

(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

-SEPTEMBER 24, 2012-

Regular meeting of the City Council was held on Monday, September 24, 2012 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:15 P.M. by the Council President.

Roll call showed the following members present: Councilmen Donahue, Stycos, Archetto, Councilwoman Bucci (left meeting at 7:30 P.M.), Councilmen Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8.

Absent: Councilwoman Luciano -1.

Also Present: Gerald Cordy, Director of Administration; Robert Strom, Director of Finance; Evan Kirshenbaum, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel; Roy Damiano, City Council Internal Auditor.

A moment of silence was held for former School Committee Member Jacqueline White, who passed away on September 18, 2012.

On motion by Councilman Favicchio, seconded by Councilman Santamaria, 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 8-0. The following being recorded as voting “aye”: Councilmen Donahue, Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8.

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

Council Vice-President Navarro presented Citations to members of the CLCF Gals 8U Softball State Champions.

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Council President Lupino asked that the issue of LaFrontera Tobacco License be taken out of order. No one objected.

LaFrontera
Tobacco License renewal – Show Cause

1522 Broad Street

Solicitor Kirshenbaum asked that this item be referred to the November Safety Services meeting with the agreement of the applicant's attorney and with the understanding that the applicant be allowed to remain open until then. He stated that the reason for this continuance is so he and the applicant's attorney can do research on this issue.

On motion by Council Vice-President Navarro, seconded by Councilman Santamaria, it was voted to refer this item to the November Safety Services and Licenses Committee. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

II. PUBLIC HEARINGS

(limited to docketed matters)

Bid Award for Sale of 275 Atwood Avenue (former police station headquarters)

- 6-12-3** Ordinance in amendment of Chapter 17.84 of the Code of the City of Cranston, 2005, entitled "Zoning" (Site Plan Review). As amended in Committee 9/13/2012. [\[click here to view\]](#)
- 6-12-4** Ordinance in amendment of Chapter 17.20.030 of the Code of the City of Cranston, 2005, entitled "Zoning" (Schedule of Uses). As amended in Committee 9/13/2012. [\[click here to view\]](#)
- 7-12-1** Ordinance in Amendment of Title 6, Of the Code of the City of Cranston, 2012, entitled "Business Licenses and Regulations" (FIRE WORKS VENDOR LICENSE). As amended in Committee 9/17/2012. [\[click here to view\]](#)
- 7-12-2** Ordinance in Amendment of Title 8, Chapter 12, of the code of the City of Cranston 2012, entitled "Noise Abatement" (FIREWORKS -HOURS OF USE) As amended in Committee 9/17/2012. [\[click here to view\]](#)

Diana Gordon, 363 Pontiac Ave., appeared to speak regarding halfway houses in Ward 2. Right now, there are no laws governing these types of facilities. We need to get our legislatures to change these laws to keep the citizens of this City and this State safe.

Fred Joslyn, 23 Gaglione Ct., appeared to speak regarding proposed Ordinance 6-12-7 and stated that at the last meeting, Councilwoman Bucci's motion was to continue this Ordinance to a special session. This is a regular Council meeting and this matter is not before the Council properly this evening. He asked that this Ordinance be continued to a special session so it can be given the proper attention that it deserves.

III. RESOLUTIONS

None.

IV. REPORT OF COMMITTEES

FINANCE COMMITTEE
(Paul H. Archetto, Chair)

RESOLUTION AUTHORIZING REAL ESTATE TAX ABATEMENTS

[\[click here to view\]](#)

On motion by Councilman Favicchio, seconded by Councilman Donahue, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS

[\[click here to view\]](#)

On motion by Councilman Favicchio, seconded by Councilman Donahue, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

TAX INTEREST WAIVER APPROVALS AS RECOMMENDED BY CITY TREASURER

On motion by Councilman Favicchio, seconded by Councilman Donahue, it was voted to approve the Tax Interest Waiver Approvals as recommended by the City Treasurer. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

BID AWARD OF SALE OF 275 ATWOOD AVE. (former Police Station headquarters).

On motion by Councilman Favicchio, seconded by Councilman Donahue, it was voted to award this bid to Crown Holdings LLC.

Under Discussion:

Mr. Strom stated that the City sent out seventeen bids and received only one bid, from Crown Holdings. Assessment of the property as of December 31, 2011 is \$1,075,700. The bid was received in the amount of \$1 million. He recommended approving the award of this bid.

Roll call was taken and motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

Council President Lupino asked where the funds received will go. Mr. Strom stated that, based on the Ordinance, proceeds received from sale of City property, can be used for Capital projects or for paying down debt service. Per our fiscal consultants, there will not be any benefit to the City in paying down the Bonds. He stated that keeping that in mind, his opinion is to use that money to offset debt service.

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ORDINANCE COMMITTEE
(Paul H. Archetto, Chair)

6-12-3 ORDINANCE IN AMENDMENT OF CHAPTER 17.84 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Site Plan Review) [\[click here to view\]](#)

On motion by Councilman Favicchio, seconded by Councilman Donahue, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting "aye": Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

6-12-4 ORDINANCE IN AMENDMENT OF CHAPTER 17.20.030 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Schedule of Uses) [\[click here to view\]](#)

On motion by Councilman Donahue, seconded by Councilman Favicchio, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting "aye": Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

6-12-5 ORDINANCE IN AMENDMENT OF CHAPTER 17.04.030 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Definitions) [\[click here to view\]](#)

On motion by Councilman Favicchio, seconded by Councilman Donahue, it was voted to adopt the above Ordinance.

Under Discussion:

Councilman Santamaria indicated to line #1083 of the Ordinance and asked if this will effect the parking restrictions on nightclubs. Mr. Lapolla stated, no, those parking standards would remain.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

6-12-7 ORDINANCE APPROVING THE 2010 COMPREHENSIVE PLAN FOR THE CITY OF CRANSTON [\[click here to view\]](#)

On motion by Councilman Donahue, seconded by Councilman Favicchio, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting "aye": Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

SAFETY SERVICES & LICENSES COMMITTEE
(Richard D. Santamaria, Jr., Chair)

7-12-1 ORDINANCE IN AMENDMENT OF TITLE 6, OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'BUSINESS LICENSES AND REGULATIONS' (Fire Works Vendor License)

On motion by Councilman Archetto, seconded by Councilman Santamaria, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting "aye": Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote. [\[click here to view\]](#)

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7-12-2 ORDINANCE IN AMENDMENT OF TITLE 8, CHAPTER 12, OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'NOISE ABATEMENT' (Fire Works – Hours of Use) [\[click here to view\]](#)

On motion by Councilman Donahue, seconded by Councilman Favicchio, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

**LAFRONTERA
Tobacco License renewal – Show Cause**

1522 Broad Street

This item was discussed at the beginning of the meeting.

**CLAIMS COMMITTEE
(Steven A. Stycos, Chair)**

Ratification of settled claims: Daniel Beltrami \$235.39 lawn damage; Afonso Freitas \$313.01 vehicle damage.

On motion by Councilman Favicchio, seconded by Councilman Archetto, it was voted to approve the above ratified claims. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

On motion by Councilman Santamaria, seconded by Councilman Donahue, it was voted to reconsider the vote taken on proposed Ordinance 7-12-2. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

On motion by Councilman Stycos, seconded by Councilman Donahue, it was voted to adopt proposed Ordinance 7-12-2 as amended in Committee in lines #68 and 70-75. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

V. PUBLIC HEARINGS
(open to any matters)

None.

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VI. ELECTION OF CITY OFFICIALS

AUDIT COMMITTEE: Appointment of SHERRY FERDINANDI, CPA for term to expire on 1/24/2013 (Roy Damiano)

On motion by Councilman Archetto, seconded by Councilman Favicchio, it was voted to appoint Sherry Ferdinandi to replace Roy Damiano as a member of the Audit Committee. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

JUVENILE HEARING BOARD – NEIL AMPER, Re-appointment

On motion by Councilman Favicchio, seconded by Councilman Donahue, it was voted to re-appoint Neil Amper as a member of the Juvenile Hearing Board. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

ZONING BOARD OF REVIEW – STEVEN CARRERA, member appointment, West of Reservoir (replacing Joy Montanaro)

On motion by Councilman Santamaria, seconded by Councilman Archetto, it was voted to appoint Steven Carrera to replace Joy Montanaro as a member of the Zoning Board of Review. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

(Mr. Carrera was sworn in by the Council President following his appointment)

VII. REPORT OF CITY OFFICERS

None.

VIII. EXECUTIVE COMMUNICATIONS

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

None.

REPORT FROM FINANCE DIRECTOR REGARDING APPROPRIATION OF PROCEEDS FROM SALE OF FORMER POLICE STATION PROPERTY WHETHER THEY CAN BE USED TO REDUCE THE DEBT THE CITY HAS ON BONDS (Stycos)

Council President Lupino stated that this item was discussed earlier in the meeting.

IX. COUNCIL PRESIDENT COMMUNICATIONS

AUDIO SYSTEM – status report from Administration

Mr. Cordy stated that this will be heard by Board of Contract and Purchase on October 7, 2012 for award. Work will start as soon as it is awarded. One change to the project is addition of a recorder. Total cost of the project is approximately \$24,000.

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Wal-Mart Trailer Parking

Council President Lupino stated that as to the storage containers, he and Councilman Santamaria met with the new management company and they expressed an equal disappointment with the storage containers in the area. He asked what the status is on this. Stan Pikul, Building Official, stated that, per the management company, they will be removing them as soon as possible. Council President Lupino addressed the Building Official and the Administration and stated that the City needs to tighten up these temporary structures. There is a gate in the back of the building that is always open. He asked that the City find out who is supposed to secure that.

X. COUNCIL MEMBER COMMUNICATIONS

Councilman Santamaria:

- **Atwood Ave. and Walnut Grove Traffic Light**

Councilman Santamaria stated that he received a letter from D.O.T. dated September 14, 2012, indicating that construction should begin the Spring, depending on no unforeseen issues.

Councilman Favicchio:

- **Rodent Issues**

Councilman Favicchio stated that there is a rodent issue in Ward 6.

- **Trees Removed – New London Ave.**

Councilman Favicchio stated that there were trees taken away on New London Ave. where it borders Brayton Field as a buffer zone. The State is trying to find out who took those away. He stated that Mr. Lopez is working on this and if it was the State, the State should plant new trees.

Councilman Archetto:

- **Garbage Cans**

Councilman Archetto asked if the City is planning on enforcing the garbage cans having covers and is the City looking into having a better type of garbage cans, similar to Warwick and Providence. Mr. Cordy stated that the City has a full-time Rodent Control Officer and two outside contractors who handled the issues for approximately two months. As to the garbage cans, this is a very very difficult task to enforce. As to better types of cans, next year, the contract will be going out to bid for a new trash hauler and part of the negotiations with the potential bidder will be to take advantage of the single streaming and part of that will be going to the mechanical cans.

XI. OLD BUSINESS

None.

XII. INTRODUCTION OF NEW BUSINESS

City Clerk indicated that Council Vice-President Navarro has presented a proposed Traffic Ordinance as late New Business. Council Rules require that a vote to accept this for introduction at tonight's meeting.

On motion by Councilman Santamaria, seconded by Councilman Donahue, it was voted to accept Council Vice-President Navarro's proposed Ordinance as late New Business. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -8. Councilwoman Bucci was not present for roll call vote.

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

Safety Services and Licenses Committee – October 1, 2012

9-12-4 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Stop Highland St. at Overhill Rd.). [\[click here to view\]](#)

9-12-5 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Stop Fairfield Rd. with Summer St.). [\[click here to view\]](#)

Public Works Committee – October 1, 2012

Resolution Reducing Food Sources for Rodents. [\[click here to view\]](#)

Petition for Abandonment of Harborside Boulevard. [\[click here to view\]](#)

Request from National Grid for Pole Location at Meshanticut Valley Parkway. [\[click here to view\]](#)

Ordinance Committee – October 11, 2012

9-12-3 Ordinance in amendment of Title 6, Chapter 4 of the Code of the City of Cranston, 2005, entitled "Animals Generally". [\[click here to view\]](#)

Special Finance Committee – October 25, 2012

9-12-1 Ordinance in amendment of Title 2.20.050 of the Code of the City of Cranston, 2005, entitled "Police Pension Fund – Retirement from Service" (Officers or Members Hired Prior to July 1, 1995). [\[click here to view\]](#)

9-12-2 Ordinance in amendment of Title 2.28.050 of the Code of the City of Cranston, 2005, entitled "Firemen's Pension Fund – Retirement from Service" (Members Hired Prior to July 1, 1995). [\[click here to view\]](#)

Claims Committee

*Property damage claim of Michael Howcroft for alleged incident on September 17, 2012.

*Property damage claim of Henry A. Riccitelli for alleged incident on September 7, 2012.

*Property damage claim of Antonio DeSimone for alleged incident on August 15, 2012.

*Personal injury claim of Solanny Sanchez and Felix Jose Manon-Batista and property damage claim of Victoria Santana DePestana for alleged incident on August 22, 2012.

*Property damage claim Roland Reed, Sr., and Shirley A. Reed for alleged incident on September 10, 2012.

*Property damage claim of David Minassian for alleged incident on August 1, 2012.

*Property damage claim of Adam Deanseris for alleged incident on September 6, 2012.

*Claim from Law Offices of William M. Kolb, LLC, on behalf of retired Firefighters: David Anderton, Walter Craft, III, Frank DelBonis, Pasco Falco, John Galvin, Randy Gold, Ronald Gabriel, Tom Gregory, Ronald Hargreaves, Richard Kelley, Michael Palazzo, Donald Palumbo, Barry Rowe, Sr. and Albert Sutter for unpaid pension benefits.

*forwarded only to City Council, Solicitor and Anna Marino

On motion by Councilman Donahue, seconded by Councilman Favicchio, it was voted to refer the above new business to the respective Committees. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Donahue, Stycos, Archetto, Santamaria, Favicchio, Council Vice-President Navarro and Council President Lupino -7.

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XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK

8S-12-1 Ordinance in Amendment of Title 13.08 of Code of the City of Cranston, 2005, entitled "Public Services" (Sewer Service System) and Title 13.12 entitled "Wastewater Disposal Services". [\[click here to view Ordinance\]](#)
[\[click here to view notice\]](#) NO ACTION TAKEN ON 8/27/2012.

Solicitor Kirshenbaum stated that this is still in the public comment period with D.E.M. He asked that this be continued to the October meeting to see if it is ready to be passed at that point.

The meeting adjourned at 8:40 P.M.

Maria Medeiros Wall, JD
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist)