

*(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**

**-OCTOBER 22, 2012-**

Regular meeting of the City Council was held on Monday, October 22, 2012 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:20 P.M. by the Council President.

Roll call showed the following members present: Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci (left meeting at 8:00 p.m.), Councilmen Santamaria, Favicchio and Council President Lupino -7.

Absent: Councilman Donahue and Council Vice-President Navarro -2.

Also Present: Gerald Cordy, Director of Administration; Carlos Lopez, Chief of Staff; Robert Strom, Director of Finance; Evan Kirshenbaum, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel.

On motion by Councilman Santamaria, seconded by Councilwoman Bucci, 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 7-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

**Council President Lupino** indicated that Councilman Donahue has asked to be excused this evening due to a very important engagement at his work.

### **I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS**

None.

### **II. PUBLIC HEARINGS**

(limited to docketed matters)

**John DiBona, Esq.**, appeared to speak regarding proposed Ordinance 8-12-3.

**Mike Sepe**, Chairman of the Democratic Party, 95 Massachusetts St., appeared to speak and presented a letter with a list of names recommended by the Party for the Council to consider appointing as members of the Board of Canvassers to replace the Chair, who resigned today.

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**III. RESOLUTIONS**

**RESOLUTION INSTITUTING PROCEEDINGS FOR THE ABANDONMENT OF HARBORSIDE BOULEVARD – PETITION FILED BY JOHNSON & WALES**

On motion by Councilwoman Bucci, seconded by Councilman Santamaria, it was voted to suspend Rule 34B. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

On motion by Councilman Santamaria, seconded by Councilman Favicchio, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

**RESOLUTION URGING THE 2013-2015 CITY COUNCIL TO RE-ENACT THE FLOOD COMMITTEE**

On motion by Councilwoman Bucci, seconded by Councilman Santamaria, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

**IV. REPORT OF COMMITTEES**

**PUBLIC WORKS COMMITTEE**

**(Emilio L. Navarro, Chair)**

**RESOLUTION REDUCING FOOD SOURCES FOR RODENTS**

On motion by Councilman Santamaria, seconded by Councilman Archetto, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

**FINANCE COMMITTEE**

**(Paul H. Archetto, Chair)**

**RESOLUTION AUTHORIZING REAL ESTATE ABATEMENTS**

On motion by Councilman Favicchio, seconded by Councilwoman Bucci, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

**RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS**

On motion by Councilman Favicchio, seconded by Councilwoman Bucci, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

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**TAX INTEREST WAIVER APPROVALS AS RECOMMENDED BY THE CITY TREASURER**

On motion by Councilman Favicchio, seconded by Councilwoman Bucci, the above Resolution was adopted on a vote 7-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

**ORDINANCE COMMITTEE**  
**(Paul H. Archetto, Chair)**

**8-12-3 ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (59 Phenix Ave. – Zone Change)**

On motion by Councilwoman Bucci, seconded by Councilwoman Luciano, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

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

**8-12-2 ORDINANCE IN AMENDMENT OF TITLE 12, OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (Crosswalk, Narragansett Boulevard at Chiswick Road)**

On motion by Councilman Archetto, seconded by Councilman Stycos, it was voted to adopt the above Ordinance.

**Under Discussion:**

**Council President Lupino** asked if there is a Fiscal Note needed for this Ordinance. Councilman Stycos stated that per the Mayor’s Office, it would cost approximately \$4,000 for the curb cut. Mr. Strom stated that there is enough funds in the Pavement Marking Materials in the Budget for this.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

**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.)**

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

**Council President Lupino** asked if there is a Traffic Report. No Traffic Report was provided.

**Mr. Quinlan** suggested tabling this Ordinance until a Traffic Report is provided.

Motion and second to adopt the above Ordinance were withdrawn.

On motion by Councilwoman Bucci, seconded by Councilman Stycos, the above Ordinance was tabled on a vote of 5-2. The following being recorded as voting “aye”: Councilwoman Luciano, Councilman Stycos, Councilwoman Bucci, Councilman Favicchio and Council President Lupino -5. The following being recorded as voting “nay”: Councilmen Archetto and Santamaria -2.

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

**RATIFICATION OF SETTLED CLAIMS:** Robert T. Baist \$541.90 vehicle damage; Ryan McCallum \$2,551.24 vehicle damage; John & Pamela Lawson \$650.00 fence damage.

On motion by Councilman Stycos, seconded by Councilwoman Bucci, it was voted to approve the above ratified claims. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

**V. PUBLIC HEARINGS**  
(open to any matters)

**Lori Grover**, 3 Pavillion Court, appeared to speak and stated that the homes in her neighborhood are deteriorating and some abandoned and unkempt. This is causing a rat infestation in her neighborhood. She requested a public hearing be held before the Public Works Committee to address this issue.

**Shawn Garofano**, 57 Pavillion Court, appeared to speak and stated that she is still having problems with the rats issue.

**VI. ELECTION OF CITY OFFICIALS**

On motion by Councilman Favicchio, seconded by Councilwoman Luciano, it was voted to suspend the Rules in order to deal with the Appointments to the Board of Canvassers. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

**^\*\*Board of Canvassers:**

**Appointment of Republican member & alternate**

**Nominees: Donald Roach; Gary Vierra; Michael Imbruglia; Robert Coupe; Steven Frias. [\[click here to view\]](#)**

On motion by Councilman Favicchio, seconded by Councilwoman Luciano, it was voted to appoint **Gary Vierra** as a member of the ***Board of Canvassers***. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

On motion by Councilman Favicchio, seconded by Councilwoman Luciano, it was voted to appoint **Donald Roach** as an ***Alternate*** member of the ***Board of Canvassers***. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

***^Emergency Amendment of docket pursuant to RIGL. 42-46-6(b) (c) due to Resignation of Joseph DeLorenzo, Jr. and urgent pending elections matters to be addressed by Board. [\[click here to view\]](#)***

**Mr. Quinlan** stated that due to today's resignation of Board of Canvassers Chair, Joseph DeLorenzohe recommended a vote be taken for his replacement under the under the emergency provisions of Section 42-46-6(b) & (c) due to urgent elections issued pending before the Board of Canvassers and the election being two weeks away. **City Clerk** stated that in accordance with the open meeting requirements a notice would be posted tomorrow morning.

Council President Lupino read resignation letter from Joseph DeLorenzo.

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**^Appointment of Democratic member: Nominees: *Cindy Fogarty; David DeNuccio, Sr.; Steven J. Sepe; Paula DiMuccio; Adam Lupino.*** [\[click here to view\]](#)

Council President Lupino read a letter presented to him this evening from the Democratic Party of a list of qualified voters to be considered to serve on the Board of Canvassers. He indicated that the Democratic Alternate member was contacted today and he resigned verbally, but has not provided a written letter of resignation.

On motion by Councilman Santamaria, seconded by Councilman Favicchio, it was voted to approach approving an emergency item. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

On motion by Councilman Santamaria, seconded by Councilman Archetto, it was voted to appoint *Cindy Fogarty* as a member of the *Board of Canvassers* to replace Joseph DeLorenzo. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Archetto, Councilwoman Bucci, Councilmen Santamaria, Favicchio and Council President Lupino -7.

Councilwoman Bucci left the meeting at 8:00 P.M.

### **LIBRARY BOARD OF TRUSTEES: *Fred Raisner* CPA (Councilman Stycos)**

On motion by Councilman Stycos, seconded by Councilman Favicchio, it was voted to appoint *Fred Raisner* as a member of the *Library Board of Trustees*. Motion passed on a vote of 6-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Archetto, Santamaria, Favicchio and Council President Lupino -6.

### **TAX ASSESSMENT BOARD OF REVIEW: *Gary Reilly* Appointment**

On motion by Councilman Favicchio, seconded by Councilman Santamaria, it was voted to appoint *Gary Reilly* as a member of the *Tax Assessment Board of Review*. Motion passed on a vote of 6-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Archetto, Santamaria, Favicchio and Council President Lupino -6.

### **AUDIT COMMITTEE:**

- **Re-Appointment of *Robert E. Baute, Jr., Esq.***

On motion by Councilman Favicchio, seconded by Councilman Santamaria, it was voted to appoint *Robert E. Baute, Jr., Esq.* as a member of the *Audit Committee*. Motion passed on a vote of 6-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Archetto, Santamaria, Favicchio and Council President Lupino -6.

- **Re-Appointment of *William E. Squizzero***

On motion by Councilman Santamaria, seconded by Councilwoman Luciano, it was voted to appoint *William E. Squizzero* as a member of the *Audit Committee*. Motion passed on a vote of 6-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Archetto, Santamaria, Favicchio and Council President Lupino -6.

## **VII. REPORT OF CITY OFFICERS**

None.

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**VIII. EXECUTIVE COMMUNICATIONS**

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

None.

**REQUEST TO BE CONTINUED IN SERVICE FOR ONE YEAR DEPUTY CHIEF  
KEVIN P. MORRIS, CRANSTON FIRE DEPARTMENT**

On motion by Councilman Favicchio, seconded by Councilwoman Luciano, it was voted to approve the above request. Motion passed on a vote of 5-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Santamaria, Favicchio and Council President Lupino -5. Councilman Archetto was not present for roll call vote.

**CONSERVATION COMMISSION:**

**Advise and consent on appointment of BRIDGET R. GRAZIANO**

On motion by Councilman Favicchio, seconded by Councilwoman Luciano, it was voted to approve the Advise and Consent of the Mayor's appointment of Bridget R. Graziano as a member of the *Conservation Commission*. Motion passed on a vote of 5-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Stycos, Santamaria, Favicchio and Council President Lupino -5. Councilman Archetto was not present for roll call vote.

**IX. COUNCIL PRESIDENT COMMUNICATIONS**

**Council President:**

- *Audio System* – status report from Administration

**Mr. Cordy** stated that the new system will be up and running by the next Council meeting.

- *City Audit* Status update

No discussion was held.

**X. COUNCIL MEMBER COMMUNICATIONS**

**Councilman Santamaria:**

- *Falvey Linen* Testing report

**Solicitor Kirshenbaum** stated that he has information that he can provide in a report form for the Public Works Committee meeting.

- *Cranston Street Corridor Project* (Resolution No. 2010-77) Adm. update

**Mr. Cordy** stated that the City is hoping to hold a meeting with the concerned neighbors and neighborhood group, hopefully by the end of November.

**Councilman Santamaria** asked that this item be continued to next month's meeting.

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**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:

**Safety Services and Licenses Committee – November 13, 2012**

- 10-12-1 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (No Parking Weekdays Sprague Ave.). [\[click here to view\]](#)**
- 10-12-2 Ordinance in amendment of Title 12, Chapter 12 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Through Trucking-Prohibited on America St., Back St., Britton St., Clemence St., State St. and Tweed St.). [\[click here to view\]](#)**
- 10-12-3 Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Ashley St. and Hazelton St.). [\[click here to view\]](#)**

**Ordinance Committee – November 19, 2012**

- 10-12-4 Ordinance in amendment of the 2010 Comprehensive Plan for the City of Cranston ‘Future Land Use Map’ (Neighborhood/Commercial Services). [\[click here to view\]](#)**
- 10-12-5 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled “Zoning” (942 & 950 Reservoir Ave. – Zone Change). [\[click here to view\]](#)**

**Claims Committee**

- \*Personal injury claim of Maria Baez for alleged incident on March 17, 2011.
- \*Personal injury claim of Staci Sauro for alleged incident on August 29, 2012.
- \*Property damage claim of Michael Sugerma for alleged incident on September 11, 2012.
- \*Property damage claim of Melissa Voccio for alleged incident during Hurricane Irene.
- \*Personal injury claim of Maria Salguero for alleged incident on August 11, 2012.

\*forwarded only to City Council, Solicitor and Anna Marino

On motion by Councilman Favicchio, seconded by Councilwoman Luciano, it was voted to refer the above new business to the respective Committees. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Stycos, Archetto, Santamaria, Favicchio and Council President Lupino -6.

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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.

**Mr. Cordy** stated that the State has extended their public hearings through the end of this month.

The meeting adjourned at 8:30 P.M.

Maria Medeiros Wall, JD  
City Clerk

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist)