

CITY OF PROVIDENCE
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 38 City Council Special Meeting, Friday, June 13, 1980, 5:00 P.M. (E.D.T.).

IN CITY COUNCIL
JUL 2 1980

APPROVED:

PRESIDING *Ralph Fagnoli* CLERK

COUNCIL PRESIDENT

RALPH FARGNOLI

ROLL CALL

Present: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cola, Dillon, Easton, Farmer, Glavin, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore, Snowden and Stravato—23.

Absent: Councilmen Cirelli, Flynn and Xavier—3.

INVOCATION

The Invocation is given by COUNCILMAN CHARLES R. MANSOLILLO.

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

COUNCILMAN CHARLES R. MANSOLILLO leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

COMMUNICATION FROM THE PRESIDENT OF THE CITY COUNCIL

Communication, dated June 9, 1980, Ordering the City Clerk to Call a Special Meeting of the City Council for Friday, June 13, 1980 at 5:00 o'clock P.M. (E.D.T.).

June 9, 1980

Mrs. Rose M. Mendonca
City Clerk
City Hall
Providence, R.I. 02903

Dear Mrs. Mendonca:

In accordance with the Provisions of section 3.11 of the Providence City Charter, we the undersigned, being not less than One Sixth (1/6) of the Members of the City Council, hereby respectfully request you call a special meeting of the City Council on the 13th Day of June, 1980 at 5:00 o'clock P.M. (E.D.T.).

The purpose for said meeting is for the City Council to consider the transmittal from the Committee on Finance relative to the Budget.

Sincerely,

Carolyn F. Brassil, Chairwoman
Committee on Finance

Councilman Philip F. Addison, Jr.

Councilman Nicholas W. Easton

Councilman Joseph R. Paolino, Jr.

Councilman Thomas C. Boyle

Councilman Robert F. Lynch

Received.

FROM THE CITY CLERK

The Clerk Reads the Following Warrant with the City Sergeant's Return Endorsed Thereon, Certifying that He did Notify the Members of the City Council of the Special Meeting to be held Friday, June 13, 1980 at 5:00 o'clock P.M. (E.D.T.) by Personally Delivering a Copy of the Following Warrant on June 9, 1980.

Given under my hand and Official Seal of the City of Providence, State of Rhode Island and Providence Plantations, this 9th Day of June, A.D., 1980.

ROSE M. MENDONCA,
City Clerk

June 9, 1980

State of Rhode Island and Providence Plantations

To Giacomo Martone, City Sergeant:

The City of Providence, Sc.

June 9, 1980

WHEREAS, More than One-Sixth (1/6) of the Members of the City Council, pursuant to section 3.11 of the Charter of the City of Providence, Rhode Island, have respectfully requested that a Special Meeting of the City Council be held on the 13th Day of June, 1980 at 5:00 o'clock P.M. (E.D.T.) for the purpose of considering the transmittal from the Committee on Finance relative to the Budget.

I, Giacomo Martone, City Sergeant, do hereby certify that I have notified each Member of the City Council of the Special Meeting Scheduled to be held on Friday, June 13, 1980 at 5:00 o'clock P.M. (E.D.T.) in accordance with the subject warrant by delivering to each member, a copy thereof.

GIACOMO MARTONE
City Sergeant

You are accordingly commanded and required to summons each Member of the City Council to that Special Meeting, as Called.

Received.

Hereof, Fail Not, and make a true return of this Warrant with your doings thereon.

REPORTS FROM COMMITTEES

COUNCILWOMAN CAROLYN F. BRASSIL, Chairwoman COMMITTEE ON FINANCE

Transmits the following with Recommendation, the Same be Severally Sent Back to His Honor the Mayor:

An Ordinance Making an Appropriation of One Hundred Thirty-Nine Million, Three Hundred Sixty-Five Thousand, Seven Hundred Seventy-Five Dollars and Twenty-Three Cents (\$139,365,775.23) for the Support of the City Government for the Fiscal Year ending June 30, 1981.

An Ordinance Establishing the Classes of Positions the Maximum Number of Employees and the Number of Employees in Certain Classes in the City Departments and Repealing Ordinance Chapter 1979-32, Approved June 22, 1979, and All Amendments Thereto.

An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Chapter 1979-31, Approved June 22, 1979, and All Amendments Thereto.

An Ordinance Providing for the Assessment and Collection of 1980 Taxes in a Sum Not less than Seventy-Five Million, Eight Hundred Thou-

sand Dollars (\$75,800,000.00) and Not More than Seventy-Seven Million, Four Hundred Thousand Dollars (\$77,400,000.00) being based on One Hundred Percent (100%) of the 1980-1981 Fiscal Year Tax Collection as Amended.

On motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN, it is voted to transmit the Ordinances back to His Honor the Mayor.

COUNCILMAN PEARLMAN raises a point of order, at which time he cites Sections 6.23, 6.24 and 6.25 of the Charter of the City of Providence.

COUNCILMAN PEARLMAN requests a ruling from the DEPUTY CITY SOLICITOR on the propriety as to whether or not the City Council can send the Budget back to the Mayor, it being his understanding the Council has no authority except to amend it or disapprove it.

COUNCILWOMAN BRASSIL requests the floor to speak on Personal Privilege, stating she has been attacked from the floor as Chairperson of the Finance Committee and the Finance Committee has also been attacked from the floor.

Therefore, she is of the opinion that she should be granted the right for rebuttle on Personal Privilege.

COUNCIL PRESIDENT FARGNOLI requests a ruling from the DEPUTY CITY SOLICITOR.

DEPUTY CITY SOLICITOR ROTONDI questions as to who attacked COUNCILWOMAN BRASSIL.

COUNCILWOMAN BRASSIL states COUNCILMAN MANSOLILLO has suggested the Finance Committee resign their positions as Members of the Finance Committee.

RECESS

COUNCIL PRESIDENT FARGNOLI declares the City Council Stand at Ease at 6:20 o'clock P.M. (E.D.T.).

RECONVENTION

COUNCIL PRESIDENT FARGNOLI Recovers the City Council at 6:30 o'clock P.M. (E.D.T.) and directs the Clerk to Call the Roll to Ascertain if there is a Quorum Present:

Present: Council President Fagnoli and Councilmen Addison, Almagno, Boyle, Councilwoman Brassil, Councilmen Cola, Dillon, Easton, Farmer, Glavin, Griffin, Johnson, Lynch, Mansolillo, Moise, O'Connor, Paolino, Pearlman, Pennine, Petrosinelli, Salvatore, Snowden and Stravato—23.

Absent: Councilmen Cirelli, Flynn and Xavier—3.

DEPUTY CITY SOLICITOR ROTONDI states in accordance with Robert's Rules of Order a Member of the Council may not speak unless they are being attacked.

He states she can rebut the statement made against her performance as a Member of the Finance Committee but must contain her comments within those guidelines.

PERSONAL PRIVILEGE

COUNCILWOMAN BRASSIL requests and is now granted the Privilege of the Floor and states:

"Mr. President, Fellow Members, I feel my Committee has done as good a job as it is possible with this Budget as presented to us. Unfortunately, we've lost the ball somewhere along the line. The Mayor is charged with coming in with a balanced Budget by our own Charter. That has not happened and to put the onus on the Finance Committee for not doing their duty is absolutely a dishonest statement and I stand to defend the Finance Committee. The Mayor is the one that is charged with getting to us a balanced Budget by the Charter and every one of you here know that and to stand up and say "We didn't do our job," the Mayor has not done his job and until he does he shouldn't submit that Budget to us."

COUNCIL PRESIDENT FARGOLI now requests a ruling on **COUNCILMAN PEARLMAN'S** Point of Order as to the propriety of sending the Ordinances back to the Mayor.

DEPUTY CITY SOLICITOR ROTONDI informs the Council the Mayor submits the Budget and it is the responsibility of the Members to increase, decrease, alter or strike; therefore, it is his opinion, in reviewing the City Charter, there is no authority to send the Budget back to the Mayor.

COUNCIL PRESIDENT FARGOLI rules

the **DEPUTY CITY SOLICITOR'S** opinion is out of order and the motion to transmit the Several Ordinances Back to the Mayor is now in order and requests the Clerk to read the motion.

The Clerk reads the motion made by **COUNCILMAN ADDISON**, seconded by **COUNCILMAN GLAVIN** to transmit the Ordinances Back to His Honor the Mayor.

The Roll being called and votes cast as follows:

Ayes: Council President Fargnoli and Councilmen Addison, Boyle, Councilwoman Brassil, Councilmen Dillon, Easton, Glavin, Johnson, Lynch, Moise, O'Connor, Paolino, Petrosinelli, Salvatore and Stravato—15.

Noes: Councilmen Almagno, Cola, Farmer, Griffin, Mansollillo, Pearlman, Pennine and Snowden—8.

Absent: Councilmen Cirelli, Flynn and Xavier—3.

The motion for Transmittal Back to His Honor the Mayor is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN ADDISON, seconded by COUNCILMAN GLAVIN, the City Council adjourns at 6:40 o'clock P.M. (E.D.T.) to meet again on THURSDAY, JUNE 19, 1980 at 8:00 o'clock P.M. (E.D.T.).

Rose M. Mendonca

City Clerk

