

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

REGULAR MEETING – CITY COUNCIL

-NOVEMBER 28, 2011-

Regular meeting of the City Council was held on Monday, November 28, 2011 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7::05 P.M. by the Council President.

Roll call showed the following members present: Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

Also Present: Gerald Cordy, Director of Administration; Mark Capuano, Deputy Director of Administration; Robert Strom, Director of Finance; Evan Kirshenbaum, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel; Steve Woerner, City Council Internal Auditor; Carlos Lopez, Director of Constituent and Government Affairs.

Councilman Santamaria asked for a moment of silence in the passing of former Cranston High School West Principal, Joseph Coccia.

On motion by Councilman Santamaria, seconded by Councilman Favicchio, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

BOY SCOUTS OF AMERICA, Pack 6 Webelos – Citizenship Merit Badge

Council Vice-President Pelletier acknowledged the Boy Scouts.

II. PUBLIC HEARINGS

(limited to docketed matters)

None.

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III. RESOLUTIONS

None.

IV. REPORT OF COMMITTEES

SAFETY SERVICES AND LICENSES COMMITTEE

(Richard D. Santamaria, Jr., Chair)

TRANSFER OF CLASS B LIMITED LIQUOR LICENSE – NEW

From: *Danidono Pizzeria LLC* 1283 Park Avenue
Jeffrey Manzo

To: CLASS B VICTUALLING LICENSE
Danidono Pizzeria LLC 1283 Park Avenue
Robert/Katherine Catanzaro

On motion by Council Vice-President Pelletier, seconded by Councilman Santamaria, it was voted to approve the above liquor license transfer. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

10-11-1 ORDINANCE IN AMENDMENT OF TITLE 10.32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (Olney Arnold Rd and Rowe Dr.) [\[click here to view\]](#)

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, the above Ordinance was adopted on a vote of 8-1. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio and Council Vice-President Pelletier -8. The following being recorded as voting “nay”: Council President Lupino -1.

PUBLIC WORKS COMMITTEE

(Emilio L. Navarro, Chair)

9-11-1 ORDINANCE IN AMENDMENT OF TITLE 9.08 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘PUBLIC PEACE, MORALES AND WELFARE’, ‘OFFENSES PERTAINING TO PROPERTY – TREE REMOVAL AND PRUNING’ [\[click here to view\]](#)

On motion by Councilman Santamaria, seconded by Councilwoman Luciano, it was voted to adopt the above Ordinance.

Under Discussion:

Councilman Archetto stated that his concern is the City has only one Tree Warden, who will be overburdened and will create Overtime by enacting this Ordinance as is, unless Overtime can be avoided.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 6-3. The following being recorded as voting “aye”: Councilmen Donahue, Stycos, Navarro, Santamaria, Favicchio and Council President Lupino -6. The following being recorded as voting “nay”: councilwoman Luciano, Councilman Archetto and Council Vice-President Pelletier -3.

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FINANCE COMMITTEE
(Vice-President Robert J. Pelletier, Chair)

TAX INTEREST WAIVER APPROVALS – AS RECOMMENDED BY CITY TREASURER.

On motion by Councilman Favicchio, seconded by Council Vice-President Pelletier, it was voted to approve the above list of Tax Interest Waivers. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

RESOLUTION AUTHORIZING REAL ESTATE AND TANGIBLE TAX ABATEMENTS [\[click here to view\]](#)

On motion by Councilman Favicchio, seconded by Councilwoman Luciano, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS [\[click here to view\]](#)

On motion by Councilman Navarro, seconded by Council Vice-President Pelletier, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

10-11-4 ORDINANCE RATIFYING THE SCHOOL COMMITTEE’S COLLECTIVE BARGAINING EXTENSION AGREEMENT WITH THE RHODE ISLAND LABORERS’ DISTRICT COUNCIL ON BEHALF OF LOCAL UNION 1322 (School Bus Drivers) [\[click here to view\]](#)

On motion by Councilman Archetto, seconded by Council Vice-President Pelletier, it was voted to adopt the above Ordinance.

Under Discussion:

Councilwoman Luciano stated that since there is a transportation sub-committee, which is meeting to report back on consolidation or privatizing transportation, she questioned why we can’t wait on voting on this contract .

Councilman Stycos stated that, as it was stated in Committee by the School Department, there are savings, which can be lost if this contract is not approved.

Councilman Donahue asked what the Administration’s position is regarding this contract. Mr. Strom stated that, although he supports the fact that contract negotiations will save money on the City side, what concerns him is if the Council decides not to vote in favor of this contract, it has already been implemented. Another concern he has is if the contract is going to be extended, why for two years and not one year.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a voted o 6-2 with 1 recusal. The following being recorded as voting “aye”: Councilmen Stycos, Navarro, Archetto, Santamaria, Council Vice-President Pelletier and Council President Lupino -6. The following being recorded as voting “nay”: Councilwoman Luciano and Councilman Donahue -2. Councilman Favicchio recused.

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RESOLUTION ENCOURAGING THE RHODE ISLAND GENERAL ASSEMBLY TO PASS LEGISLATION ALLOWING ADVERTISING ON AND IN SCHOOL BUSES [\[click here to view\]](#)

On motion by Councilman Archetto, seconded by Councilman Donahue, it was voted to adopt the above Resolution.

Under Discussion:

A question was asked if there is State Law addressing this issue. Mr. Quinlan stated that there are two bills pending in the General Assembly, but State Law is silent on this topic.

Roll call was taken on motion to adopt the above Resolution and motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -8. The following being recorded as voting "nay": Councilman Stycos -1.

ORDINANCE COMMITTEE
(Paul H. Archetto, Chair)

10-11-3 ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING', AS AMENDED (The James H. Armington House Local Historic District)
[\[click here to view\]](#)

On motion by Council Vice-President Pelletier, seconded by Councilwoman Luciano, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

CLAIMS COMMITTEE
(Steven A. Stycos, Chair)

RATIFICATION OF SETTLED CLAIMS: Safety Insurance for T. Briand \$15,243.44 vehicle damage.

On motion by Councilman Stycos, seconded by Councilman Favicchio, it was voted to approve the above Ratified Settled claims. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

V. PUBLIC HEARINGS
(open to any matters)

Diana Gordon, Pontiac Ave., appeared to speak and stated that she is Crime Watch Coordinator and area is changing 3-1/2 day drug house, methadone clinic, trouble teens, all good things, but too many in a small area, and asked if it could be looked into and spread thorough out the City.

Katie King, 1389 Hope Rd., appeared to speak and stated that she is glad that the Resolution regarding advertising on school buses was passed.

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VI. ELECTION OF CITY OFFICIALS

TAX POLICY REVIEW COMMISSION

Council President Lupino stated that no one from the public has come forward to serve on this Board and he asked that it be continued to next month.

FLOOD COMMITTEE:

Matthew Papino replacing Christopher Broulette (Council President's Appointment)

Council President Lupino announced his appointment of Matthew Papino to the Flood Committee to replace Christopher Broulette.

On motion by Councilman Santamaria, seconded by Councilwoman Luciano, it was voted to approve the Council President's appointment of Matthew Papino to the Flood Committee to replace Christopher Broulette. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

PUBLIC LIBRARY BOARD OF TRUSTEES

Frederick A. Miller, term Jan 1, 2012 – July 27, 2013

On motion by Council Vice-President Pelletier, seconded by Councilman Favicchio, it was voted to appoint Frederick Miller as a member of the Library Board of Trustees. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

VII. REPORT OF CITY OFFICERS

Mr. Woerner presented report and asked that it be referred to the Finance Committee for discussion since it was provided to the Council prior to this meeting.

Council Vice-President Pelletier asked that the Internal Auditor's Report be placed on the next Finance Committee Agenda.

Councilman Stycos asked that Pension Reform issue be placed on the next Finance Committee Agenda. Council Vice-President Pelletier asked the Clerk to place this item on the next Finance Committee Agenda.

VIII. EXECUTIVE COMMUNICATIONS

REPORT ON HIRING OF SPECIAL COUNSEL, CONSULTANTS, ETC., PURSUANT TO CHARTER SECTION 15.05

Legal fees report was presented and discussed.

CLAIMS SETTLED BY LAW DEPARTMENT: Christopher Sweet \$1,000 vehicle damage; Sandra Furlong and Rob Levine & Associates \$2,100 personal injury.

No discussion held.

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Mr. Cordy stated that on November 22nd the City of Cranston and D.O.T. consummated an agreement for \$466,000 for Safe Routes to Schools Project to implement Phase I.

Council President Lupino asked that the for next Finance Committee meeting, a report be provided by the Finance Director regarding State Award to Fidelity - Municipal Investment Sharing.

IX. COUNCIL PRESIDENT COMMUNICATIONS

ADMINISTRATIVE UPDATE ON LANDFILL ODOR ISSUE

Council President Lupino stated that he has not received any communication from D.E.M., since the last meeting he attended with Rhode Island Resource Recovery. He asked that at the next Public Works Committee meeting, the Council be provided with an answer from D.E.M. either in writing or in person outlining their support and their documentation in the steps RIRR stated they would take are indeed happening.

Mr. Lopez stated that on December 14th there will be another meeting with D.E.M., RIRR and representatives and elected officials from Cranston and Johnston. On November 22nd, RIRR updated the City on the following: they will be updating D.E.M. weekly; RIRR is stating that what they have done so far has reduced the complaints regarding odor; RIRR has engaged a third party expert. Mr. Lopez urged residents to call RIRR directly with odor complaints so that they have a long of the complaints. He also stated that he is contact daily with Michael O'Connell of RIRR.

X. COUNCIL MEMBER COMMUNICATIONS

Council Vice-President Pelletier:

- *Property on Metropolitan Ave.-* status update on cleanup of this property (Cont. from 9/26/2011 and 10/24/2011)

Council Vice-President Pelletier asked that this be removed from the agenda at this time.

- *Hill St. Bridge on Main St. –*

Council Vice-President Pelletier stated that this bridge is closed and he has received calls from people who are not familiar with the area and are asking that signs be installed to divert traffic.

- *Amanda Court Buyout*

Council Vice-President Pelletier stated that he has received calls from people on Amanda Ct. asking for their status of the buyout. Mr. Cordy stated that nothing has changed from the last report.

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Councilman Archetto:

- *Cranston Historical Society dealing with the Sprague Mansion*

Councilman Archetto stated that due to a disagreement with the Historical Society, the re-enactment of Civil War, which was held at the Sprague Mansion every year, will not be going on. He asked if the City can be an arbitrator with the Historical Society and possibly have this re-enactment in another part of the City, if needed, so we keep it in Cranston and the City would not lose revenues. Mr. Lopez stated that he will work on this with the Historical Society. This item will be continued to next month's meeting for status update.

Councilman Santamaria:

- *Hurricane Cleanup*

Councilman Santamaria asked if we have been reimbursed for the cleanup. Mr. Cordy stated, no. Councilman Santamaria questioned why out of State landscaping companies were used for the cleanup and not local, since there are a lot of people out of work. Mr. Cordy stated that the State put this out to bid. Councilman Santamaria asked that Mr. Cordy provide a report on the processed used during the cleanup. This item will be continued to the next meeting for follow-up.

XI. OLD BUSINESS

None.

XII. INTRODUCTION OF NEW BUSINESS

Clerk read the following introduced items and the Committees and the date referred for public hearing:

Public Works Committee – December 8, 2011

Request from National Grid for pole location at Ridge St. [\[click here to view\]](#)

Ordinance Committee – December 8, 2011

Resolution authorizing the appointment of a Committee to develop a redistricting plan for the six Wards of the City of Cranston. [\[click here to view\]](#)

Claims Committee

- *Property damage claim of Colleen Masterson from incident on October 27, 2011.
- *Property damage claim of Vanessa Maples from incident on October 26, 2011.
- *Property damage claim of Scott Hipsman from incident on August 28, 2011.
- *Property damage claim of Lisa Bradley from incident on October 24, 2011.
- *Property damage claim of Todd Cambio, Jr. from incident on October 19, 2011.
- *Property damage claim of Michael Ribezzo from incident on October 14, 2011.
- *Property damage claim of Annette Martinelli from incident on September 19, 2011.

*forwarded only to City Council, Solicitor and Anna Marino

On motion by Councilman Navarro, seconded by Councilman Favicchio, it was voted to refer the above new business to the respective Committees. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

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XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK

CONSERVATION EASEMENT for 684 Natick Ave. (Awaiting Executed Copy).

Mr. Cordy stated that we have been assured there will be a signed agreement before the end of the year.

The meeting adjourned at 8:56 P.M.

Maria Medeiros Wall, JD
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist)