

# RESOLUTION OF THE CITY COUNCIL

No. 133

Effective ~~XIXXXXXX~~ March 4, 1991

RESOLVED, That the Members of the City Council hereby request the Finance Director, Acting City Controller and the City Treasurer not to issue payment to Fernando S. Cunha, Esquire or any other substitute Judge of the Probate Court until such time as approval has been received by the City Council.

IN CITY COUNCIL

FEB 21 1991

READ AND PASSED

*Evelyn V. Fargnoli*  
ACTING PRES.

*Michael R. Clement*  
CLERK  
First Deputy City

Effective without the  
Mayor's signature:

*Rose M. Mendonca*  
Rose M. Mendonca, City Clerk

Councilman Lombardi, Councilman Iglizzi  
Councilman Benton



## Executive Office, City of Providence, Rhode Island

VINCENT A. CIANCI, JR.

MAYOR

March 1, 1991

The Honorable City Council  
c/o City Clerk's Office  
City Hall  
Providence, RI 02903

To the Honorable City Council:


I am writing regarding the attached City Council Resolution. Please be assured that I will take the non-binding recommendation of the Council under advisement as we proceed in this matter.

I do, however, feel that proper procedure has been followed in this case. The appointment of Fernando S. Cunha to the position of acting judge of the Probate Court was made following a request for such action by Judge of the Probate Court Anthony B. Sciarretta. Before I acted, City Solicitor Irving Brodsky rendered an opinion that the power of the Mayor to make such an appointment is unquestioned.

It should be noted that Mr. Brodsky's opinion mirrored that of prior City Solicitor Edward C. Clifton, who advised the former administration on an identical appointment.

Please let me know if I can answer any further questions you may have in this regard. As always, I look forward to working with you on the wide variety of important issues facing the City of Providence.

Sincerely,

  
Vincent A. Cianci, Jr.  
Mayor

cc Irving Brodsky  
City Solicitor