and to take those recommendations and work on it back and forth with the Commission and it has a deadline to do this by March 1st.

If the Mayor could veto when this plan was finally adopted, the Council would not be able to fulfill its duty as directed by the Charter. Because what are we going to do, always veto? You can't override the veto, you can't fulfill your duty to do the Ward Boundaries. Also, if the Mayor could interfere with this process then anyway, just the potential is there, well, a particular Ward, perhaps the Sixth Ward, could be chopped up like a jigsaw puzzle just to make things a little bit difficult. So, this kind of authority certainly in Ward Boundaries, does not lie before the Mayor to veto this kind of situation.

206 is Vacancies in Elective Offices. Something that we all have had the unpleasure to do again. That area is an area which is the Declaration of Vacancies and Special Elections. It is an area where the Mayor cannot veto because the Charter clearly outlines the process that the Council has to take within a certain amount of time, to take care of that issue and any interference from the Administration which would just not allow the Council to be able to fulfill its duties as ordered by the Charter - enforcement of 206. 207 is an enforcement of 206.

We can go . . . there is really no need to go step by step by step. I hope all will have time to read these to confirm them in the Charter and to seek some discussion and hopefully, come to a conclusion on this issue. The recall one is good. The Council shall order and fix a date for holding an election and are not subject to veto by the Mayor. A recall situation is something that has come through with the right number of signatures, the right number of number of public hearings, the whole process and the Council is again directed by Charter to follow that process and that process cannot be interfered with because it is the will of the people and the people do have both executive and legislative powers within their hands.

Voter initiative is another good example under Powers to Investigate. There are certainly several areas to look forward to under Powers to Investigate. Resolutions delegating certain subpoena powers to a Committee who is investigating a particular instance, that is a right that the Council to grant this subpoena power to that Special Council Committee to deal with a particular problem issue and no veto can block that granting of subpoena power.

Charges Against Administrative Personnel. The Charter is very clear on that issue. Such action shall be final and not subject to Veto by the Mayor. It says that right in the Charter! So, when it says all Resolutions and Ordinances, you must understand what they mean by that. It is all Ordinances and Resolutions which require the Administration, the Executive Branch to take action to enforce anything that involves their enforcement or action to enforce anything that involves their enforcement or an action on their part. He certainly has a right to veto that or approve that.

Salaries. The Salary Review Commission, and then citing those is another example.

Appointments. Municipal Court, Probate Court, the City Clerk and the City Treasurer. Isn't that subject to Mayoral approval? These are given authorities to the Council by the Charter. These appointments are strictly within the purview of the Charter. Some of them are by Ordinances and some of them by Resolutions and nonetheless, the Mayor cannot veto them and there are a lot of instances like borrowing. If we were to . . . there are various bonds submitted by the City Council to . . . some of them are voted by the . . . will be a bond referendum type of thing, that would not be subject to the veto. On the contrary, in that same section in 806, there is an emergency bond which is not subjected to a Referendum it says right there that the Mayor must approve an Ordinance for an Emergency Bond that doesn't go out to a Referendum. It says right there that the Mayor must approve that now, if the Mayor had the blanket veto power on anything, it wouldn't give him a situation where he has to approve this. The Council can't do it on their own. The referendum one there was not. But in an emergency situation where it doesn't go to the people, the Mayor must approve it. If he had blanket veto power it would not point out that he has the right to approve in this particular instance.

The Comprehensive Plan we just did, amendments to the Charter, it's something that the people vote on.

Powers to retain Counsel as Special Consultants. The Charter clearly gives the Council the authority to hire a Special Consultant if they feel necessary and to find that position by Resolution for x amount of dollars. There is no interference from the Mayor that can be had on that kind of a situation where we need special counsel or a special consultant of some kind.

Establishing the Rules of the City Council, it is the rules that we want to operate by. We certainly don't need the Mayor's appro-

val to establish by which we run an organized meeting. Now, isn't it funny, . . . we went go into that.

There is another part in the Charter that says about voting and that's 408. Any member of the City Council may vote on any question coming before it except as provided in State Law. That will be an interesting one to discuss when we have . . . There's a few nice examples there but again, what else you have before you are all five Resolutions which appeared at the 1992 election and none of which required Mayoral approval. So, these are copies from Lincoln and Pawtucket and so forth and when we checked with Pawtucket, it was approved by the Mayor of Pawtucket as the only one that was signed by the Mayor of Pawtucket but it wasn't required, it was just something he supported.

So, that's all I have for a presentation at this time and I hope that we can have an opportunity to discuss all of these in a forum and I hope that after all is said and done you will be convinced as I am that the Mayor does not have blanket authority to veto any and all Resolutions we ever passed in these Chambers. Thank you very much."

COUNCILWOMAN NOLAN: "I need a point of clarification. On the Resolution that this City Council submitted to the Secretary of State in 1994, it says, it is not signed by the Mayor it says "Effective without the Mayor's Signature" and is that because we passed it with 10 votes or why was this one effective without the Mayor's signature and the one we are presenting this year he has to sign or veto. Can anyone answer that question?"

COUNCILMAN DeLUCA: "The Resolution passed without the Mayor's Signature because he allowed his time period, the 10 day period to veto, to expire. However, what I am pointing out this evening, is that we

have had a process in the Clerk's Office whereby Resolutions extending best wishes, Resolutions Extending speedy recovery, all end up in the Mayor's Office for approval, it's ridiculous and has to come to an end. There is just no need for the Mayor to be able to approve a Resolution wishing John Doe a speedy recovery. What does that have to do with the Executive Branch. If it is the Law of the Council to say congratulations to the Boy Scouts, why do we need the Mayor's approval. This practice has got to stop with everything going to the Mayor's Office. There are limitations. Only things that require his action his support, his enforcement. Those are his business and those are the things he has a right to consider and disapprove of, not actions that the Council simply wills, this blanket shipment to downstairs has to stop and I believe it's been going on for over 20 years, it's nothing new, but it is wrong. Ok, because you can get to a point, we had a referendum problem before and I should have taken it to the test, then, we wouldn't be here now. I think that the Casino thing is . . . the issue is does he have blanket power or doesn't he? I certainly pointed out certain examples where he does not and down the road there may be an instance where we are going to need to have . . . and this is certainly giving the Council a little more breathing room, we don't have much."

COUNCILWOMAN NOLAN: "I'm sorry to be so dense but can the Clerk explain why this is typed on here effective without the Mayor's Signature and why you took such a stance on the other Resolution?"

CITY CLERK CLEMENT: "The Resolution that you are referring to in your hand became effective because the Mayor had not signed it within the 10 days as required by the Charter. The reason that I took the stand relative to the current matter before us now was because under 412 of the Providence Home Rule Charter, it states that the Mayor

shall have the authority to veto all Ordinances and Resolutions."

COUNCILMAN IGLIOZZI: "I just want to present a couple of issues. First and foremost, I just want to commend Councilman DeLuca. He has raised a very esoteric point of Law so, without judging on the validity of that esoteric point of law that he is talking about with regard to Casino Gambling especially as it relates to the Ballot. Separate and apart from that I do think that the record, I would be remiss if I didn't clarify the record when, he bundled up all of these other things which are clearly understandable and I think not accurate.

First and foremost, any reference to any Resolution from another City or Town that does not have a Mayor form of Government has no relation to us. The Town of Lincoln, the Town of Coventry, they only have a Council, they don't have a Mayor. The Town Manager does not have veto power because he/she is not elected. So, those references are totally outside the realm of the Providence City Charter. In fact, even a reference to the so-called Pawtucket Resolution is really inappropriate unless it models our Charter exactly. As I have said on this floor many times the Providence Home Rule Charter is really a young, young baby in the overall scheme of the Law. It is 20 years old now, but it is not 200 years old like the Constitution of the United States which clearly delineates the Executive Powers and the Legislative Powers the checks and balances, the same thing with the State Constitution of Rhode Island. But, the Providence Home Rule Charter does have some specific rudimentary principles that model themselves after State Constitutions and the United States Constitution with regard to checks and balances. So, let me just talk about some general group of things that he referred to so we have no misunderstanding. Anytime you have a Council Member either elected to a body that is a

sitting Council member or elected to a body, let's say the Providence Water Supply Board, and does not have to be a Council Member, but is elected by the City Council and the Mayor has his own appointment; that appointment normally is not subject to the City Council approval, and our election is an election, it is not a Resolution and it is not an Ordinance, so 412 does not apply, so when you refer to the Clerk; the Clerk is elected by the City Council, it is not a Resolution and not an Ordinance; the Treasurer is elected by the City Council; the Municipal Judges are elected by the City Council, they are not appointed by us. Just like the President was elected tonight, it goes on the Docket, election, nominations are taken, election is made and democracy prevails. When it comes to it, and there were a lot of issues that were raised and references to all kinds of things. A simple explanation to some of them for instance, another example, that's a clear example where it is inaccurate, the reason that the City Council is not subject to vote a veto of the Mayor will be a higher outside counsel is because it takes 2/3's. The Mayor can't veto 2/3's that's why. What it is intended for and we have a father of the Charter here sitting with us, in fact, we have a mother and a father of the Charter. They will tell you that the checks and balances of the Charter first and foremost begin within the body of the Legislative Body, within themselves and the Executive Branch. But, there are checks and balances that go outside that body for instance, if the Council felt it necessary to hire outside legal consultants by 2/3's vote, like a lawyer, like we did with labor, they had the foresight to consider that there is a good possibility that the administration probably did not put it in their budget and maybe in fact our appropriation was . . . by the Mayor by line item veto or otherwise. For instance, if we wanted to hire a new position, legal counsel to the City Council, we put it in the Budget Ordinance, the Mayor could veto it and we could override the veto

by 2/3's and we could create a new position. Legal Counsel to the Council.

The Charter also understands that there is always occasion when we need our own, whether accountant or lawyer or some other professional and we need to pay them separate and apart from the Finance Department or the Law Department and we can do that as long as we have 2/3's. Again, the key number is 2/3's in the Charter when we can act without the Mayor. Why? Because the Mayor under 412 can veto most things but to override 2/3's. So, again, the issue that Councilman DeLuca is raising in this particular case . . . override that veto. When you look at other Resolutions that the Mayor may have not signed, or not vetoed, it is because he let the time lapse and as far as whether or not you think it is wise for the Mayor to spend his time reviewing speedy recovery Resolutions, well, it's his time, and he's accountable to 160,000 with his time. But, if he vetoed a get well Resolution, we would have to override it by 2/3's, otherwise it is vetoed. Don't be mistaken but keep in mind that we still have the power to issue citations as Council Members that is not subject to the Mayor's veto. We can issue a citation. So, there are a lot of things that we can do. And again, I am not arguing against Councilman DeLuca's point, it is very esoteric and I think we are not in a position to resolve it tonight, it is very esoteric in nature. What I mean by that is that it is very technical and there is a mixing if you will, of Charter rights, checks and balances in the Government, of the democratic principles of Government that you can't just wipe away. You can't just say that the Mayor shouldn't have the . . . veto power . . . Resolutions, you can't just wipe away. You just can't say that the Mayor shouldn't have . . . to have veto powers to Resolutions, well, until you go and get a majority of 160,000 people to change the Charter, we can't do that. That's why every ten years, it is our obligation like in 1991, to have a

Charter Review process, get Charter proposals on the Ballot and have those amendments reviewed by the people out there in the City of Providence. Voter initiative is a good example of a check and balance, when the Council and the Mayor have failed the Citizens. That's what it is all about. We are not acting without the Mayor's Veto because the Mayor does not have the power. We are acting without the Mayor's Veto because the people who granted us the power by the Home Rule Charter are taking it back by voter initiative because the System is failing, and they are not going to wait four years for a new election.

If the public were to fill this hall tonight and want an Ordinance passed to change something and we refused to take it into the docket and refused to hear it in committee and refused to give it a public hearing and refused to consider it on the floor, the voters could take the initiative to jam it down our throat. In addition to keeping a little score card in our next election, but that is what voter initiative is, so to confuse those issues is really inappropriate but I'm not saying that the issue and the esoteric point that he is making may have some merit. But, I can tell you this, you cannot confuse those . . . I would hate to think that we are going to come out of this and say the democratic principles of the Charter don't apply. That would be a sad state of the record. The democratic principles do apply, the veto power is alive and well and it is clear. Whether or not there is any peculiar . . . Councilman DeLuca, I think the . . . unfortunately the simple answer is to override the Mayor's Veto if you can get ten votes, that's the simple way. That's the recourse in the Charter and that would be my efforts if I had that intention. Democracy is what prevails. The principles of Government, checks and balances are what prevails when we have discourse with the executive branch. Not our interpretation of democratic principles unless you want to take it

to the Supreme Court of Rhode Island. I'm sorry to be so long winded.

Councilman DeLuca raised a lot of interesting points here and I don't want to possibly waste my time trying to explain each one now, there are very, very many of them. But it is really in appropriate other City Charters with what we are doing here tonight. Other provisions of the Charter and the way those checks and balances work. Whether or not this specific Resolution needs to be overridden by the Council in order to get on the ballot is the question and that is the question that perhaps you have to put to the Law Department and perhaps, we have time, we have until September. That question can be resolved. If the Mayor doesn't have the power to veto and you get a legal opinion, legal action can be taken and the appropriate recourse. One recourse is to override his veto and the other recourse is to file a Declaratory Judgment Act in Superior Court to interpret the Charter because you can do that under Rhode Island Law. We have done that in the past and that's how we have had issues regarding the Labor Negotiations settled. Issues regarding the Charter provisions settled and again, please excuse me for taking so long, I just don't want all these things to be confused. Let's stick with the issue. The issue is whether or not the Mayor has the power to veto this Resolution and I agree with you that's an issue. The Charter provides two recourses. A legal attack and a democratic attack. A democratic attack is 2/3's, a legal attack is the Declaratory Judgment Act. Those are the avenues I think that appropriately deserve our efforts if that is our intention. Thank You."

COUNCILMAN DeLUCA: "Just a very quick brief response, as I said I do not want to debate all of these issues out here on the floor we would be here until next week, but Councilman Igliazzi made mention that because it is 2/3's majority that you are all

set as long as it is passed by two thirds the Mayor is not going to veto it because you have two thirds. Well, the day it walks out of here with 2/3's there is no guarantee that it is coming back with 2/3's when you get a veto with it. It is a totally story if a Resolution is passed out of this office with 2/3's majority and it is vetoed, there is no guarantee that you have 2/3's to reconsider it. So, therefore, just because it is 2/3's is not automatic, it means nothing. If he can veto it, regardless of what the 2/3's or majority, there is no guarantee that it will pass when it comes back with a veto. Which you seem to be implying. The only thing . . ."

COUNCILMAN IGLIOZZI: "Councilman DeLuca, I Stand on a Point of Personal Privilege."

Under the Rules of Robert's Rules of Order I can do that to defend myself on the floor and in that regard, you are totally inaccurate. I said, you override a veto with 2/3's vote. If this Council passes by Unanimous support a Resolution that goes to the Mayor's Office, the process allows him to veto it. It doesn't mean that he can't veto it, I never said that. It comes back to the floor and we can override that Veto with 10 votes. It's unanimous support, it's unanimous, but we can't override the Veto with 8. That's my point."

COUNCILMAN DeLUCA: "I interpret it . . . I don't want to get into it, you can have the last word. I interpreted what you said because there are several Resolutions and Ordinances that can pass by a 2/3's majority if the Mayor vetoes them that's no problem, because we already have enough votes to override, that's what I thought you said. There's no problem. What I'm saying is that maybe there is a problem because even though it passes with 2/3's, after a veto some people may reconsider and you don't have the 2/3's anymore."

The only thing I just want to briefly comment on was the voter initiative. You gave a good explanation, but you forgot to mention the voter initiative also involves action on the Council in the form of Resolutions and Ordinances along the way and therefore, those Resolutions and Ordinances required to complete the voter initiative process cannot be vetoed."

COUNCILMAN LOMBARDI: "Madam President and Members of the Council. I don't want to belabor the issue but, first things first."

What I've done I asked Rita Murphy in the Council Office to pull out some Journal Bulletin Articles from 1992 to the present and I just want to put a little spin on this and that is, some of the confusion that reigns in this and maybe people not taking the time to really study things and make decisions and if you look in your packet, November 8, 1992 and I know this is a hearsay document, but some people are motivated and read every word and hang on those words of the oracle of truth as I call it and it talks about in the last two years, new forms of legalized gambling. This is November 8, 1992. Simulcasting, Keno, Video Poker have taken root in Rhode Island without being put before the voters. It talks about Jai Alai, you have that sport you have the Simulcast, the Scratch Tickets, the Keno Tickets, the Lottery Tickets, horse betting, dog betting etc. To me, that's all gambling but unless there is a different definition then I surely would like to learn what that definition is."

But, here is where it gets a little scary if you look on Page 3 - "at the end of the General Assembly Session last June, (1992) as lawmakers groped desperately for new sources of revenue and sought to avoid a proposed tax on hospitals, in lieu of that they passed Video Poker was approved with little warning or public discussion".

I think that is very, very interesting. The kinds of things that can be done when they put their heads together. They are afraid to really deal with the issue. Throughout those documents it talks about, for example; "Cianci denied that he supported the concept but said it was his duty to listen". So, the Administration was in a position where they were not convinced one way or the other and then as you read on in the other articles, it talks about how the Administration met with Steve Winn of the Mirage and the Committee was formed last month and this is the November 17th, 1992 Article/City Final. It talks about the Mayor acknowledging meeting with the Casino owners including the owner of Mirage Resorts about what he said was their interest in opening a Casino in the City.

I think that is a little more than listening and you read on and on and they talk about several meetings not just one but several meetings and it talks about how the Council forms a Gambling Study Committee after Mayor Vincent A. Cianci, Jr., acknowledged having met with the Casino owners including the owners of the Mirage Resorts about what he said was their interest in opening a Casino in the City and I think they talked about a number somewhere in the neighborhood of Three Hundred and Fifty Million Dollars (\$350,000,000.00).

They also interviewed some people, business people in the City, David Ead for example a businessman, I believe it's in your Ward, the Sixth Ward, one or the other, and he talks about "I can see all the hotels doing business" said Mr. Ead. A former Providence Police Officer: "They are starving to death if you get revenue to cut taxes, property taxes will become more valuable" and he talks about his support and on and on. Another article, November 19, 1992, again Steve Winn meeting with the Mayor of the City of Providence talking about building a \$250,000,000.00 complex. He says

that "casino's will go with the . . . and ultimately make economic sense" that's what they talk about in that article. November 25th, 1992, and I think this is very important. They talk about how the police oppose these things. Well, I recall the Commissioner of Public Safety being on the Committee and I would certainly stand corrected and he and John Rao, a very prominent businessman from the City of Providence, everyone well knows and he said that after hearing a couple of people from Gambler's Anonymous, they said that it made them think and think and think, but they did not vote no but it is kind of curious how this confusion you see it ebbing and flowing and ebbing and flowing. December 9th, 1992, they talk about who will be involved Government Leaders and Police, Religious Officials, Social Service Agencies, Chamber of Commerce and so on and so forth. November 28th, 1993, and believe it or not, I did take the time to read all of this even though I was a Seminar today and we are going to a Seminar tomorrow, also. Again, there is an individual talking to a police officer and he remarks to the traffic cop "gee, this is coming along nicely" referring to the Convention Center, and the police officer responds "you mean the Casino?"

On June 24th, 1994, they are talking to a Mr. Bucci who heads the Lincoln Greyhound Park and he said "Pari-mutuel facilities such as this track are losing business to the highly successful Foxwoods Casinos run by the Pequot Indians in Ledyard and may not survive the birth of a new casino". But, as you know, somehow, miraculously, these video machines and call them what you want if you want to call them a turtle, if you want to call them a dog, if you want to call them an elephant, I'll tell you what they look like to me. They look like slot machines to me. Instead of money coming out, there's paper coming out that can be transferred into currency, like a check, a negotiable

instrument. That's what that is. I happen to know for a fact, that they do approximately 1 million to 1.7 a day, coming out of Lincoln. Gambling is here, my friends, I'm sorry you may not like it but it is here.

July 22nd, 1994, article a staunch opponent, Bruce Sundlun, a staunch opponent of casino gambling since the tribe, two years ago announced plans to build a casino but his opposition has moderated in recent weeks." Very curious.

Now, the most confusing thing of all Madam President has happened in the last three or four days in the articles in the newspapers, I refer you to the June 15th, 1996 article, last week. It talks about Cities and Towns decide to place a Casino on the Ballot and we voted 8 to 6 to place it on the Ballot and then there is a complete discussion about Caroulo and Kelly and how they are trying to create laws that will run retroactive to knock out the casino if it passes in Providence and how the Governor sent a warning to Mayor Cianci and it appears as you read these articles how people are waffling. Let's be leaders. Don't send out different messages. Let's not have the Administration encourage various Council Members, i.e., Councilman DeLuca who has be on the front of this issue. Do what they have to do, try to come up with alternatives to raising the taxes because nobody on this Council wants to vote for a tax increase. We may have to, but, I say throw it out for discussion, it's out there and if you don't want to do this, then what is your alternative? The Administration refers to . . . and I can't believe this when I read these things and this is where I get confused. He says to the businessman at the Chamber of Commerce, Jim Hagan who wants to put \$50,000 to oppose it he says "why don't you come up with the \$100,000 to do something extremely constructive. We don't have to have gambling. If I decide over the weekend to veto it, why don't we do it, get the

\$100,000 and really come down with a serious plan for the City of Providence. Fund a conference, fund a study and let's find the alternative sources of revenues that will really make our City work." He recalled telling Hagan.

Well, I'll tell you. This is why I am confused. We have a Finance Committee that certainly is more than qualified to do that and I would certainly put our Finance Committee against anybody's in the State. We have the Providence Review Commission that is already in power to do these kinds of things and most recently, Madam Chair, I believe that you along with the Mayor put together an Alternate Tax Committee that would be answering these kinds of . . . so how many Commissioners are we going to have? How many are we going to impanel. We are going to impanel ourselves out of Commission, excuse the pun. That's what is going to happen. They talk about and then this gentlemen from Newport who came here a couple of weeks ago and was very feisty in his remarks to Councilman DeLuca, he talks about how this highly reflects on the Mayor and he did a very smart and courageous thing. Well, did he? I asked. I don't know. Then, this is my next to the last comment. There was an Editorial the editorial section dated June 18th, 1996, written by Karl Senna, who talks about . . . he's a Journal Bulletin Editorial Writer/Columnist and a fellow of the McCormick Institute at UMass in Boston. He's talks about Skinner and Tokerville . . . a lottery to assist the poor is far more civilized than welfare and more efficient than charity and he refers to Dan Bucci and the Lincoln Greyhound Park, 1,200 slot machines that gross 200 million dollars annually. That's just the slot machines, Madam Chair, that's not the dogs, that's not the simulcast, that's not the scratch tickets, that's not the keno tickets, that's not the lottery tickets. He also refers to the State receiving roughly 92 million dollars out of that. He also talks

about "with more casino's likely to spring up, perhaps we ought to ask ourselves, why they cannot be employed to relieve our taxes and help defray our health and educational needs and he gives various examples. Madam Chair, again I think this is something that we have to look at but the most confusing thing of all and I get confused very easily Madam Chair, I admit this, . . . maybe it is because of the drinking water in the neighborhood that I live in, but neither here nor there . . . lo, and behold, I pick up the paper the other day and I see this! "Langevin won't put Casino on the Ballot". Couple of pages later, "Lottery Commission Ok's New Game". Well, Madam Chair, again, I'm confused. We either want this thing, we don't want this thing, or if we are going to make the tough decisions, I am certainly willing to sit down as anybody on this Council would, so let's make the tough decisions, whatever they are. If you have some reasonable alternatives, they are certainly three bodies that can handle it, i.e., the Finance Committee, i.e., the Providence Review Commission or the Alternate Tax Committee headed by Chairman Ericson, who certainly, is very competent. I think the most competent is the Finance Committee. I think the Finance Committee will listen to anything that is reasonable, prudent, honest, innovative, because that is what we want to do. That's all I want to say Madam Chair. I'm just very confused. Thany You."

COUNCILMAN IGLIOZZI: "If the Communication lays on the Clerk's Desk the next meeting, which cannot be July 4th, it will be July 18, 1996, the thirty days will have passed and if there is no action taken on the Mayor's Veto, the Mayor's Veto stands."

COUNCIL PRESIDENT FARGNOLI requests a Legal Opinion from Solicitor Mansolillo.

CITY SOLICITOR MANSOLILLO: "If the Veto message and the veto of the Resolution, the motion passes to Lay on the Clerk's Desk, it still needs to be reconsidered within 30 days of its delivery to the Mayor. The delivery date to the Mayor was I believe on June 7th and 30 days from June 7th would be July 6th in which is the date it would have to be acted upon or prior."

COUNCIL PRESIDENT FARGNOLI directs the Clerk to record the following voice votes to Lay the Communication and Veto on the Clerk's Desk:

COUNCILMEN ALLEN, DeLUCA, JACKSON, LOMBARDI and MANCINI desire to be recorded as voting "Aye" — 5.

COUNCILWOMAN DIRUZZO, COUNCILMEN GLAVIN, IGLIOZZI, COUNCILWOMEN NOLAN, WILLIAMS and YOUNG desire to be recorded as voting "Noe" — 6.

COUNCIL PRESIDENT FARGNOLI and COUNCILMAN CLARKIN desire to be recorded as "Not Voting" — 2.

COUNCILMAN ROLLINS is recorded as being Absent — 1.

The motion to Lay on the Clerk's Desk Fails.

PRESENTATION OF CITATIONS

"In Congratulations"

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

Citations Extending Congratulations.

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

Reverend James V. Farley, in recognition of his dedicated service as Pastor of Holy Cross Church over Ten Years and best wishes for his new position as Pastor at Our Lady of Victory and Saint Vincent DePaul Parishes.

Mary A. Nocera, in recognition of her 23 years of service in the Rhode Island Communication and Theater Departments.

Patrolman Edward R. and Charlotte Enright, in recognition of the celebration of their marriage on March 22, 1996.

James A. Lombardi, Director of Operations — Water Supply Board, in recognition of the celebration of his retirement after 25 years of dedicated service to the City of Providence.

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

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

PRESENTATION OF RESOLUTIONS

"In Memoriam"

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

Resolutions Extending Sympathy.

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

Vivian E.D. Tenaglia

Theresa Cacchiotti

Gabriel R. "Bob" Pecunioso

Carmela R. "Cam" Semper

Anthony Miranda

Miles L. Shein

Mary A. White

Naomi S. Spiver

Charles R. Todd

Severally Read and Collectively Passed, The motion for Passage is Unanimously
by a Unanimous Rising Vote, on motion of Sustained.
COUNCILMAN IGLIOZZI, seconded by
COUNCILMAN LOMBARDI.

RULE SUSPENSION

On motion of COUNCILMAN IGLIOZZI,
seconded by COUNCILMAN LOMBARDI, it
is voted to suspend Rule 2 of the Rules of
the City Council in order that the City
Council may meet in a day other than
specified in said Rule 2.

ADJOURNMENT

There being no further business, on
motion of COUNCILMAN IGLIOZZI, sec-
onded by COUNCILMAN LOMBARDI, it is
voted to adjourn at 9:30 o'clock P.M. (E.D.T.)
to meet again on THURSDAY, JULY 18,
1996 at 7:30 o'clock P.M. (E.D.T.).

Michael R. Clement

City Clerk



June 20]

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[1996

