

# City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## CHAPTER 1984-28

No. 298 **AN ORDINANCE** An Ordinance in Amendment of Chapter 1984-14, approved February 21, 1984, Entitled "An Ordinance Establishing a Compensation Plan for the Water Supply Board and Repealing Chapter 1982-61, approved December 10, 1982, as amended, Relative to the Water Supply Board".

Approved May 9, 1984

*Be it ordained by the City of Providence:*

Section I. Chapter 1984-14 of the Ordinances of the City of Providence, as approved February 21, 1984, is hereby amended as follows:

DELETE:

Supervisor - Water Distribution Maintenance  
Principal Bacteriologist  
Supervisor Logistics, Water  
Supervisor Meter Operations

Grade 30  
Grade 25  
Grade 30  
Grade 30

ADD:

Supervisor - Water Maintenance Crew  
Principal Bacteriologist, Water  
Supervisor Logistics  
Supervisor Water Meter Operations

Grade 30  
Grade 25  
Grade 30  
Grade 30

Section II. This Ordinance shall take effect retroactive to December 27, 1983.

IN CITY COUNCIL  
APR 19 1984

FIRST READING  
READ AND PASSED

*Rose M. Menlove* CLERK

IN CITY  
COUNCIL

MAY 2 1984

FINAL READING  
READ AND PASSED

*Louis R. Stravato* PRESIDENT  
*Rose M. Menlove* CLERK

**APPROVED**  
*[Signature]*  
MAYOR

No.

**CHAPTER**  
**AN ORDINANCE**

DEAD END DATED  
FIRST READING  
IN CITY COUNCIL

CLERK

MAR 30  
VISEBOARD

IN CITY COUNCIL  
MAR 15 1984  
FIRST READING  
REFERRED TO COMMITTEE ON FINANCE

*Rosamendouca* CLERK

THE COMMITTEE ON  
FINANCE

Approves Passage of  
The Within Ordinance

*Rosamendouca*  
Chairman  
April 16, 1984

DEAD END DATED  
FIRST READING  
IN CITY COUNCIL

CLERK

CLERK

*Councilwoman Luynoli and Councilman Annado (By Request)*

# WATER SUPPLY BOARD



## CITY OF PROVIDENCE

February 29, 1984

Mrs. Rose Mendonca  
City Clerk  
City Hall  
Providence, Rhode Island

Dear Mrs. Mendonca:

Attached please find an amended ordinance to replace Ordinance #115 approved February 21, 1984.

The Ordinance is being submitted specifically to correct technical errors within job titles and will not effect the salary scales originally submitted on Ordinance #115.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Wiley J. Archer".

Wiley J. Archer, P.E.  
Chief Engineer/General Manager

ms

encs.

LAW OFFICES  
WILLIAM J. MCGAIR  
THE PACKET BUILDING  
155 SOUTH MAIN STREET  
PROVIDENCE, RHODE ISLAND 02903  
TEL. 401-751-1500

February 29, 1984

Mr. Jerome Baron, Finance Director  
City of Providence  
City Hall  
Providence, Rhode Island 02903

Dear Mr. Baron:

It has been called to my attention and for an opinion by Wiley J. Archer, Chief Engineer and General Manager of the Water Supply Board, concerning a certain Ordinance No. 115 (Chapter 1984-14) which provides for certain job classifications that are technically incorrect, as indicated on Exhibit B (proposed amended ordinance).

I am enclosing herewith an affidavit of Wiley J. Archer, together with Exhibit A, which contain the erroneous job classifications, and Exhibit B, which is a proposed amended ordinance to correct the technical error.

I have reviewed the Home Rule Charter and discussed this matter at length with Mr. Archer. I feel that the personnel who are rendering services in the below-named categories should be paid on the basis of the pay-grade indicated in the ordinance which is presently in place, namely, Ordinance 115 (Chapter 1984-14):

Supervisor--Water Maintenance Crew	Grade 30
Principal Bacteriologist, Water	Grade 25
Supervisor Logistics	Grade 30
Supervisor Water Meter Operations	Grade 30

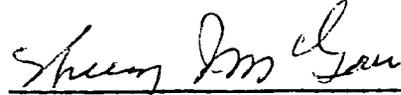
It is my opinion that this was the intent, albeit erroneous, of the ordinance in place. It is a maxim in law that equity should compel that to be done which was intended to be done. The personnel has and will be doing the work and, therefore, should be paid a salary provided in the intended salary level. It is my opinion that this is the only fair approach in attempting to balance the equities between

Mr. Jerome Baron, Finance Director -2-

February 29, 1984

payment of the salaries for services rendered and a technically incorrect ordinance.

Very truly yours,



---

William J. McGair  
Attorney for  
Providence Water Supply Board

WJM:en  
Encs

ccs: Ms. Rose Mendonca, City Clerk  
Mr. Frank Corrente, City Controller  
Mr. Stephen Woerner, Internal Auditor  
Mr. Wiley J. Archer, Chief Engineer  
and General Manager, WSB

AFFIDAVIT

I, Wiley J. Archer, first being duly sworn on oath depose and state as follows:

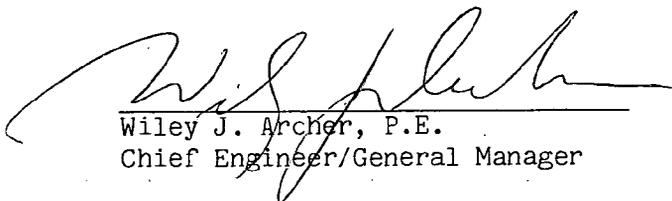
1. I am duly appointed and qualified Chief Engineer/General Manager of the Water Supply Board of the City of Providence.
2. In such capacity I have authority to supervise the payroll records of the employees of the Water Supply Board.
3. On February 21, 1984 Ordinance #115, was approved and became effective. (Copy attached Exhibit A).
4. In said ordinance the classification of certain employees of the Water Supply Board were erroneously stated viz:

Supervisor - Water Distribution Maintenance	Grade 30
Principal Bacteriologist	Grade 25
Supervisor Logistics, Water	Grade 30
Supervisor Meter Operations	Grade 30

5. The above classifications should have read as follows:

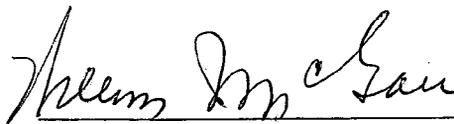
Supervisor - Water Maintenance Crew	Grade 30
Principal Bacteriologist, Water	Grade 25
Supervisor Logistics	Grade 30
Supervisor Water Meter Operations	Grade 30

6. An amended ordinance has been prepared which will correct the technical error involving job class. A copy of said ordinance is attached. (Copy attached Exhibit B).
7. As a result of the above, no duplication in either job or payroll has been made or will be made.
8. The employees working under said classification as shown on exhibit B attached, should be paid in full under the salary schedule of exhibit B until amended ordinance is enacted.

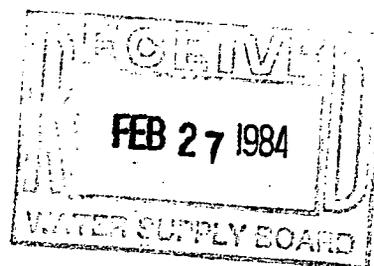
  
Wiley J. Archer, P.E.  
Chief Engineer/General Manager

State of Rhode Island  
Providence Sc

In Providence the 29th day of February 1984, personally appeared Wiley J. Archer who acknowledged the information contained in the within affidavit is true according to the best of his knowledge and belief.

  
Notary Public  
(My commission expires 6/30/1986)

CHAPTER 1984-14



No. 115

**AN ORDINANCE** IN AMENDMENT OF CHAPTER 1983-39, APPROVED AUGUST 26, 1983, ENTITLED: "AN ORDINANCE ESTABLISHING A COMPENSATION PLAN FOR THE WATER SUPPLY BOARD AND REPEALING CHAPTER 1982-61, APPROVED DECEMBER 10, 1982, AS AMENDED, RELATIVE TO THE WATER SUPPLY BOARD."

Approved February 21, 1984

*Be it ordained by the City of Providence:*

SECTION I. Chapter 1983-39 of the Ordinance of the City of Providence, as approved August 26, 1983, is hereby amended as follows:

<u>Change:</u>	<u>From Pay Grade</u>	to	<u>Pay Grade</u>
Superintendent Water Construction	30		32
Superintendent Water Distribution Maintenance	30		32
Superintendent Water Quality Control	30		32
Superintendent Water Plant Operations	30		32
Water Laboratory Supervisor	24		26
Principal Bacteriologist	22		25

<u>Change:</u>			<u>Pay Grade</u>
Supervisor - Logistics, Water	From \$8.85/hr.	to	30
Supervisor - Water Distribution Maintenance	From \$8.85/hr.	to	30
Supervisor - Meter Operations	From \$8.85/hr.	to	30

SECTION II. This Ordinance shall be retroactive to December 27, 1983.

A true copy,  
Attest:

*Rose M. Mendonca*

Rose M. Mendonca,  
City Clerk

CHAPTER

No. AN ORDINANCE An Ordinance in Amendment of Chapter 1984-14, approved February 21, 1984, Entitled "An Ordinance Establishing a Compensation Plan for the Water Supply Board and Repealing Chapter 1982-61, approved December 10, 1982, as amended, Relative to the Water Supply Board".

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Supervisor Logistics, Water	Grade 30
Supervisor Meter Operations	Grade 30

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Supervisor - Water Maintenance Crew	Grade 30
Principal Bacteriologist, Water	Grade 25
Supervisor Logistics	Grade 30
Supervisor Water Meter Operations	Grade 30

Section II. This Ordinance shall take effect retroactive to December 27, 1983.