

*(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 23, 2013-**

Regular meeting of the City Council was held on Monday, September 23, 2013 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:09 P.M. by the Council President.

Roll call showed the following members present: Councilwoman Lee, Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

Also Present: Gerald Cordy, Director of Administration; Carlos Lopez, Chief of Staff; Evan Kirshenbaum, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel; Roy Damiano, City Council Internal Auditor; Colonel Marco Palombo.

On motion by Councilman Santamaria, seconded by Council Vice-President Farina, 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 Lee, Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

**-SEPTEMBER 23, 2013-**

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

**Councilman Favicchio** stated that he spoke to Mr. Lopez regarding the appointment of Greg Merka as a member of the Cranston Historical Society and since this was left off the agenda and it's a Mayoral appointment, he questioned if this appointment could be done this evening. Council President Lanni stated that since there is no vote needed on this, the appointment is acknowledged.

## **II. PUBLIC HEARINGS**

**Lawrence DiBoni**, Director of Economic Development, appeared to speak regarding Tax Incentive Application for CMRA Enterprises, LLC.

**Gail Donnelly**, 77 Robert Circle, appeared to speak and stated that at the last meeting, a request was made that the City forward correspondence for demolition of building at the former Ciba Geigy property. She questioned if this request has been made.

**Alice Petrone**, 24 Brettonwoods Dr., appeared to speak regarding "Resolution Suspending Enforcement of Ordinance 2009-60".

**Anthony Minutelli**, 2 Poplar Dr., appeared to speak regarding proposed Ordinance 7-13-2 and stated that the area residents have a lot of concerns about the size of the building to be built. The neighbors are not opposed to the project, they are concerned about the size and there is not enough parking and the building is way too big. They are asking if this project could be scaled down a little.

**Carla Minutelli**, 2 Poplar Dr., appeared to speak regarding proposed Ordinance 7-13-2 and stated that she is concerned with traffic.

**Matthew Coppa**, 11 Meredith Dr., appeared to speak in favor of proposed Ordinance 7-13-2 and urged passage.

**Paul Ruggieri**, 99 Teepee Trail, appeared to speak regarding "Resolution Granting Right of First Refusal to CLCF for Brayton Ave. Fields", which was passed in March. His League was denied use of the field and then another league was allowed the use of that field.

**Thomas Clarke**, 80 Dellwood Rd., appeared to speak regarding proposed Ordinance 7-13-2 and stated that he is opposed to this project.

**Robert Murray, Esq.**, appeared to represent applicant for proposed Ordinance 7-13-2.

**Geoffrey Barone**, 16 Poplar Dr., appeared to speak regarding proposed Ordinance 7-13-2 and stated that he is concerned about parking spaces for this proposed project.

**David Desjardins**, 44 Poplar Dr., appeared to speak regarding proposed Ordinance 7-13-2 and stated that he is opposed to this project.

**Mario Olivelli** appeared to speak in favor of proposed Ordinance 7-13-2.

**Everett Sammartino**, Trustee of St. Mark's Church Corp., appeared to speak and stated that they have had many many meetings relative to this project.

### **III. RESOLUTIONS**

#### **RESOLUTION SUSPENDING ENFORCEMENT OF ORDINANCE NO. 2009-60 FORECLOSURE REQUIREMENTS FOR OWNER OCCUPIED RESIDENTIAL PROPERTIES FOR DURATION OF PERIOD IN WHICH RIGL 34-27-3.2 REMAINS IN EFFECT**

On motion by Council Vice-President Farina, seconded by Councilwoman Lee, it was voted to suspend Rule 34B in order to address the above Resolution.

#### Under Discussion:

**Councilman Santamaria** asked if there is anyone present from RI Housing and if there is a sponsor to this Resolution. No one from RI Housing was present. Councilman Santamaria asked why this Resolution is asking us not to enforce an Ordinance and who will enforce this on the State level. He also stated that since there is no one present from RI Housing, he suggests no action be taken on this Resolution.

The City Clerk explained the Resolution, at the Council President's request.

Councilmen Stycos and Botts questioned what the rush is in passing this Resolution, especially since no one from RI Housing is present. Councilman Aceto raised a point of order that since the Resolution lacked a Council sponsor it wasn't properly before the Council. Councilman Archetto and Council Vice President Farina were in agreement. Councilman Favicchio explained that regardless of what the Council did, our local Ordinance was not enforceable.

Roll call was taken on motion to suspend Rule 34B and motion failed on a vote of 2-7. The following being recorded as voting "aye": Councilwoman Lee and Councilman Favicchio -2. The following being recorded as voting "nay": Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Council Vice-President Farina and Council President Lanni -7.

**-SEPTEMBER 23, 2013-**

**IV. REPORT OF COMMITTEES**

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

**7-13-2 ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Change of Zone – 31 Poplar Dr. and 42 Poplar Dr.). [\[click to view\]](#)**

On motion by Councilman Botts, seconded by Councilman Aceto, it was voted to adopt the above Ordinance.

Under Discussion:

**Councilman Stycos** asked questions regarding parking spaces for the proposed development.

**Jordan Durham**, D & T Real Estate, appeared to speak and stated that the intention is that the 34 garage spaces will be specifically assigned to the tenants within the new construction building.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

**8-13-7 ORDINANCE IN AMENDMENT OF TITLE 10, CHAPTER 40 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'TRAFFIC REGULATIONS FOR SPECIFIC STREETS' (Crosswalk Gansett Ave., North Side of its intersection with \*Appleton Berkley St.).**

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

Under Discussion:

**Mr. Cordy** stated that the Engineering Report has not been completed on this Ordinance due to the fact that when this Ordinance was introduced it was for Gansett and Berkley. At the Ordinance Committee, it was amended to Gansett and Appleton. This has to be re-reviewed.

Motion to adopt the above Ordinance and second were withdrawn.

On motion by Councilman Santamaria, seconded by Councilman Archetto, it was voted to continue this Ordinance to the October Council meeting. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

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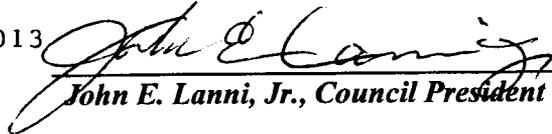
THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**

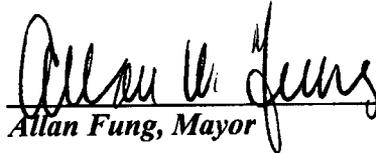
IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED 'ZONING' (CHANGE OF ZONE – 31 Poplar Drive and 43 Poplar Drive)

No. 2013-33

Passed: September 23, 2013

  
John E. Lanni, Jr., Council President

Approved:  
September 24, 2013

  
Allan Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

**Section 1.** That the Zoning Map accompanying and made a part of Chapter 17 of the Code of the City of Cranston, Rhode Island, 2005, entitled, "Zoning", as adopted January 24, 1966, as amended, is hereby further amended by deleting therefrom the following:

By deleting from A-8 Zoning District, Zoning Lot Nos. 743, 744, and 745 on Zoning Plat No. 10/3, located on the westerly side of Poplar Drive, Cranston, Rhode Island.

And by adding thereto the following:

**Mixed Use Planned District (MPD) Zoning District, Zoning Lot Nos. 743, 744, and 745 on Zoning Plat No. 10/3, located on the westerly side of Poplar Drive, Cranston, Rhode Island.**

and

By deleting from C-3 Zoning District, Zoning Lot No. 742 on Zoning Plat No. 10/3, located on the easterly side of Midway Road.

And by adding thereto the following:

**Mixed Use Planned District (MPD) Zoning District, Zoning Lot No. 742 on Zoning Plat No. 10/3, located on the easterly side of Midway Road.**



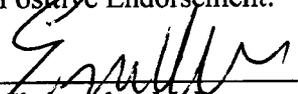
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**Section 2.** The Overall District Plan, (attached as Exhibit "A") and the Narrative Outline and Statement of Purpose (attached as Exhibit "B") are incorporated herein and made a part hereof.

**Section 3.** This ordinance shall take effect upon its final adoption.

Positive Endorsement:

Negative Endorsement: (Attach reasons)

 9/23/13  
Christopher M. Rawson Date  
City Solicitor

\_\_\_\_\_  
Christopher M. Rawson Date  
City Solicitor

Petition filed by St. Mark's Church Corporation  
Referred to September 12, 2013 Ordinance Committee

CITY OF CRANSTON  
DEPARTMENT OF RECORDS - CITY CLERK'S OFFICE

O.K.  
L.F.



201309270134000 Bk:LR4814 Pg:282  
RECORDED Cranston, RI 3/4  
R09/27/2013 10:51:36 AM ZONE CHG C

APPLICATION FOR CHANGE OF ZONE

Name(s) and address(es) of  
owner(s) of property

St. Marks Church Corporation

9 Garden Court

Cranston, RI 02920

Zoning Plat Number

10/3 Lot No(s)\* 742, 743, 744, 745

Street Address or  
Location on Street

31 Poplar Drive  
St. Marks Church

43 Poplar Drive  
(former Cranston Johnston Catholic Regional School)

\*If only a portion of a lot, attach a full metes and bounds description.

Present Zoning:

Zoning Lot No. 742 = C-3  
Zoning Lot Nos. 743, 744, 745 = A-8

Zoning Requested:

MPD Mixed Use Plan District

Property to be used for:

- 1. Church, rectory, and related buildings
- 2. Multifamily dwellings (former school)

Date: 7/15/13

St. Marks Church Corporation

By: [Signature]  
Owner

Owner

D & P Real Estate Advisors LLC & Truth Box Inc.

By: [Signature]  
Applicant

Applicant

TRISH\MISC\ZONCHG

Attorney for Owner/Applicant  
Robert D. Murray, Esq.  
Taft & McSally LLP  
21 Garden City Drive, Cranston, RI 02920  
401-946-3800 (o) 401-943-8859 (fax)

Allan W. Fung  
Mayor

Peter S. Lapolla  
Planning Director



201309270134000 Bk:LR4814 Pg:283  
RECORDED Cranston, RI 4/4  
RD09/27/2013 10:51:36 AM ZONE CHG C

Michael Smith  
Vice Chairman

Ken Mason, P.E.  
Mark Motte  
Gene Nadeau  
James Moran  
Robert Strom  
Frederick Vincent

**CITY PLAN COMMISSION**  
Cranston City Hall  
869 Park Avenue, Cranston, RI 02910

September 10, 2013

Council President Lanni  
Cranston City Hall  
869 Park Avenue  
Cranston, RI 02910

**RE: Ordinance #07-13-2** In Amendment of Chapter 17 of the Code of the City of Cranston, 2005, Entitled "Zoning" (Change of Zone – 31 Poplar Drive and 43 Poplar Drive)

Dear Council President Lanni:

On September 3, 2013, the above referenced ordinance was reviewed by the City Plan Commission for the purpose of providing the Council with an advisory recommendation, as required by Section 45-24-52 of the Rhode Island General Laws and Section 17.120.030 of the Cranston Zoning Code.

The property owner is the St. Mark's Church Corporation. The applicants are D&P Real Estate Advisors, LLC and Truth Box, Inc. A portion of the property is zoned A-8 residential and a portion is zoned C-3 commercial. The zone change petition before the Cranston City Council is to rezone the St. Mark's Church Corporation property to Mixed Use Planned District (MPD) for the development of 52 multi-family residential units consistent with the Master Plan proposal approved by the City Plan Commission.

This multi-family project will be completed in two phases: Phase 1 calls for the renovation of the former CJCR School into twenty residential units with sixteen (16) one-bedroom units and four (4) two bedroom units; Phase 2 calls for the construction of a new structure facing the Garden City Center with thirty-two new residential units including eleven (11) one-bedroom units and twenty-one (21) two-bedroom units.

The project is subject to further performance standard review by the City Plan Commission and the Development Plan Review Committee for subsequent approvals if the MPD is approved by the City Council.

Upon motion made by Mr. Moran and seconded by Mr. Strom, the Commission unanimously voted to recommend *approval* of this Mixed-Use Planned District (MPD) proposal to the City Council.

Aye: Messers Smith, Nadeau, Motte, Moran, Strom, Mason and Vincent. Nay: none

Sincerely,

Jason M. Pezzullo, AICP  
Principal Planner / Administrative Officer

Telephone: (401) 461-1000 ext 3136

Fax: (401) 780-3171

**-SEPTEMBER 23, 2013-**

**FINANCE COMMITTEE**  
**(Councilman Steven A. Stycos, Chair)**

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

On motion by Council Vice-President Farina, seconded by Councilman Botts, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

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

On motion by Councilman Aceto, seconded by Council Vice-President Farina, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

**TAX INTEREST WAIVER APPROVALS** [[click to view](#)]

On motion by Council Vice-President Farina, seconded by Councilwoman Lee, it was voted to approve the above list of Tax Interest Waiver Approvals. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

**TAX INCENTIVE APPLICATION FOR CMR ENTERPRISES, LLC (RAFFA YOGA), 19 SHARPE DR.** [[click to view](#)]

On motion by Councilman Archetto, seconded by Councilman Favicchio, it was voted to approve the above Tax Incentive Application. Motion passed on a vote of 7-2. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Botts, Archetto, Aceto, Favicchio, Council Vice-President Farina and Council President Lanni -7. The following being recorded as voting "nay": Councilmen Stycos and Santamaria -2.

THE CITY OF CRANSTON

**RESOLUTION OF THE CITY COUNCIL**  
AUTHORIZING REAL ESTATE/TANGIBLE TAX ABATEMENTS AS  
RECOMMENDED BY CITY ASSESSOR

No. 2013-36

*Passed:* September 23, 2013

  
\_\_\_\_\_  
*John E. Lanni, Jr., Council President*

**Resolved, That**

The request of the City Assessor for the following abatements for manifest errors and reasons therein stated be granted and that a certified copy of this Resolution be for the respective amounts a sufficient voucher for the City Treasurer.

(See attached list of Abatements)

U/RES.RE ABATE

ALLAN FUNG  
MAYOR



DIVISION OF ASSESSMENT  
869 PARK AVE  
CRANSTON, RI 02910

SALVATORE SACCOCCIO JR.  
CITY ASSESSOR

DAVID COLE  
DEPUTY ASSESSOR

MEMO

DATE: September 3, 2013  
TO: His Honor the Mayor and the Honorable City Council  
FROM: City Assessor  
RE: Real Estate and Tangible Abatements

The following assessments are recommended for abatement in the amounts and for the reasons hereinafter set forth:

<u>Assessment Date</u>	<u>Value</u>	<u>Tax</u>
December 31, 2011	113,907	3,883.04
December 31, 2012	<u>868,773</u>	<u>25,568.87</u>
Totals:	982,680	29,451.91

  
Salvatore Saccoccio Jr.  
City Assessor

City of Cranston  
2012 Abatement List

1	0220662001 007-3516	2	1717681001 991-7176-810	0000000000
	Location 66 BROWNE ST		Location VARIOUS ST	Location
	BEGONES WILLIAM E JR		PIRATES LANDING CO	
	BEGONES DONNA R TE		PIRATES LANDING CO	
	66 BROWNE ST		P O BOX 8855	
	CRANSTON RI 02920		CRANSTON RI 02920-0855	
	Original : 84799	Value	Original : 112207	Original :
	LISTING ERROR : 1700	84799	OUT OF BUSINESS : 112207	Adjusted :
	Adjusted : 83099	1897.97	Adjusted :	Adjusted :
		1936.80	Value	Value
		1936.80	Original	Original
		38.83	OUT OF BUSINESS	Original
		1897.97	Adjusted	Adjusted
			Adjusted	Adjusted
			Tax	Tax
			3844.21	3844.21
			3844.21	3844.21

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Value	Tax
Original 197006	5781.01
Abatements 115907	3883.04 on 2 Accounts
Adjusted 83099	1897.97

City of Cranston  
2013 Abatement List

Account	Address	City	Zip	Value	Tax	Value	Tax	Value	Tax
10	1915480501 029-0097 Location CREST DR RESTIVO JOHN R JR. & RESTIVO J 50 CREST DR CRANSTON RI 02921	11	1916120509 016-0151 Location 21 HOFFMAN AV RHODE ISLAND HOUSING & MORTGAG 44 WASHINGTON ST PROVIDENCE RI 02903-7120	681700	15570.02	143000	3266.12	4900	167.87
	Original : 681700		Original : 143000					Original : 4900	
	ASSESSORS APPE : 51700		Exemption Omit : 68030					Exemption Omit : 4900	
	Adjusted : 630000		Adjusted : 76970					Adjusted : 1757.99	
13	2025424001 004-1031 Location 120 PERKINS AV SINYEI AMY M 120 PERKINS ST CRANSTON RI 02920	14	2025424003 004-2665 Location PERKINS AV SINYEI AMY M 120 PERKINS AVE CRANSTON RI 02910	110600	2121.95	4200	95.92	4300	147.31
	Original : 110600		Original : 4200					Original : 4300	
	Exemption Omit : 110600		Exemption Omit : 4200					Exemption Omit : 4300	
	Adjusted : 0		Adjusted : -404.15					Adjusted : 147.32	
									- .01
16	2026143001 006-3267 Location 115 FRIENDLY RD SMITH BERTRAM H TRUSTEE 115 FRIENDLY RD CRANSTON RI 02910	17	2108960501 992-1089-605 Location 31 HILLSIDE RD TEN THOUSAND VILLAGES TEN THOUSAND VILLAGES 31 HILLSIDE RD CRANSTON RI 02920	186100	4250.52	102250	3503.08	0000000000	0
	Original : 186100		Original : 102250					Original : 0	
	Exemption Omit : 31338		LISTING ERROR : 64335					Adjusted : 1298.96	
	Adjusted : 154762		Adjusted : 37915						

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Value	Tax
Original	2650704
Abatements	67381.66
Adjusted	2582887.34

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on 17 Accounts

City of Cranston  
2013 Abatement List

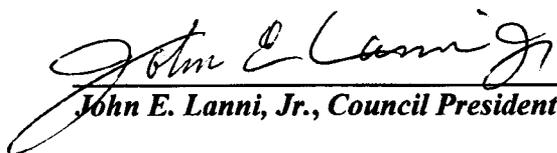
Abatement #	Location	Value	Tax	Value	Tax	Value	Tax		
1	0230641001 036-0054-101 Location 101 GRAY COACH LN BABLENIS HARRY C TRUSTEE 1 GRAY COACH LN UNIT 1 CRANSTON RI 02921	Original : 202599 ASSESSORS APPE : 20200 Adjusted : 182399	4627.35 461.37 4165.98	0220662001 007-3516 Location 66 BROWNE ST BEGONES WILLIAM E JR BEGONES DONNA R TE 66 BROWNE ST CRANSTON RI 02920	Original : 84799 LISTING ERROR : 1700 Adjusted : 83099	1936.80 38.83 1897.97	0416599001 004-0903 Location 91 PERKINS AV DUPONT GLADYS LIFE ESTATE 91 PERKINS AVE CRANSTON RI 02910	Original : 75463 Exemption Omit : 56597 Adjusted : 18866	1632.57 1292.68 339.89
4	0610637501 035-0247 Location 192 ALPINE ESTATES DR FIORVANTI PAUL F & FIORVANTI C 192 ALPINE ESTATES DR CRANSTON RI 02921	Original : 325200 LISTING ERROR : 4800 Adjusted : 320400	7427.56 109.63 7317.93	0714582501 990-7145-825 Location 90 KENWOOD ST GEORGE GREER CO GEORGE GREER CO 90 KENWOOD ST CRANSTON RI 02907	Original : 79400 OUT OF BUSINESS : 79400 Adjusted :	2720.24 2720.24	1107874001 991-1078-740 Location 2088 BROAD ST KELAGHAN RICHARD P ESQ KELAGHAN RICHARD P 2088 BROAD ST CRANSTON RI 02905	Original : 2655 LISTING ERROR : 1500 Adjusted : 1155	90.96 51.39 39.57
7	1431158001 991-4311-580 Location 63 SOCKANOSSET CROSS R MAXIM INTEGRATED PRODUCTS INC MAXIM INTEGRATED PRODUCTS INC 4401 S. BELTHOOD PKWY DALLAS TX 75244	Original : 261055 LISTING ERROR : 159253 Adjusted : 101802	8943.74 5456.01 3487.73	150529501 036-0054-105 Location 105 GRAY COACH LN NEWSTADT STANLEY NEWSTADT ANN E T/E 1 GRAY COACH LN #105 CRANSTON RI 02921	Original : 194763 ASSESSORS APPE : 20200 Adjusted : 174563	4448.37 461.37 3987.00	1717681001 991-7176-610 Location VARIOUS ST PIRATES LANDING CO PIRATES LANDING CO P O BOX 8855 CRANSTON RI 02920-0855	Original : 187720 OUT OF BUSINESS : 187720 Adjusted :	6431.28 6431.29 .01
8	1431158001 991-4311-580 Location 63 SOCKANOSSET CROSS R MAXIM INTEGRATED PRODUCTS INC MAXIM INTEGRATED PRODUCTS INC 4401 S. BELTHOOD PKWY DALLAS TX 75244	Original : 261055 LISTING ERROR : 159253 Adjusted : 101802	8943.74 5456.01 3487.73	150529501 036-0054-105 Location 105 GRAY COACH LN NEWSTADT STANLEY NEWSTADT ANN E T/E 1 GRAY COACH LN #105 CRANSTON RI 02921	Original : 194763 ASSESSORS APPE : 20200 Adjusted : 174563	4448.37 461.37 3987.00	1717681001 991-7176-610 Location VARIOUS ST PIRATES LANDING CO PIRATES LANDING CO P O BOX 8855 CRANSTON RI 02920-0855	Original : 187720 OUT OF BUSINESS : 187720 Adjusted :	6431.28 6431.29 .01
9	150529501 036-0054-105 Location 105 GRAY COACH LN NEWSTADT STANLEY NEWSTADT ANN E T/E 1 GRAY COACH LN #105 CRANSTON RI 02921	Original : 194763 ASSESSORS APPE : 20200 Adjusted : 174563	4448.37 461.37 3987.00	1717681001 991-7176-610 Location VARIOUS ST PIRATES LANDING CO PIRATES LANDING CO P O BOX 8855 CRANSTON RI 02920-0855	Original : 187720 OUT OF BUSINESS : 187720 Adjusted :	6431.28 6431.29 .01			

THE CITY OF CRANSTON

**RESOLUTION OF THE CITY COUNCIL**  
AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS AS RECOMMENDED  
BY CITY ASSESSOR

No. 2013-37

*Passed:* September 23, 2013

  
\_\_\_\_\_  
*John E. Lanni, Jr., Council President*

**Resolved, That**

The request of the City Assessor for the following abatements for manifest errors and reasons therein stated be granted and that a certified copy of this Resolution be for the respective amounts a sufficient voucher for the City Treasurer.

(See attached list of Abatements)

U/RES.MV ABATE

ALLAN FUNG  
MAYOR



DIVISION OF ASSESSMENT  
869 PARK AVE  
CRANSTON, RI 02910

SALVATORE SACCOCCIO JR.  
CITY ASSESSOR

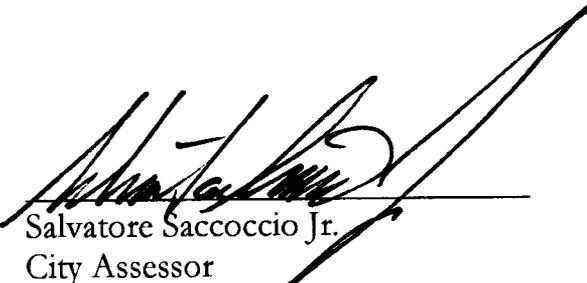
DAVID COLE  
DEPUTY ASSESSOR

## MEMO

DATE: September 3, 2013  
TO: His Honor the Mayor and the Honorable City Council  
FROM: City Assessor  
RE: Motor Vehicle Abatements

The following assessments are recommended for abatement in the amounts and for the reasons hereinafter set forth:

<u>Assessment Date</u>	<u>Value</u>	<u>Tax</u>
December 31, 2007	699	29.67
December 31, 2009	1,052	44.64
December 31, 2010	6,250	265.24
December 31, 2011	29,319	1,244.29
December 31, 2012	<u>139,332</u>	<u>5,913.23</u>
Totals:	176,652	7,497.07

  
Salvatore Saccoccio Jr.  
City Assessor

\*\*\* MECRIABT\_CR.REP \*\*\* Printed 09032013 at 13:20:59 by KARBUR

City of Cranston  
2008 Motor Vehicle  
Abatement List

1	46006510	0000116623	HI 452	00000000	0000000000	00000000	0000000000
	Vehicle 2005	DODGE		Vehicle 0000		Vehicle 0000	
	ID 483AG4265E008252			ID		ID	
	PAQUIN CHRISTOPHER M						
	14 PARKVIEW DRIVE						
	Cranston RI 02905						
	Value	Tax	Value	Tax	Value	Original	Value
	3,780	69.69		29.67		:	
	Original :	29.67		40.02		Adjusted Tax:	
	OUT OF COMMUNITY	40.02					
	Adjusted Tax:						

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For Tax Year: 2008

Value	Tax	
3780	69.69	Accounts
Original :	29.67	on 1
Adjusted Tax :	40.02	

City of Cranston  
2010 Motor Vehicle  
Abatement List

1	32000200	0000006444	054553	00000000	0000000000	00000000	0000000000
	Vehicle 2003	HOND		Vehicle 0000		Vehicle 0000	
	ID JH2PC35053M401659			ID		ID	
	BABITS DAVID J						
	161 ROYAL AVE						
	CRANSTON RI 02920						
	Original :	Value	Tax	Original :	Value	Original :	Tax
	STOLEN/SOLD/JUNK/TOT	3,078	109.41	44.64			
	Adjusted Tax:		64.77	Adjusted Tax:		Adjusted Tax:	

-----  
For Tax Year: 2010

Original	:	Value	Tax
Adjusted Tax	:	3078	109.41
		44.64	on 1 Accounts
		64.77	

\*\*\* MECRIABI\_CR.REP \*\*\* Printed 09032013 at 09:39:13 by KARBUR

City of Cranston  
2011 Motor Vehicle  
Abatement List

1	32000210	0000006617	2	53001440	0000152527	00000000	0000000000
	Vehicle 2003	HOND		Vehicle 2007	CHRY	Vehicle 0000	0000000000
	ID JH2PC35053M401659	054553		ID 1C3L056K27N524472	865128	ID	
	BABITS DAVID J			WALSTEAD NORMAN S			
	161 ROYAL AVE			29 VINCENT WAY			
	CRANSTON RI 02920			Cranston RI 02921			
	Original : 2,436	Value		Original : 10900	Value	Original :	Value
	STOLEN/SOLD/JUNK/TOT	82.16		STOLEN/SOLD/JUNK/TOTA	763.50	183.08	
	Adjusted Tax:	82.16		Adjusted Tax:	580.42	580.42	

-----  
For Tax Year: 2011

Original	:	13336	Value	845.66	Tax
Adjusted Tax	:	265.24	on 2	Accounts	580.42

City of Cranston  
2012 Motor Vehicle  
Abatement List

Item #	Vehicle ID	Year	Make	Model	Value	Tax	Abatement	Original Tax	Adjusted Tax	Vehicle Description	Value	Tax
1	32000190	2003	HOND		1,196	40.28	054553	40.28	40.28	Vehicle 2003 HOND ID JH2PC35053M401659 BABITS DAVID J 161 ROYAL AVE Cranston RI 02920	000007007	054553
					1,196	40.28		40.28	40.28			
	Original	:			1,196	40.28		40.28	40.28			
	STOLEN/SOLD/JUNK/TOT	:										
	Adjusted Tax:											
4	36016160	2001	JAGU		4,505	169.97	F 190	169.97	169.97	Vehicle 2001 JAGU ID SAJDA24C01LF38300 FREITAS JOAQUIM 34 MELTON RD Cranston RI 02920	000054548	F 190
					4,505	169.97		169.97	169.97			
	Original	:			4,505	169.97		169.97	169.97			
	DECEASED	:										
	Adjusted Tax:											
7	46013530	2005	LEXS		4,505	169.97	UT 542	169.97	169.97	Vehicle 2005 LEXS ID JTHBA30G855124451 PENZA STEPHEN H 1150 NEW LONDON AVE CRANSTON RI 02882	000012964	UT 542
					4,505	169.97		169.97	169.97			
	Original	:			4,505	169.97		169.97	169.97			
	DECEASED	:										
	Adjusted Tax:											
2	33016740	1996	FORD		1,215	30.34	808606	30.34	30.34	Vehicle 1996 FORD ID 1FMDU32F6TZA13705 CATONE FRANK E 1540 ELMWOOD AVE Cranston RI 02910	000024542	808606
					1,215	30.34		30.34	30.34			
	Original	:			1,215	30.34		30.34	30.34			
	STOLEN/SOLD/JUNK/TOTA	:										
	Adjusted Tax:											
3	34014800	1997	MERZ		1,050	489.63		489.63	489.63	Vehicle 1997 MERZ ID MDRHAC3E6VA512719 DEPETRILLO NICHOLAS A 73 WHEELER AVE Cranston RI 02905	000040138	
					1,050	489.63		489.63	489.63			
	Original	:			1,050	489.63		489.63	489.63			
	OUT OF STATE REG	:										
	Adjusted Tax:											
6	43005960	2001	FORD		829682	213.39		213.39	213.39	Vehicle 2001 FORD ID 1FMPU16L11LB82877 MANGINI PAUL V 47 TURNER AVE Cranston RI 02920	000088533	
					829682	213.39		213.39	213.39			
	Original	:			829682	213.39		213.39	213.39			
	STOLEN/SOLD/JUNK/TO	:										
	Adjusted Tax:											
9	49017160	2001	TOYT		2,717	97.70		97.70	97.70	Vehicle 2001 TOYT ID 2T1CF28P91C480426 SHORT CHRISTY L 35 WEDGE ST CRANSTON RI 02920	0000133582	
					2,717	97.70		97.70	97.70			
	Original	:			2,717	97.70		97.70	97.70			
	OUT OF STATE REG	:										
	Adjusted Tax:											
8	49017160	2001	TOYT		2,717	97.70		97.70	97.70	Vehicle 2001 TOYT ID 2T1CF28P91C480426 SHORT CHRISTY L 35 WEDGE ST CRANSTON RI 02920	0000133582	
					2,717	97.70		97.70	97.70			
	Original	:			2,717	97.70		97.70	97.70			
	OUT OF STATE REG	:										
	Adjusted Tax:											

For Tax Year: 2012

Value	Tax
Original	2688.16
Adjusted Tax	1244.29
on 9 Accounts	
Adjusted Tax	1443.87

City of Cranston  
2013 Motor Vehicle  
Abatement List

1	2	3	4	5	6	7	8	9	10	11	12
32006210	0000009377	088844	32016640	0000012723	615824	32016650	0000012725	32016650	0000012725	663902	
Vehicle 2006	TOYT	088844	Vehicle 2010	HOND	615824	Vehicle 2011	SUBA	Vehicle 2006	TOYT	912657	
ID 2T1BR32E86C684495	BARRY TRICIA A		ID 2HGFA1FS6AH305324	BLOCK DANIEL R		ID JF2SHAAC1BH712572	BLOCK EVE M	ID 4T1BK36B56U101822	COLLINS THOMAS B		
33 CARRIE ANN DR	CRANSTON RI 02921		165 HOLLAND ST #4	CRANSTON RI 02920		165 HOLLAND ST #4	CRANSTON RI 02920	12 SEFTON DRIVE	CRANSTON RI 02905		
Original Value	2,013	79.79	Original Value	14097	577.74	Original Value	18764	Original Value	1913	77.84	
OUT OF STATE REG		79.79	OUT OF STATE REG		577.74	OUT OF STATE REG		OUT OF STATE REG		77.84	
Adjusted Tax:			Adjusted Tax:			Adjusted Tax:		Adjusted Tax:			
32029140	000016964	689779	33016450	0000024716	808606	33031820	0000030128	33031820	0000030128		
Vehicle 2003	HYUN	689779	Vehicle 1996	FORD	808606	Vehicle 2006	TOYT	Vehicle 2006	TOYT		
ID KMHWF35H53A889252	BUHOT RUNQUIST MARY E		ID 1FMDU32P6TZA13705	CATONE FRANK E		ID 4T1BK36B56U101822	COLLINS THOMAS B	ID 4T1BK36B56U101822	COLLINS THOMAS B		
200 ELDRIDGE ST	CRANSTON RI 02910		1540 ELMWOOD AVE	CRANSTON RI 02910		12 SEFTON DRIVE	CRANSTON RI 02905	12 SEFTON DRIVE	CRANSTON RI 02905		
Original Value	2,921	102.75	Original Value	825	13.79	Original Value	1913	Original Value	1913	77.84	
OUT OF STATE REG		35.27	STOLEN/SOLD/JUNK/TOTA		13.79	OUT OF STATE REG		OUT OF STATE REG		77.84	
Adjusted Tax:		67.48	Adjusted Tax:			Adjusted Tax:		Adjusted Tax:			
33041320	0000033140	CCCINC	34001820	0000035898	764879	34014540	0000040060	34014540	0000040060		
Vehicle 2008	LAND	CCCINC	Vehicle 1997	NISS	764879	Vehicle 1997	MERZ	Vehicle 1997	MERZ		
ID SALME15418A294074	CRANSTON AUTO LEASING INC		ID 1N4BU31D4VC141147	DAMBRA MARY		ID HDBHA23E6VA512719	DEPETRILLO NICHOLAS A	ID HDBHA23E6VA512719	DEPETRILLO NICHOLAS A		
106 MOURNING DOVE DR	SAUNDERSTOWN RI 02		8 BLUE GENTIAN RD	CRANSTON RI 02921		73 WHEELER AVE	CRANSTON RI 02905	73 WHEELER AVE	CRANSTON RI 02905		
Original Value	32,276	2,924.15	Original Value	395	9.80	Original Value	930	Original Value	930	28.99	
OUT OF COMMUNITY		1,348.57	DECEASED		9.80	OUT OF STATE REG		OUT OF STATE REG		28.99	
Adjusted Tax:		1,575.58	Adjusted Tax:			Adjusted Tax:		Adjusted Tax:			
36006330	0000051142	NH 178	36015890	0000054458	F 190	37006510	0000057251	37006510	0000057251		
Vehicle 2003	HOND	NH 178	Vehicle 2001	JAGU	F 190	Vehicle 2008	FORD	Vehicle 2008	FORD		
ID 5FMRL189738093922	FERREYRA ROBERTO		ID SAJDA24C01LF38300	FREITAS JOAQUIM		ID 1FAHP24W86G184829	GELCO CORPORATION	ID 1FAHP24W86G184829	GELCO CORPORATION		
280 MONTGOMERY AVE	CRANSTON RI 02905		34 MELTON RD	CRANSTON RI 02920		3 CAPITAL DRIVE	Eden Prairie MN 55	3 CAPITAL DRIVE	Eden Prairie MN 55		
Original Value	4,086	152.19	Original Value	1474	53.82	Original Value	10996	Original Value	10996	19947.41	
OUT OF STATE REG		65.36	DECEASED		53.82	STOLEN/SOLD/JUNK/TO		STOLEN/SOLD/JUNK/TO		129.64	
Adjusted Tax:		86.83	Adjusted Tax:			Adjusted Tax:		Adjusted Tax:		19817.77	

City of Cranston  
2013 Motor Vehicle  
Abatement List

Line	Original Value	Adjusted Value	Original Tax	Adjusted Tax	Vehicle Description	City	Year	Model	Original Value	Adjusted Value	Original Tax	Adjusted Tax								
13	38013970	000069618	785893	785893	Vehicle 2003 ID 1HEH55523A024880 HOPKINS CHRIS G 86 A STREET Cranston RI 02920	MERC			40002670	000073789	HEU	15	41005210	000077185	526303	526303	Vehicle 2006 ID 1J8HR56N7G351025 KHAN MOHIDDIN 941 DYER AVE APT 7 CRANSTON RI 02920	JEEP		
14	40002670	000073789	DECEASED	DECEASED	Vehicle 1996 ID 1J4EZ78T123281 JENKS HARRY E 225 BECKWITH ST Cranston RI 02910	JEEP			43005930	000088703	MI	805	43040190	000099972	056581	056581	Vehicle 2007 ID KNDM8233X76182214 MORALES RONALD K 15 PHEASANT HILL LANE Cranston RI 02921	KIA		
16	42014260	0000083993	MC 643	MC 643	Vehicle 1997 ID 4M2DU52P4VU07947 LIMA CARLOS A 48 GREENWOOD ST CRANSTON RI 02910	MERC			43005930	000088703	MI	805	43040190	000099972	056581	056581	Vehicle 2007 ID KNDM8233X76182214 MORALES RONALD K 15 PHEASANT HILL LANE Cranston RI 02921	KIA		
19	43040490	0000100058	762413	762413	Vehicle 2003 ID 1GBAL52F292142208 MORANG BARRY M 7 PROSPECT ST APT 14 Cranston RI 02910	STRN			43040190	000010982		099722	46007260	0000110982	099722	099722	Vehicle 2000 ID 2T1BR12E9VC324398 PARISI EVELYN 1214 CRANSTON ST Cranston RI 02920	TOYT		
20	43040490	0000100058	762413	762413	Vehicle 2007 ID 3N1AB61E37L641719 MURPHY KEVIN J 172 ORCHARD ST CRANSTON RI 02910	NISS			46007260	0000110982		099722	46007260	0000110982	099722	099722	Vehicle 2000 ID 2T1BR12E9VC324398 PARISI EVELYN 1214 CRANSTON ST Cranston RI 02920	TOYT		
22	46008450	0000111370	585264	585264	Vehicle 2004 ID 4USRT33534LS0338 PASCALE ROBERT M 910 PARK AVE APT 5 Cranston RI 02910	BMW			46019700	0000115610		837037	46027190	0000118019	TP 23	TP 23	Vehicle 2008 ID 3VHRZ71K28M161493 POTENZA THOMAS J 76 LAKELAND RD Cranston RI 02910	VOLKS		
23	46019700	0000115610	837037	837037	Vehicle 1998 ID 4T1BF180MU272306 PHAN HAI L 6 WESTERN HILLS APT 3301 Cranston RI 02921	TOYT			46027190	0000118019		TP 23	46027190	0000118019	TP 23	TP 23	Vehicle 2008 ID 3VHRZ71K28M161493 POTENZA THOMAS J 76 LAKELAND RD Cranston RI 02910	VOLKS		
24	46027190	0000118019	TP 23	TP 23	Vehicle 2008 ID 3VHRZ71K28M161493 POTENZA THOMAS J 76 LAKELAND RD Cranston RI 02910	VOLKS			WRONG PERSON/COMPANY	WRONG PERSON/COMPANY		10.61	WRONG PERSON/COMPANY	WRONG PERSON/COMPANY		10.61	WRONG PERSON/COMPANY	WRONG PERSON/COMPANY		
	Original Value	Adjusted Value	Original Tax	Adjusted Tax	Original Value	Adjusted Value	Original Tax	Adjusted Tax	Original Value	Adjusted Value	Original Tax	Adjusted Tax	Original Value	Adjusted Value	Original Tax	Adjusted Tax	Original Value	Adjusted Value	Original Tax	Adjusted Tax
	3,692	182.50	33.66	148.84	1110	25.89	3.47	22.42	868	25.00	868	25.00	11223	456.99	456.99	456.99	11223	456.99	456.99	456.99

City of Cranston  
2013 Motor Vehicle  
Abatement List

Vehicle ID	Year	Make	Model	Value	Tax	Original Value	Original Tax	Adjusted Value	Adjusted Tax
48014310	2008	HOND	ID 866	684136	148.92	14327	119.90	6901	239.51
48024350	2004	HOND	Vehicle 2004	684136	148.92	14327	119.90	6901	239.51
49026500	2009	CHEV	Vehicle 2009	10500	577.82	6901	1970.07	6901	1970.07
50012050	2010	TOYT	Vehicle 2010	944863	33.24	6901	239.51	6901	239.51
50016040	2005	TOY	Vehicle 2005	669541	300.62	6901	1730.56	6901	1730.56

For Tax Year: 2013

Original Value	198464	Original Tax	742443.63
Adjusted Value	5913.23	Adjusted Tax	736530.40

on 30 Accounts

**Allan W. Fung**  
MAYOR



**Robert F. Strom**  
FINANCE DIRECTOR

**David A. Capuano**  
CITY TREASURER

**DEPARTMENT OF FINANCE**  
TREASURY AND TAX COLLECTION  
CITY HALL  
869 PARK AVENUE  
CRANSTON, RHODE ISLAND 02910

October 3, 2013

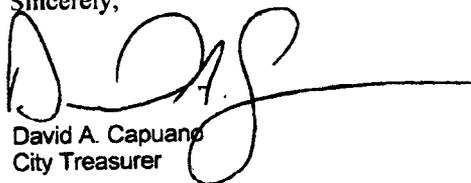
Cranston City Council  
869 Park Ave  
Cranston RI 02910

re: Council interest waivers

Dear Council President Lanni:

Enclosed are the interest Waivers for the months of October. Would you please include them on the docket for the Finance Committee? Please call me if you have any questions or concerns regarding any of them.

Sincerely,



David A. Capuano  
City Treasurer

**Recommend To Approve:**

<u>NAME</u>	<u>ADDRESS</u>	<u>TAX AMT</u>	<u>INTEREST</u>	<u>REASON</u>
Dagnillo, Anna	1405 Scituate Ave	\$954.69	\$76.38	lostcheck
Demely, Charles	51 Greylock Ave	192.46	\$26.94	hardship
Georges, Jacques	371 Laurel Hill Ave	742.91	\$69.53	hardship
Merola, Roger	93 High School Ave	2,573.21	\$25.73	illness
Rodrigues, Lana	90 South Hill Dr	3,132.51	\$313.25	hardship
Savastano, Charles	72 Sagamore Dr	1,088.68	\$87.09	illness
Scott, Miranda	33 South Hill Dr	23.09	\$6.00	hardship

**Recommend to Deny**

Ciambrone, Dolores	145 Harmon Ave	922.83	\$129.10	no proof
Harrington Homes	78 Kenwood Dr	3,901.38	\$546.19	other

Allan W. Fung  
MAYOR



Lawrence J. DiBoni  
DIRECTOR

**DIVISION OF ECONOMIC DEVELOPMENT**  
CITY HALL  
869 PARK AVENUE  
CRANSTON, RHODE ISLAND 02910

**Date:** July 31, 2013

**To:** Members of the City's Finance Committee

**CC:** Mayor Fung, Jerry Cordy, Chris Rawson

**Ordinance:** Five Year Commercial Tax Incentive

Dear Members of the City's Finance Committee,

The following information is in support of CMR Enterprises, LLC (Raffa Yoga) of 19 Sharpe Drive request to take advantage of the Five Year Commercial Tax Incentive program.

The Five Year Commercial Tax Phase-In Program is intended for businesses that are renovating an existing building consisting of a total floor plan of 3000 square feet and a minimum construction cost of \$250,000 and not to exceed \$2,000,000. This tax incentive is only intended for the increase on assessment of new taxes due to the renovations.

CMR Enterprises, LLC (Raffa Yoga) must commit to increasing its employment over the course of 3 years and must submit a copy of their quarterly wage and tax reports to the Division of Economic Development.

CMR Enterprises, LLC also known as Raffa Yoga originated on Reservoir Avenue in 2001. CMR Enterprises purchased the property at 19 Sharpe Drive to expand its business.

Raffa Yoga and Urban Sweat is Rhode Island's only active relaxation center. Centering on a more holistic approach to health care, Raffa strives to put the customer first by focusing on mind, body and spirit. Recently, Raff Yoga received its first best of Rhode Island reward for their Urban Escape. Raffa Yoga is one of the most admired and sought after holistic companies on the east coast.

Raff Yoga plans on growing its staff. Currently, Raffa employs seven full time staff members and 28 independent contractors.

The City of Cranston is committed to attracting and retaining businesses and professional jobs. The Division of Economic Development is in support of the Council granting this Tax Incentive.

## Summary:

Applicant: CMR Enterprises, LLC (Raffa Yoga)

Employees: Seven full time staff members and 28 independent contractors.

Building: 12,625 Square Feet

Current Taxes: \$ 29,000

Estimated Additional Tax by Tax Assessor: \$8,500

Incentive Time Line: The incentive would allow the business to pay taxes on the building in increments for the 1<sup>st</sup> year and 2<sup>nd</sup> year at 10 %, 3<sup>rd</sup> at year at 25%, 4<sup>th</sup> year at 60%, 5<sup>th</sup> year at 75% and the 6<sup>th</sup> year and going forward at 100%.

**Note: The incentive is based on the evaluation established by the City each year of the phase in and not the first year that it is established.**

Allan W. Fung  
MAYOR



Lawrence DiBoni  
DIRECTOR

DEPARTMENT OF ECONOMIC DEVELOPMENT  
CITY HALL  
869 PARK AVENUE  
CRANSTON, RHODE ISLAND 02910

**Application Requesting**

**TAX INCENTIVE FOR COMMERCIAL OR INDUSTRIALLY ZONED PROPERTY**

1. Name & Address of Applicant: CMR Enterprises, LLC  
19 Sharpe Dr. Cranston, RI 02920
2. Location of Property: 19 Sharpe Drive Phone #: 401-463-3335
3. Assessor's Plat and Lot: 013-0081
4. Name and Address of Occupant of the Proposed Construction (if different from the applicant):  
\_\_\_\_\_
5. Estimated Cost of New Construction: \$ \_\_\_\_\_  
(Attach pertinent documentation supporting estimate: contractor agreements, invoices)
6. Describe Proposed New Facility: # of stories 1 # of sq. ft./floors 12,625  
Type of Construction: Masonry Block & Steel  
Proposed Use of Facility: Yoga studio & Active Relaxation Wellness Center offering therapeutic services
7. Estimated Cost of Renovation/Expansion: \$350,606.83  
(Attach pertinent documentation supporting estimate)
8. Are Alterations/construction permitted under present zoning? Yes  No \_\_\_\_\_
9. Current Number of Employees: 8 / 31 Independent Contractors
10. Future Anticipated number of employees: 50
11. Are taxes on the property current? yes

Application must be submitted before the issuance of the Certificate of Occupancy, from the Building Inspector, please forward your completed application to:

Lawrence DiBoni  
Director of Economic Development  
City of Cranston  
869 Park Avenue  
Cranston, RI 02910

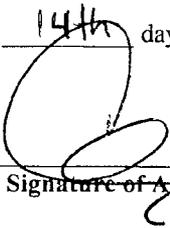
*Applications should be submitted two months prior to the issuance of the Certificate of Occupancy for processing and review of the application by City Council.*

It is the understanding of the applicants) that the incentive, if approved, is applicable only for property constructed in commercially or industrially zoned sites, where the new construction or remodeling of existing facilities; that meet the approval of the building inspector, tax assessor, city planner or their designees, and the City Council; that all current and past taxes due by the applicants) must be paid in accordance with the rules set forth by the city ordinance; that the incentive would pertain to only that portion of the assessment attributable to the new construction or renovation of new facilities; that the incentive may be revoked in the event of fraud or misrepresentation by the applicants).

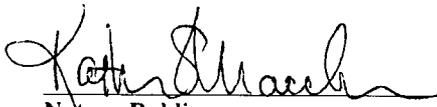
Under penalties of perjury I declare that I have examined this application to the best of my knowledge and belief it is true, correct and complete.

In Witness Whereof, I have hereunto set my hands this

14<sup>th</sup> day of May AD, 2013.

  
Signature of Applicant

Signed before me this 14 day of May AD, 2013 in the State of  
Rhode Island, Providence County, and City of Cranston

  
Notary Public

My Commission Expires 6/2018.

**-SEPTEMBER 23, 2013-**

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

**8-13-02 ORDINANCE IN AMENDMENT OF TITLE 5.64 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'THEATRICAL PERFORMANCES, SHOWS AND EXHIBITIONS' (Public Entertainment).**  
[\[click to view\]](#)

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

Under Discussion:

**Councilman Aceto** stated that this City Council has been and will be sensitive to the smaller businesses.

**Councilman Botts** asked what would happen if this Ordinance is not passed. Solicitor Kirshenbaum stated that the City would not have objective standards by which to regulate Entertainment in the City. Councilman Botts asked if the City would be in violation of any State Law by not passing this Ordinance. Solicitor Kirshenbaum stated that the City would give away some of its power because it would have the inability to regulate or prohibit Entertainment in any establishment that has a Class B Liquor License regardless of its size.

**Councilman Aceto** stated that the Council did not want to do this, it was directed by DBR to do it. He also indicated that discussions on this issue were held in public numerous times.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

**CLAIMS COMMITTEE**  
**(Councilwoman Sarah Kales Lee, Chair)**

**REPORT OF SETTLED CLAIMS (*Informational purposes only*):**

None

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

None.

8-13-02

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 5.64 OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED "THEATRICAL PERFORMANCES, SHOWS AND EXHIBITIONS"  
(Public Entertainment)

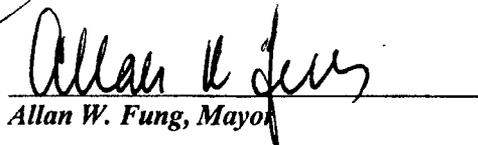
No. 2013-34

\*As amended in Committee 9/9/2013

Passed: September 23, 2013

  
John E. Lanni, Jr., Council President

Approved: September 24, 2013

  
Allan W. Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

**Section 1.** Title 5, Chapter 64, entitled "Theatrical Performances, Shows and Exhibitions" is hereby amended as follows:

**5-64-060 - Live Entertainment Permits and Regulations.**

**5-64-061 Definitions.** The following definitions shall be for purposes of this Chapter only, unless specifically adopted by another section of the Cranston Municipal Code for use therein. (a) Ambient music. Prerecorded music which is audible from a distance of no more than ~~\*ten (10)~~ \*twenty (20) feet from any portion of the exterior of the premises;

(b) Chief of Police. Shall include employee(s) of the Police Department designated by the Chief of Police to act on his or her behalf;

(c) Establishment(s). Any area **\*including those establishments with the capacity of under 100** within the limits of the City of Cranston to which the public may be invited and where alcoholic beverages are served and entertainment is provided;

(d) Entertainment. An event or series of events, or activities or business, occurring alone or as part of another business, to which the public is invited to watch, listen, or participate, (including dancing) or is conducted for the purposes of holding the attention of, gaining the attention of or diverting or amusing guests or patrons, including, but not limited to: live music, recorded music played by a disc jockey (DJ) or other performance which is knowingly permitted by the establishment and attended by members of the public and whether said activities are compensated by the establishment.

(e) Dance or Dancing. Movement of the human body accompanied by music or rhythm.

(f) Land Use Approval. Includes conditional use permit(s), or any other land use discretionary permit.

8-13-02

43 **5-64-062 Entertainment permit required.**

44 No person shall provide or allow any type of entertainment at an establishment without  
45 an Entertainment Permit issued by the City Clerk as hereinafter provided.

46 **5-64-063 Entertainment permit—Application and Renewal.**

47 Applicants for Entertainment Permit(s) must be at least the age of 21 and shall first  
48 complete a written, signed and acknowledged under penalty of perjury application providing the  
49 following applicable or additional information as determined by the Chief of Police:

50 (a) A state driver license or identification card number of the applicant in the event any  
51 other names, including aliases are used by the applicant, additional information regarding  
52 identity may be required. The applicant shall also provide his or her permanent address;

53 (b) The address as well as days and specific hours of operation and entertainment and  
54 where the entertainment is proposed;

55 (c) The full name(s) including aliases of the person or persons having the management or  
56 supervision of applicant's business;

57 (d) A statement describing the applicant's business and the proposed entertainment;

58 (e) Criminal records (including misdemeanors) of management or supervisory personnel  
59 of applicant's business;

60 (f) Information identifying person(s) managing or supervising applicant's business  
61 including name, address, and date of birth.

62 (g) A floor plan and site plan showing the building interior and grounds, including  
63 specific area(s) where entertainment will take place, parking spaces, queuing area if applicable  
64 and the dimension of each portion;

65 (h) A copy of any other licenses, permits, or entitlements (including conditions of  
66 approval) issued to the applicant;

67 (i) A copy of any building or property lease or contract for the address for which the  
68 entertainment will take place;

69 (j) The name and address of the owner and lessor of the real property upon which the  
70 business is to be conducted;

71 (k) The address to which the Entertainment Permit and any legal notice is to be mailed;

72 (l) A statement under oath that the applicant has read and understands the provisions of  
73 this chapter;

74 **5-64-064 Zoning and Land Use Laws.**

75 Prior to applying for Zoning or Land Use Approval (if so required) the applicant will first  
76 apply to the City Clerk for an Entertainment Permit. The City Clerk will receive the application.

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77 forward same to the Fire Department, Police Department and to the Building Official, and make  
78 tentative written findings for approval or denial and conditions of permit approval as set forth  
79 herein within 30 calendar days of receipt of a complete application. Upon receipt of tentative  
80 findings and conditions of permit approval from the City Clerk, the applicant may apply for  
81 Zoning or Land Use Approval and may present the tentative findings and conditions of permit  
82 approval to the applicable Zoning or Land Use Approval body as evidence of tentative approval  
83 by the Police Department. If the Zoning or Land Use Approval is granted, the entertainment  
84 permit may be ~~\*automatically approved and subsequently issued by the Safety Services~~  
85 Committee for one year unless at any time prior to final approval of an entertainment permit,  
86 additional facts are discovered; the permit will not be automatically approved and the Safety  
87 Services Committee may impose additional conditions or deny the permit as provided herein.

88 If the land use approval is denied the tentative findings and conditions of permit approval shall  
89 become void and without any legal effect. This additional process will not be applicable to  
90 permit renewals.

91 **5-64-065 Permit Application and Renewal fee.**

92 A separate fee shall be paid at the time of filing of each application for a permit. The fee  
93 shall be set by resolution of the City Council.

94 **5-64-066 Permit Approval and Renewal.** In order to approve an entertainment permit  
95 the Safety Services Committee shall schedule a public hearing and shall approve or deny and/or  
96 condition an entertainment permit upon making the following findings on the record:

97 (a) The granting of previous entertainment and other related permits to the applicant has  
98 not, in the past, resulted in the operation of an establishment which have (1) created public or  
99 private nuisances, (2) violated any noise regulations or (3) created other disturbances to the  
100 surrounding community such that calls for services to the Police Department have been  
101 excessive to such an extent as to cause injury or property damage;

102 (b) The business or applicant has not received two or more findings of a violation by the  
103 Safety Services Committee after a hearing that has been upheld on appeal, or been convicted of,  
104 or has entered a plea of guilty to two or more violations of the provisions of this Chapter, or of  
105 any other law or ordinance relating to such business;

106 (c) The entertainment will not attract crowds exceeding applicable capacity limits for  
107 that location or would not compromise the public safety and/or peace and welfare of the  
108 surrounding area or the business;

109 (d) The entertainment will be compatible with the surrounding community considering  
110 proximity to other businesses, residences etc.;

111 (e) The granting of an entertainment permit will not violate the Cranston Municipal Code  
112 or other applicable state, or federal laws or regulations;

113 (f) No outstanding debt, including any fees taxes or charges exist with the City of  
114 Cranston;

115 (g) All Land Use Approval(s) have been obtained;

116 (h) Proper notice has been given to all residences and businesses within 400 feet.

117 **5-64-067 Entertainment restrictions.**

118 The Safety Services Committee may impose the following restrictions on the  
119 Entertainment Permit to mitigate health, welfare and safety concerns.

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120 (a) That entertainment is not audible beyond 50 feet from the exterior walls of the  
121 business in any direction. That doors and windows be closed during performances to alleviate  
122 noise issues;

123 (b) That the premises has sufficient sound-absorbing insulation such that noise generated  
124 within the premises shall not be audible from the exterior;

125 (c) For new permits or locations where structural modifications have been made, the  
126 applicant shall submit a sound survey prepared by a licensed engineer showing that the proposed  
127 entertainment will not create undue noise or violate the decibel limits for the zoning district. This  
128 survey shall state the maximum allowable interior decibel limits;

129 (d) That activities taking place at the establishment are only those specified in the  
130 entertainment permit and/or in the license issued by the City of Cranston Code and City of  
131 Cranston Charter, or any other restriction issued by any regulatory power with authority over the  
132 business or premise;

133 (e) That all areas of the establishment that are accessible to patrons shall be illuminated to  
134 make easily discernible the appearance and conduct of all persons in the business;

135 (f) That the entertainment permit is conspicuously posted in establishment;

136 (g) That conditions imposed herein apply at all hours, regardless if entertainment is  
137 present;

138 (h) Limit hours when entertainment is permitted including days of the week and hours of  
139 the day;

140 (i) That the types of entertainment be restricted. For example amplified vs. non amplified,  
141 live bands vs. DJ, number of performers and where entertainment can be performed such as  
142 inside, stage location, dance floor location and size and where dancing may take place, if at all;

143 (j) That additional security be provided including:  1. Uniformed or non-uniformed  
144 security officers certified by State of Rhode Island; 2. Number of security officers; 3. Security  
145 Cameras/system requirements; 4. Areas security must patrol.

146 The above conditions are intended to protect the health, safety and welfare of citizens of  
147 Cranston. The Safety Services Committee may impose additional conditions if unique  
148 circumstances at a particular establishment demonstrate health, safety and welfare issues that  
149 must be mitigated (unique conditions). If unique conditions are imposed, the Safety Services  
150 Committee will provide written statement with facts demonstrating the need for the unique  
151 conditions.

152 **5-64-068 Permit-Period valid.** The permit shall be granted for the specific occasion  
153 requested, or if the request is for continuous permit, the permit shall be issued for not longer than  
154 one year.

155 **5-64-069 Permit-Notice to Applicant of Action Taken.** If no Land Use Approval is  
156 required, within thirty (30) calendar days after the filing of the application, unless the applicant  
157 signs a written waiver of notice, the Police Department shall mail or personally deliver written  
158 notice to the applicant stating the action that was taken on the application, together with a list of

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159 any conditions imposed if the application is granted or, if the application is denied, the specific  
160 grounds for the denial. The notice shall also advise the applicant of his/her right to appeal the  
161 denial of his application or any of the conditions imposed.

162 **5-64-070 Exceptions: The following activities shall not require an Entertainment Permit:**

163 (a) Establishments which provide juke boxes, televisions, video games, video programs,  
164 or recorded music and no other entertainment, as herein defined, are not required to comply with  
165 the provisions of this chapter, unless the recorded music is played on equipment which is  
166 operated by an agent or contractor of the establishment for a period exceeding ten (10) minutes  
167 per hour. The intent of this section is to require a permit of establishments which provide that  
168 which is commonly known as a "DJ" and to exempt establishments which provide incidental or  
169 ambient music.

170 (b) For entertainment conducted by or sponsored by any bona fide club, society or  
171 association, organized or incorporated for benevolent, charitable, dramatic or literary purposes  
172 having an established membership and which holds meetings other than such entertainment at  
173 regular intervals, when proceeds, if any, arising from such entertainment are used for the  
174 purposes of such club, society or association.

175 (c) Any form of entertainment that State of Federal Law preempts the City from  
176 regulating.

177 **5-64-071 Revocation and/or Suspension of Permit.**

178 The Safety Services Committee may revoke or suspend an entertainment permit upon  
179 receiving satisfactory evidence that:

180 (a) City Council administrative or criminal citation(s) which have been upheld and which  
181 the Safety Services Committee, Cranston Municipal Court or other judicial body determines  
182 evidence that continued operation of the entertainment will constitute public health, safety and  
183 welfare problems.

184 (b) The entertainment (including employee or patron behavior) is detrimental to the  
185 public welfare.

186 (c) The application contains incorrect, false, or misleading information.

187 (d) The permit holder has had an entertainment permit or other similar permit or license  
188 denied or revoked for cause by the City of Cranston.

189 (e) The permit holder caused or permitted to be caused a violation of any provision of this  
190 Chapter, conditions of Entertainment Permit or Land Use Approval.

191 Upon determining that grounds for permit revocation or discipline or suspension exist, the Safety  
192 Services Committee shall furnish written notice of a violation hearing to the permit holder. Such  
193 notice shall summarize the principal reasons for the hearing. If the notice is mailed, it shall be  
194 deposited in the United States Mail, first class postage prepaid, to the address shown on the  
195 application. Service shall be deemed complete upon personal service or mailed in the United  
196 States Mail. The notice shall direct the applicant of his right to a hearing before the Safety  
197 Services Committee and then an of the action taken to the full City Council.

198 Notwithstanding anything to the contrary, the Chief of Police shall exercise emergency powers  
199 to protect the health, safety and welfare of the Citizens, including the power to close any  
200 establishment the endangers the health, safety and welfare of the Citizens.

201 **5-64-072 Revocation of permit - Reapplication.** Whenever a permit or license is  
202 revoked under the terms of this chapter, no other application for a permit under this chapter shall  
203 be considered for a period of one year from date of such revocation.

204 **5-64-073 Permit Violations.** All owners, employees, representatives, and agents shall  
205 obey all state, local, and municipal laws, conditions of the Conditional Use Permit,  
206 Entertainment Permit, Alcoholic Beverage Control License, or any other regulations, provisions,  
207 or restrictions prescribed at all times. Any violations of any law or conditions will be considered  
208 violations of the permit to constitute permit suspension or revocation in addition to civil or  
209 criminal enforcement.

210 **5-64-074 Separate Violations.** Any permit Violation described in section 5.44.110 shall  
211 constitute a separate violation of and each violation may be charged as a separate count in the  
212 event of administrative or criminal enforcement action.

213 **5-64-075 Appeal Process.** Only applicants and/or permit holders have standing to  
214 administratively appeal a decision of the Safety Services Committee. Appellee shall file an  
215 appeal with the Safety Services Committee within 10 days of receipt of decision. In the event an  
216 appeal is not filed, Appellee shall be precluded from further administrative appeal or judicial  
217 action.

218 (a) Appellee shall submit a form to the Clerk detailing the facts/support and/or legal  
219 argument as to why his/her decision is being appealed. The Chairman of the Safety Services  
220 Committee/City Clerk shall forward the appeal form to the Council President or his or her  
221 designee who shall be the adjudicative officer deciding the appeal.

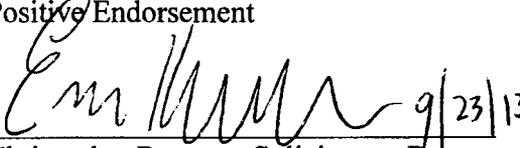
222 (b) A hearing will be set by the full City Council of the City of Cranston within 30 days  
223 after receipt of the appeal from the Safety Services Committee.

224 (c) The Safety Services Committee shall consider relevant evidence which may be  
225 written or oral in relation to the Safety Services Committee's decision to deny or impose  
226 conditions regarding the permit as set forth above. The Appellee bears the burden of proving  
227 (civil standard) that the Safety Services Committee's decision was arbitrary or capricious. The  
228 formal rules of evidence will not apply and cross examination will not be permitted. The City  
229 Council's attorney or City Solicitor shall provide a written decision within 14 days after the  
230 hearing and that determination will be considered a final decision for purposes of all appellee's  
231 rights.

232 **Section 2.** This Ordinance shall take effect on its final adoption.  
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235 Positive Endorsement

Negative Endorsement (attach reasons)

236  
237  9/23/13  
238  
239 Christopher Rawson, Solicitor Date

\_\_\_\_\_  
Christopher Rawson, Solicitor Date

8-13-02

240  
241 Sponsored by Safety Services Committee  
242  
243 Referred to Safety Services & Licenses September 9, 2013  
244  
245

**-SEPTEMBER 23, 2013-**

## **VI. ELECTION OF CITY OFFICIALS**

### **JUVENILE HEARING BOARD:**

***KRISTIN HAROIAN*, Alternate Term ending Dec 1, 2013**

**Replacing Joseph Rhodes. Councilman Botts**

On motion by Councilman Botts, seconded by Council Vice-President Farina, it was voted to approve the above appointment. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

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

None.

## **VIII. EXECUTIVE COMMUNICATIONS**

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

No discussion.

### **CRANSTON POLICE DEPARTMENT:**

***MAJOR JOHN SCHAFFRAN*, Request to be placed on Pension Roll**

On motion by councilman Aceto, seconded by Council Vice-President Farina, it was voted to approve the above request.

#### **Under Discussion:**

**Colonel Palombo** commended Major Schaffran for his service to the Police Department.

Roll call was taken on motion to approve the above request and motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Archetto, Aceto, Santamaria, Favicchio, Council Vice-President Farina and Council President Lanni -9.

## -SEPTEMBER 23, 2013-

### IX. COUNCIL PRESIDENT COMMUNICATIONS

**Council President Lanni** addressed the recent flooding on Oaklawn Ave. and stated that there should be some solution to a problem to help the people in these types of situations. Even though this occurred on State road, the people are Cranston residents. He asked the Administration to look into a procedure in addressing these situations in the future. Mr. Lopez stated that the day after the flood occurred, the Mayor convened various social services agencies for the residents.

### X. COUNCIL MEMBER COMMUNICATIONS

***Council Vice President Farina:***

- **Administration report on vandalism issue for former location of Meatball Mike's**

**Council Vice-President Farina** thanked the Administration for taking care of the problems at this location.

- **“A” St.**

**Council Vice-President Farina** stated that he received a constituent call of a “No Through Trucking” sign that is blocked by tree limbs and trucks have been going up and down “A” St. Mr. Lopez stated that he will send the tree crew out to trim the tree back.

***Councilwoman Kales Lee:***

- **Discussion of possible “dog park” in the City**

**Councilwoman Lee** asked for opinions for a location for a dog park in the City.

- **Administrative report on allocation of use of Brayton Field** following CLCF’s Right of First Refusal Resolution No. 2013-6 [[click to view](#)]

**Councilwoman Lee** stated that it was brought to her attention that this was a problem for CLCF. The field was requested by CLCF and was denied and then it was used by someone else.

**-SEPTEMBER 23, 2013-**

**Anthony Liberatore**, Director of Parks and Recreation, appeared to speak and stated that he does not believe there was an official request made by anyone. What Mr. Ruggieri had stated was that he or friends of his may have wanted to go use the field and were told that they couldn't. Mr. Liberatore indicated that every league in the City, of which there are five, has their own complex. This is how you maintain control or keep chaos out of the equation. When Cranston National Baseball broke away from CLCF and joined Cranston National, they went from four fields at Brayton Ave. to one at CNB with approximately 160 girls. Now they request that the T-Ball field be converted into a softball field at Cranston National. Now they have two fields. We have given them Western Hills and Cooney Softball, which brings their fields up to four. They had four fields at Brayton before they broke away, now they have four at CNB. What more could they possibly want.

**Councilman Santamaria** questioned what the problem is.

**Councilman Botts** asked Mr. Liberatore for any opinions of a dog park in the City. Mr. Liberatore stated that if a dog park is approved for one Ward, all the other Wards would want one and it will probably turn into six dog parks with six times more to maintain.

**Christopher Gentili**, 51 Eden Crest Dr. of Cranston National, appeared to speak and stated that they are not looking to take over CLCF fields. The biggest problem is satisfying the need for fields. If it requires better communication, that is something that they are willing to do. Council Vice-President Farina asked if there was a request made for usage of a field. Mr. Gentile stated that he believes it was done informally because they did not know how to go about it. They thought that the process was to go through the President of CLCF, Mr. English, which they did and were denied. Councilman Santamaria asked Mr. Gentile if he agrees that the league has four fields to use. Mr. Gentile stated that the issue is not the number of fields, but the safety of those fields. They also need more than four fields. They need at least one more with unrestricted use.

**Paul Bessette**, 100 Stone Dr., member of Cranston National, appeared to speak and stated that they are looking to provide the girls of the City of Cranston ample places to play softball in the City of Cranston. They are asking for fields that they can practice on and play games on. They are satisfied with the four fields they have, but they are asking if the fields are not being used by CLCF at certain times, they would like to request to use them.

**Mr. Liberatore** stated that how this came before the Council this evening is because someone got in the ear of Councilwoman Lee and thought it was an issue. An email was sent to all parents by Mr. Ruggieri to be present this evening to support going against the Right of First Refusal. Two weeks ago, two board members of Cranston National, himself and his General Foreman met and came to an agreement on how this was going to be handled as to the fields. He indicated to the board members at that meeting, the possibility of using a field now and then at Brayton Ave. because CLCF blatantly violated the Right of First Refusal. He has all the evidence of how they abused it and how much money should have been coming to the Parks and Recreation Department and never a dime came because we were never told about the tournaments that were from Appanauug and Pawtucket. He asked that the leagues let him do his job and they coach softball little league.

**Council Vice-President Farina** asked if the City should be considering revoking the Right of First Refusal to CLCF. Mr. Liberatore stated, not at this time because he is not going through the City of Cranston. He is going through the State Police because there are too many conflicts of interest. He would like this issue tabled until the City Council hears back from him.

***Councilman Santamaria:***

- **Wal-Mart**, Plainfield Pike, request for local contact

**Mr. Lopez** stated that he reached out to the owners of the plaza and he responded to him. He read the response into the record. Mr. Lopez indicated that he believes the owner is trying to work on this issue and comply with the City's requests.

- **Foreclosed properties**

**Councilman Santamaria** asked that the following unkempt properties be addressed:

Valente Dr.  
25 Vigilant St.  
The former Garzilli's Bakery

***Councilman Stycos:***

- **Status of the Park Avenue State of RI railroad bridge** for vehicles and pedestrians

**Mr. Lopez** stated that this bridge is State responsibility for maintenance and upkeep. Since the last meeting, he has had the Public Works Director reach out to RI DOT. Mr. Lopez read RI DOT's response to this issue. He highlighted that the bridge road surface will be repaved within the next three weeks; repairs and re-opening of the sidewalk is a much bigger issue that is still to be designed between RI DOT and the railroad. This is scheduled for bid in December, 2013 with possible construction sometime in the Spring of 2014.

***Councilman Archetto:***

- **Next Public Works Committee**

**Councilman Archetto** requested that for the next Public Works Committee meeting, he would like the following added to the agenda: Discussion of the policy for enforcement of uncovered trash cans".

***Councilman Favicchio:***

- **Next Flood Committee**

**Councilman Favicchio** stated that he received a call from a constituent regarding flooding on Dellwood Rd. and Garden City. He asked that for the next Flood Committee meeting, the following be added to the agenda: "flooding on Dellwood Rd. and Garden City".

**XI. OLD BUSINESS**

None.

**XII. INTRODUCTION OF NEW BUSINESS\***

**\*(for informational purposes. All new business is referred to  
Committee for public hearing)**

- 9-13-01 ORDINANCE IN AMENDMENT OF CHAPTER 3.92 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "REVENUE AND FINANCE" (Tax Incentive Reform Commercial Five Year) [[click to view](#)]**
- 9-13-02 ORDINANCE IN AMENDMENT OF TITLE 3.96 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "REVENUE AND FINANCE" (Tax Incentive Reform Commercial Ten Year) [[click to view](#)]**
- 9-13-03 ORDINANCE IN AMENDMENT OF TITLE 3.96 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "REVENUE AND FINANCE" (Tax Incentive Reform Industrial Five Year) [[click to view](#)]**
- 9-13-04 ORDINANCE IN AMENDMENT OF TITLE 3.88 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "REVENUE AND FINANCE" (Tax Incentive Reform Industrial Ten Year) [[click to view](#)]**
- 9-13-05 ORDINANCE IN AMENDMENT OF TITLE 5.68 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "BUSINESS LICENSES (Tobacco and Electronic Smoking Devices) [[click to view](#)]**
- 9-13-06 ORDINANCE IN AMENDMENT OF TITLE 17, CHAPTER 64 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "ZONING" (Residential Off Street Parking ) [[click to view](#)]**
- 9-13-07 IN AMENDMENT OF TITLE 10, CHAPTER 32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "MOTOR VEHICLES AND TRAFFIC" (Bridge Street, South Side Loading Zone Designated) [[click to view](#)]**
- 9-13-08 ORDINANCE IN AMENDMENT OF TITLE 10, CHAPTER 32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "MOTOR VEHICLES AND TRAFFIC" (Bridge Street, South Side No Parking ) [[click to view](#)]**

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL  
IN AMENDMENT OF CHAPTER 3.92 OF THE CODE OF THE CITY OF  
CRANSTON, 2005, ENTITLED "REVENUE AND FINANCE"  
(Tax Incentive Reform Commercial Five Year)**

No.

*Passed:*

John E. Lanni, Jr. Council President

*Approved:*

Allan W. Fung, Mayor

*It is ordained by the City Council of the City of Cranston as follows:*

**Section 1. Title 3, Chapter 92, entitled " FIVE-YEAR ECONOMIC  
DEVELOPMENT TAX INCENTIVE PROGRAM FOR COMMERCIAL ZONED  
PROPERTY" is hereby amended to read as follows:**

3.92.020 - Program description.

The city council establishes a tax incentive program for construction of new commercial facilities or the expansion of current commercial facilities in C-1, C-2, C-3, C-4 and C-5 zoned parcels in the city of Cranston. This tax incentive program shall be for a period not exceeding five years and shall be subject to the following terms and conditions.

A. Eligible projects shall include:

1. Total new construction of a commercial facility consisting of a total floor plan of a minimum of three thousand (3,000) square feet and a minimum of three employees and a minimum construction cost of two hundred fifty thousand dollars (\$250,000.00) and not to exceed two million dollars (\$2,000,000.00).
2. Renovation of an existing building consisting of a total floor plan of three thousand (3,000) square feet and a minimum construction cost of two hundred fifty thousand dollars (\$250,000.00) and not to exceed two million dollars (\$2,000,000.00).

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- 3. Nothing in this chapter shall be deemed to permit the exemption or stabilization herein provided for any commercial concern relocating from one city or town within the state of Rhode Island to another and must comply with R. I. Gen. Laws Section 44-3-9; and
  - 4. Nothing in this chapter shall be deemed transferable to another.
- B. For purposes of this section, commercial facility or property used for commercial purposes means any building or structures used essentially for offices or commercial enterprises, including but not limited to professional office space, e.g. brokerage and investment services, medical, legal and insurance uses, and operation centers, ~~bank branches~~, restaurants but shall exclude any and all facilities or property used for retail sales.
  - C. New or expanding commercial facilities must apply for designation under this tax incentive program for the new or expanded construction. Further, the new or expanding business must have obtained approval for eligibility for participation in this program prior to the receipt of a certificate of occupancy from the building inspector. Application forms are available at the office of economic development.
  - D. Eligibility for participation in this tax incentive program shall require the collective approval of the building inspector, economic development director, tax assessor, city planner or their designees, and the city council.
  - E. At the time of the application each business must commit to the creation of jobs:
    - 1. Existing businesses expanding their facility must commit to increasing its employment over the course of three years.
    - 2. New businesses moving their businesses to Cranston who construct a new facility must commit to creating a minimum of three jobs within the first year of operation, and must ~~maintain~~ increase employment by three to five jobs each year during the entire five-year period to be eligible to continue to receive tax benefits.
    - 3. If the new business does not ~~maintain~~ create the three to five new jobs each year during the entire five-year period then the business shall no longer be entitled to receive the tax incentive benefit and shall be taxed at the regular rates and shall immediately be removed from the tax incentive program.

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4. Businesses must submit a copy of their quarterly wage and tax reports to the economic development department in the city of Cranston.
  - F. All participating businesses either new or expanding are required to comply with all federal, state and municipal rules and regulations regarding job safety and hiring practices.
  - G. All new or expanding business including any and all subsidiaries, affiliates, subdivisions, parents or other entities of said businesses with ten (10) percent or more common ownership, unless otherwise approved by the city council, must provide proof that all municipal taxes, fees and other assessments are paid and current and have been current for the last three years in order for said business to be eligible under this tax incentive program.
  - H. Notwithstanding any vote and findings by the city council, the property shall be assessed for and shall pay that portion of the tax if any assessed by the city in which the real property is located, for the purpose of paying the indebtedness of the state or any political subdivision thereof to the extent assessed upon or apportioned to the city, and the interest thereon, and for appropriation to any sinking fund of the city, which portion of the tax shall be paid in full, and the taxes so assessed and collected shall be kept in a separate account and used only for that purpose.
  - I. The city planner, the tax assessor, the building inspector and the director of economic development shall promulgate with city council approval such rules and regulations and provide suitable documents necessary to effect the purpose of this article.
  - J. The mayor shall submit to the finance committee in the month of March an annual report prepared by the city planner, the tax assessor and the director of economic development which will identify all businesses participating in this tax incentive program and shall verify the applicant's compliance with all provisions of this chapter. Said report shall include the amount of incentive granted to each business previously approved, the number of jobs and/or the amount of expansion created by said new businesses, and the remaining term for said incentive program for each business. Said annual report shall also include the assessed value, the taxes generated and the taxes defeased as a result of the participation in the tax incentive program for each participating business.
  - K. That for the entire duration of the five-year tax incentive the aforementioned facility must be solely owned and operated by the recipient of said tax incentive. That if for any reason the recipient of said tax incentive vacates the aforementioned premises, abandons, or sells the

- 133 facility to another entity, corporation, partnership or person, or does not  
134 maintain three new jobs prior to the expiration of the five-year tax incentive  
135 the city of Cranston shall have the right to perfect a lien equal to the  
136 incentive amount given to date, placed upon said property pursuant to  
137 subsections M and N below. The city of Cranston shall also have the right  
138 to assess a penalty requiring the business to pay an amount equal to the total  
139 amount of the tax incentive given to the business to date.  
140
- 141 L. That for the entire period of said tax incentive program (five years) the  
142 recipient of said tax incentive shall grant to the city of Cranston a lien  
143 encumbering said property including all improvements placed thereon, in  
144 the amount of the value of the tax incentive. Said lien shall be filed with the  
145 land evidence records of the city of Cranston.  
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- 147 M. The terms of said lien shall include the right of the city of Cranston to  
148 perfect a lien without further notice to recipient of said tax incentive upon  
149 the following conditions:  
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- 151 1. The sale of aforementioned site to any corporation, individual,  
152 partnership and the like including any other owner other than the  
153 recipient of said tax incentive.  
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  - 155 2. The non-payment or late payment of any tax, use charge, or  
156 assessment levied by the city of Cranston associated with the use  
157 and occupation of any site owned by said applicant in the city of  
158 Cranston.  
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  - 160 3. The abandonment by recipient of said tax incentive of said  
161 property.  
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- 163 N. That in the event the city of Cranston perfects a tax lien due to a default of  
164 any provision contained in subsection (M) above, the city of Cranston shall  
165 be entitled to the entire amount of the lien regardless of when said default  
166 should occur. The city of Cranston may consider subordination of its lien  
167 upon a reasonable request made by either the owner of the property or their  
168 lender. Nothing contained in this chapter shall hamper, impede or prevent  
169 the financing of the property owner or the reasonable requests of the  
170 financial institutions with whom the property owner conducts business.  
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- 172 O. Failure to timely pay the taxes under this incentive program when due (in  
173 addition to the foreclosure remedies provided herein) will result in  
174 forfeiture of all future benefits under this program and all future taxes due  
175 to be assessed without the benefit of the incentives.  
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177 P. Upon the expiration of the five-year tax incentive program and the  
178 compliance with all terms by the recipient of said tax incentive, the city of  
179 Cranston shall provide a release of the lien described herein.

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181 **Section 2.** This Ordinance shall take effect upon its final adoption.

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183 Positive Endorsement Negative Endorsement (attach reasons)

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187 \_\_\_\_\_ Date Date  
188 Christopher Rawson, City Solicitor Christopher Rawson, City Solicitor

189 Sponsored by: Council Vice President Farina Councilman Santamaria, Councilman Stycos

190 Referred to Finance Committee October 17, 2013  
191

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 3.96 OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED "REVENUE AND FINANCE"  
(Tax Incentive Reform Commercial Ten Year)

No.

*Passed:*

John E. Lanni, Jr. Council President

*Approved:*

Allan W. Fung, Mayor

*It is ordained by the City Council of the City of Cranston as follows:*

**Section 1. Title 3, Chapter 96, entitled " TEN -YEAR ECONOMIC DEVELOPMENT TAX INCENTIVE PROGRAM FOR COMMERCIAL ZONED PROPERTY"** is hereby amended to read as follows:

3.96.020 - Program description.

The city council establishes a tax incentive program for construction of new commercial facilities or the expansion of current commercial facilities in C-1, C-2, C-3, C-4 and C-5 zoned parcels in the city of Cranston. This tax incentive program shall be for a period not exceeding ten (10) years and shall be subject to the following terms and conditions.

A. Eligible projects shall include:

1. Total new construction of a commercial facility consisting of a total floor plan of a minimum of three thousand (3,000) square feet and a minimum of ten (10) employees and a minimum construction cost greater than two million dollars (\$2,000,000.00).
2. Renovation of an existing building consisting of a total floor plan of three thousand (3,000) square feet and a minimum construction cost of greater than two million dollars (\$2,000,000.00).
3. The purchase of an existing facility with a minimum purchase price of two million five hundred thousand dollars (\$2,500,000.00)

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4. Nothing in this chapter shall be deemed to permit the exemption or stabilization herein provided for any commercial concern relocating from one city or town within the state of Rhode Island to another and must comply with R.I. Gen. Laws Section 44-3-9; and

5. Nothing in the chapter shall be deemed transferable to another.

B. For purposes of this section, commercial facility or property used for commercial purposes means any building or structures used essentially for offices or commercial enterprises, including but not limited to professional office space, e.g. brokerage and investment services, medical, legal and insurance uses, and operation centers, ~~bank branches~~, restaurants but shall exclude any and all facilities or property used for retail sales.

C. New or expanding commercial facilities must apply for designation under this tax incentive program for the new or expanded construction. Further, the new or expanding business must have obtained approval for eligibility for participation in this program prior to the receipt of a certificate of occupancy from the building inspector. Application forms are available in the office of economic development.

D. Eligibility for participation in this tax incentive program shall require the collective approval of the economic development director, building inspector, tax assessor, city planner or their designees, and the city council.

E. At the time of the application each business must commit to the creation of jobs:

1. Existing businesses expanding their facility must commit to increasing its employment over the course of five years.

2. New businesses moving their businesses to Cranston who either construct a new facility or purchase an existing facility must create a minimum of ten (10) jobs, ~~and must maintain a minimum of ten (10) jobs~~ must increase employment by a minimum of three—five jobs each year during the entire duration of the ten (10) year period to be eligible to continue to receive the tax benefit.

3. If the new business does not ~~create maintain~~ the original ten (10) jobs increase employment by a minimum of three—five jobs each year during the entire ten (10) year period then the business shall no longer be entitled to receive the tax incentive benefit and shall be taxed at the regular rate and shall immediately be removed from the tax incentive program.

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4. Businesses must submit a copy of their quarterly wage and tax reports to the economic development department in the city of Cranston.

F. All participating businesses either new or expanding are required to comply with all federal, state and municipal rules and regulations regarding job safety and hiring practices.

G. All new or expanding business including any and all subsidiaries, affiliates, subdivisions, parents or other entities of said businesses with ten (10) percent or more common ownership, unless otherwise approved by the city council, must provide proof that all municipal taxes, fees and other assessments are paid and current and have been current for the last three years in order for said business to be eligible under this tax incentive program.

H. Notwithstanding any vote and findings by the city council, the property shall be assessed for and shall pay that portion of the tax if any assessed by the city in which the real property is located, for the purpose of paying the indebtedness of the state or any political subdivision thereof to the extent assessed upon or apportioned to the city, and the interest thereon, and for appropriation to any sinking fund of the city, which portion of the tax shall be paid in full, and the taxes so assessed and collected shall be kept in a separate account and used only for that purpose.

I. The city planner, the tax assessor, the building inspector and the director of economic development shall promulgate with city council approval such rules and regulations and provide suitable documents necessary to effect the purpose of this article.

J. The mayor shall submit to the finance committee in the month of March an annual report prepared by the city planner, the tax assessor and the director of economic development which will identify all businesses participating in this tax incentive program and shall verify the applicant's compliance with all provisions of this chapter. Said report shall include the amount of incentive granted to each business previously approved, the number of jobs and/or the amount of expansion created by said new businesses, and the remaining term for said incentive program for each business. Said annual report shall also include the assessed value, the taxes generated and the taxes defeased as a result of the participation in the tax incentive program for each participating business.

K. That for the entire duration of the ten (10) year tax incentive the aforementioned facility must be solely owned and operated by the recipient of said tax incentive. That if for any reason the recipient of said tax

135 incentive vacates the aforementioned premises, abandons, or sells the  
 136 facility to another entity, corporation, partnership or person, prior to the  
 137 expiration of the ten (10) year tax incentive the city of Cranston shall have  
 138 the right to perfect a lien (equal to the incentive amount given to date)  
 139 placed upon said property pursuant to subsections L and M below. The city  
 140 of Cranston shall also have the right to assess a penalty requiring the  
 141 business to pay an amount equal to the total amount of the tax incentive  
 142 given to the business to date.  
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144 L. That for the entire period of said tax incentive program (ten (10) years) the  
 145 recipient of said tax incentive shall grant to the city of Cranston a lien  
 146 encumbering said property including all improvements placed thereon, in  
 147 the amount of the value of the tax incentive. Said lien shall be filed with the  
 148 land evidence records of the city of Cranston.  
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150 M. The terms of said lien shall include the right of the city of Cranston to  
 151 perfect a lien without further notice to recipient of said tax incentive upon  
 152 the following conditions:  
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- 154 1. The sale of aforementioned site to any corporation, individual,  
 155 partnership and the like including any other owner other than the  
 156 recipient of said tax incentive.  
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- 158 2. The non-payment or late payment of any tax, use charge, or  
 159 assessment levied by the city of Cranston associated with the use  
 160 and occupation of any site owned by said applicant in the city of  
 161 Cranston.  
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- 163 3. The abandonment by recipient of said tax incentive of said  
 164 property.  
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166 N. That in the event the city of Cranston perfects said tax lien due to a default  
 167 of any provision contained in subsection (M) above, the city of Cranston  
 168 shall be entitled to the entire amount of the lien regardless of when said  
 169 default should occur. The city of Cranston may consider subordination of  
 170 its lien upon a reasonable request made by either the owner of the property  
 171 of their lender. Nothing contained in this chapter shall hamper, impede or  
 172 prevent the financing of the property owner or the reasonable requests of  
 173 the financial institution with whom the property owner conducts business.  
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175 O. Failure to timely pay the taxes under this incentive program when due (in  
 176 addition to the foreclosure remedies provided herein) will result in  
 177 forfeiture of all future benefits under this program and all future taxes due  
 178 to be assessed without the benefit of the incentives.  
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180 P. Upon the expiration of the ten (10) year tax incentive program and the  
181 compliance with all terms by the recipient of said tax incentive, the city of  
182 Cranston shall provide a release of the lien described herein.  
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184 **Section 2.** This Ordinance shall take effect upon its final adoption.  
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187	Positive Endorsement	Negative Endorsement (attach reasons)
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189	_____	_____
190	Christopher Rawson, City Solicitor Date	Christopher Rawson, City Solicitor Date
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193 Sponsored by: Council Vice President Farina Councilman Santamaria, Councilman Stycos

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195 Referred to Finance Committee October 17, 2013  
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9-13-03

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**

**IN AMENDMENT OF TITLE 3.84 OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED "REVENUE AND FINANCE"**

**(Tax Incentive Reform Industrial 5 Year)**

**No.**

*Passed:*

John E. Lanni, Jr. Council President

*Approved:*

Allan W. Fung, Mayor

*It is ordained by the City Council of the City of Cranston as follows:*

**Section 1.** Title 3, Chapter 84, entitled " **FIVE-YEAR ECONOMIC DEVELOPMENT TAX INCENTIVE PROGRAM FOR INDUSTRIALLY ZONED PROPERTY**" is hereby amended to read as follows:

**3.84.020 - Program description.**

The city council establishes a tax incentive program for construction of new industrial facilities or the expansion of current industrial facilities in M-1 and M-2 zoned parcels in the city of Cranston. This tax incentive program shall be for a period not exceeding five years and shall be subject to the following terms and conditions.

**A. Eligible projects shall include:**

1. Total new construction of an industrial facility with a minimum construction cost of two hundred fifty thousand dollars (\$250,000.00) and not to exceed two million dollars (\$2,000,000.00).
2. Renovation of an existing building with a minimum construction cost of two hundred fifty thousand dollars (\$250,000.00) and not to exceed two million dollars (\$2,000,000.00).
3. Nothing in this chapter shall be deemed to permit the exemption or stabilization herein provided for any manufacturing concern relocating from one city or town within the state of Rhode Island to another and must comply with R.I. Gen. Laws Section 44-3-9; and
4. Nothing in this chapter shall be deemed transferable to another.

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- B. New or expanding industrial facilities must apply for designation under this tax incentive program for the new or expanded construction. Further, the new or expanding business must have obtained approval for eligibility for participation in this program prior to the receipt of a certificate of occupancy from the building inspector. Application forms are available in the office of economic development.
- C. Eligibility for participation in this tax incentive program shall require the collective approval of the economic development director, building inspector, tax assessor, city planner or their designees, and the city council.
- D. At the time of the application each business must commit to the creation of jobs:
  - 1. Existing businesses expanding their facility must increase its employment over the course of three years.
  - 2. New businesses moving their businesses to Cranston who construct a new facility must create a minimum of three—five jobs within the first year of operation and must ~~maintain a~~ increase employment minimum of three—five jobs each year during the entire five-year period to be eligible to continue to receive the tax benefit.
  - 3. If the new business does not ~~maintain~~ create the three—five new jobs each year during the entire five year period, then the business shall no longer be entitled to receive the tax incentive benefit and shall be taxed a the regular rates and shall immediately be removed from the tax incentive program.
  - 4. Businesses must submit a copy of their quarterly wage and tax reports to the economic development department in the city of Cranston.
- E. All participating businesses either new or expanding are required to comply with all federal, state and municipal rules and regulations regarding job safety, hiring practices.
- F. All new or expanding business including any and all subsidiaries, affiliates, subdivisions, parents or other entities of said businesses with ten (10) percent or more common ownership, unless otherwise approved by the city council, must provide proof that all municipal taxes, fees and other assessments are paid and current and have been current for the last three years in order for said business to be eligible under this tax incentive program.

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- G. Notwithstanding any vote and findings by the city council, the property shall be assessed for and shall pay that portion of the tax if any assessed by the city in which the real property is located, for the purpose of paying the indebtedness of the state or any political subdivision thereof to the extent assessed upon or apportioned to the city, and the interest thereon, and for appropriation to any sinking fund of the city, which portion of the tax shall be paid in full, and the taxes so assessed and collected shall be kept in a separate account and used only for that purpose.
  
- H. The city planner, the tax assessor, the building inspector and the director of economic development shall promulgate with city council approval such rules and regulations and provide suitable documents necessary to effect the purpose of this article.
  
- I. The mayor shall submit to the finance committee in the month of March an annual report prepared by the city planner, the tax assessor and the director of economic development which will identify all businesses participating in this tax incentive program and shall verify the applicant's compliance with all provisions of this chapter. Said report shall include the amount of incentive granted to each business previously approved, the number of jobs and/or the amount of expansion created by said new businesses, and the remaining term for said incentive program for each business. Said annual report shall also include the assessed value, the taxes generated and the taxes defeased as a result of the participation in the tax incentive program for each participating business.
  
- J. That for the entire duration of the five year tax incentive the aforementioned facility must be solely owned and operated by the recipient of said tax incentive. That if for any reason the recipient of said tax incentive vacates the aforementioned premises, abandons, or sells the facility to another entity, corporation, partnership or person, prior to the expiration of the five-year tax incentive the city of Cranston shall have the right to perfect a lien (equal to the incentive amount given to date) placed upon said property pursuant to subsections L, and M below. The city of Cranston shall also have the right to assess a penalty requiring the business to pay an amount equal to the total amount of the tax incentive given to the business to date.
  
- K. That for the entire period of said tax incentive program (five years) the recipient of said tax incentive shall grant to the city of Cranston a lien encumbering said property including all improvements placed thereon, in the amount of the value of the tax incentive. Said lien shall be filed with the land evidence records of the city of Cranston.

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L. The terms of said lien shall include the right of the city of Cranston to perfect a lien without further notice to recipient of said tax incentive upon the following conditions:

- 1. The sale of aforementioned site to any corporation, individual, partnership and the like including any other owner other than the recipient of said tax incentive.
- 2. The non-payment or late payment of any tax, use charge, or assessment levied by the city of Cranston associated with the use and occupation of any site owned by said applicant in the city of Cranston.
- 3. The abandonment by recipient of said tax incentive of said property.

M. That in the event the city of Cranston perfects said tax lien due to a default of any provision contained in subsection (L) above, the city of Cranston shall be entitled to the entire amount of the lien regardless of when said default should occur. The city of Cranston may consider subordination of its lien upon a reasonable request made either the owner or their lender. Nothing contained in this chapter shall hamper, impede or prevent the financing of the property or the reasonable requests of the financial institutions with whom the property owner conducts business.

N. Failure to timely pay the taxes under this incentive program when due (in addition to the foreclosure remedies provided herein) will result in forfeiture of all future benefits under this program and all future taxes due to be assessed without the benefit of the incentives.

O. Upon the expiration of the five-year tax incentive program and the compliance with all terms by the recipient of said tax incentive, the city of Cranston shall provide a release of the lien described herein.

**Section 2.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

\_\_\_\_\_  
Christopher Rawson, City Solicitor    Date

\_\_\_\_\_  
Christopher Rawson, City Solicitor    Date

Sponsored by: Council Vice President Farina, Councilman Santamaria and Councilman Stycos

Referred to Finance Committee October 17, 2013

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
**IN AMENDMENT OF TITLE 3.88 OF THE CODE OF THE CITY OF CRANSTON,**  
**2005, ENTITLED "REVENUE AND FINANCE"**  
**(Tax Incentive Reform Industrial 10 Year)**

No.

*Passed:*

\_\_\_\_\_  
*John E. Lanni, Jr. Council President*

*Approved:*

\_\_\_\_\_  
*Allan W. Fung, Mayor*

*It is ordained by the City Council of the City of Cranston as follows:*

**Section 1 Title 3, Chapter 88, entitled "TEN-YEAR ECONOMIC DEVELOPMENT TAX INCENTIVE PROGRAM FOR INDUSTRIALLY ZONED PROPERTY"** is hereby amended to read as follows:

**3.88.020 - Program description.**

The city council establishes a tax incentive program for construction of new industrial facilities or the expansion of current industrial facilities, or the purchase of existing industrial facilities, in M-1 and M-2 zoned parcels in the city of Cranston. This tax incentive program shall be for a period not exceeding ten years and shall be subject to the following terms and conditions.

A. Eligible projects shall include:

1. Total new construction of an industrial facility with a minimum construction cost of greater than two million dollars (\$2,000,000.00); or
2. Renovation of an existing building with a minimum construction cost of greater than two million dollars (\$2,000,000.00).
3. The purchase of an existing facility with a minimum purchase price of two million five hundred thousand dollars (\$2,500,000.00).
4. Nothing in this chapter shall be deemed to permit the exemption or stabilization herein provided for any manufacturing concern relocating from one city or town within the state of Rhode Island to another and must comply with R.I. Gen. Laws Section 44-3-9; and

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- 5. Nothing in this chapter shall be deemed transferable to another.
- B. New, expanding, or existing industrial facilities must apply for designation under this tax incentive program for the new, existing or expanded construction. Further, the new, existing, or expanding business must have obtained approval for eligibility for participation in this program prior to the receipt of a certificate of occupancy from the building inspector. Application forms are available in the office of economic development.
- C. Eligibility for participation in this tax incentive program shall require the collective approval of the economic development director, building inspector, tax assessor, city planner or their designees, and the city council.
- D. At the time of the application each business must commit to the creation of jobs:
  - 1. Existing businesses expanding their facility must increase its employment over the course of five years.
  - 2. New businesses moving their businesses to Cranston who either construct a new facility or purchase an existing facility must create a minimum of ten (10) jobs, ~~and must maintain a minimum of ten (10) jobs~~ must increase employment by a minimum of three—five jobs each year during the entire duration of the ten (10) year period to be eligible to continue to receive the tax benefit.
  - 3. If the new business does not ~~create~~ maintain the original ten (10) jobs and increase employment by a minimum of three—five jobs each year during the entire ten (10) year period, then the business shall no longer be entitled to receive the tax incentive benefit and shall be taxed at the regular rate and shall immediately be removed from the tax incentive program.
  - 4. Businesses must submit a copy of their quarterly wage and tax reports to the economic development department in the city of Cranston.
- E. All participating businesses either new, existing or expanding are required to comply with all federal, state and municipal rules and regulations regarding job safety and hiring practices.
- F. All new, existing or expanding business including any and all subsidiaries, affiliates, subdivisions, parents or other entities of said businesses with ten (10) percent or more common ownership, unless otherwise approved by the city council, must provide proof that all municipal taxes, fees and other assessments are paid and current and have been current for the last three years in order for said business to be eligible under this tax incentive program.

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- G. Notwithstanding any vote and findings by the city council, the property shall be assessed for and shall pay that portion of the tax if any assessed by the city in which the real property is located, for the purpose of paying the indebtedness of the state or any political subdivision thereof to the extent assessed upon or apportioned to the city, and the interest thereon, and for appropriation to any sinking fund of the city, which portion of the tax shall be paid in full, and the taxes so assessed and collected shall be kept in a separate account and used only for that purpose.
  
- H. The city planner, the tax assessor, the building inspector and the director of economic development shall promulgate with city council approval such rules and regulations and provide suitable documents necessary to effect the purpose of this article.
  
- I. The mayor shall submit to the finance committee in the month of March an annual report prepared by the city planner, the tax assessor and the director of economic development which will identify all businesses participating in this tax incentive program and shall verify the applicant's compliance with all provisions of this chapter. Said report shall include the amount of incentive granted to each business previously approved, the number of jobs and/or the amount of expansion created by said new businesses, and the remaining term for said incentive program for each business. Said annual report shall also include the assessed value, the taxes generated and the taxes defeased as a result of the participation in the tax incentive program for each participating business.
  
- J. That for the entire duration of the ten (10) year tax incentive the aforementioned facility must be solely owned and operated by the recipient of said tax incentive. That if for any reason the recipient of said tax incentive vacates the aforementioned premises, abandons, or sells the facility to another entity, corporation, partnership or person, prior to the expiration of the ten (10) year tax incentive the city of Cranston shall have the right to perfect a lien, equal to the incentive amount given to date, placed upon said property pursuant to subsection (L) and (M) below. The city of Cranston shall also have the right to assess a penalty requiring the business to pay an amount equal to the total amount of the tax incentive given to the business to date.
  
- K. That for the entire period of said tax incentive program (ten (10) years) the recipient of said tax incentive shall grant to the city of Cranston a lien encumbering said property including all improvements placed thereon, in the amount of the value of the tax incentive. Said lien shall be filed with the land evidence records of the city of Cranston.
  
- L. The terms of said lien shall include the right of the city of Cranston to perfect a lien without further notice to recipient of said tax incentive upon the following conditions:

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1. The sale of aforementioned site to any corporation, individual, partnership and the like including any other owner other than the recipient of said tax incentive.
2. The non-payment or late payment of any tax, use charge, or assessment levied by the city of Cranston associated with the use and occupation of any site owned by said applicant in the city of Cranston.
3. The abandonment by recipient of said tax incentive of said property.

M. That in the event the city of Cranston perfects said tax lien due to a default of any provision contained in subsection (L) above, the city of Cranston shall be entitled to the entire amount of the lien regardless of when said default should occur. The city of Cranston may consider subordination of its lien upon a reasonable request made by either the owner of the property or their lender. Nothing contained in this chapter shall hamper, impede or prevent the financing of the property owner or the reasonable requests of the financial institution with whom the property owner conducts business.

N. Failure to timely pay the taxes under this incentive program when due (in addition to the foreclosure remedies provided herein) will result in forfeiture of all future benefits under this program and all future taxes due to be assessed without the benefit of the incentives.

O. Upon the expiration of the ten (10) year tax incentive program and the compliance with all terms by the recipient of said tax incentive, the city of Cranston shall provide a release of the lien described herein.

**Section 2.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

\_\_\_\_\_  
Christopher Rawson, City Solicitor    Date

\_\_\_\_\_  
Christopher Rawson, City Solicitor    Date

Sponsored by: Council Vice President Farina Councilman Santamaria, Councilman Stycos

Referred to Finance Committee October 17, 2013

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF TITLE 5.68 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "BUSINESS LICENSES" (Tobacco and Electronic Smoking Devices)

No.

Passed:

John E. Lanni, Jr., Council President

Approved:

Allan W. Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

SECTION 1. Title 5.68 of the Code of the City of Cranston, 2005 , is hereby amended by adding thereto the following:

Section 5.68.010 Definitions

- 1. Tobacco Products means any substance containing tobacco leaf, including, but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco or rolling papers, and Electronic Smoking Devices.
2. Electronic Smoking Device means an electronic and/or battery-operated device, the use of which may resemble smoking, that can be used to deliver an inhavled dose of nicotine or other substances. "Electronic Smoking Device" includes any such device, whether manufactured, distributed, marketed or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor.
3. Vending Machines means any mechanical, electric or electronic self service device which, upon insertion of money, tokens, or any other form of payment, dispenses tobacco products.
4. Compliance Check violation means any sale of tobacco products to and/or by a person who is less than eighteen (18) years of age.

SECTION 2. This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

Christopher Rawson, Solicitor

Date

Christopher Rawson, Solicitor

Date

Sponsored by: Council President Lanni, Council Vice President Farina ,Councilman Aceto, Councilman Botts, Councilman Favicchio, and Councilman Stycos
Referred to Safety Services Committee October 7, 2013



THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
**IN AMENDMENT OF TITLE 10, CHAPTER 32 OF THE CODE OF THE CITY**  
**OF CRANSTON, 2005, ENTITLED "MOTOR VEHICLES AND TRAFFIC"**  
**(Bridge Street, South Side Loading Zone Designated)**

*No.*

*Passed:*

\_\_\_\_\_  
**John E. Lanni, Jr., Council President**

*Approved:*

\_\_\_\_\_  
**Allan W. Fung, Mayor**

*It is ordained by the City Council of the City of Cranston as follows:*

**Section 1.** Chapter 10.32, Section .010 entitled "Loading Zones Designated" is hereby amended by adding thereto the following:

Bridge Street south side, from a point ten (10) feet easterly of Broad Street, easterly for a distance of thirty (30) feet, 7:00 a.m. to 4:00 p.m., Monday through Friday.

**Section 2.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

\_\_\_\_\_  
Christopher Rawson, City Solicitor Date

\_\_\_\_\_  
Christopher Rawson, City Solicitor Date

Sponsored by: Councilman Stycos

Referred to Ordinance October 17, 2013

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 10, CHAPTER 32 OF THE CODE OF THE CITY  
OF CRANSTON, 2005, ENTITLED "MOTOR VEHICLES AND TRAFFIC"  
(Bridge Street, South Side No Parking )

No.

*Passed:*

\_\_\_\_\_  
**John E. Lanni, Jr., Council President**

*Approved:*

\_\_\_\_\_  
**Allan W. Fung, Mayor**

*It is ordained by the City Council of the City of Cranston as follows:*

**Section 1.** Chapter 10.32, Section .040 entitled "No Parking on Certain Streets—Generally" is hereby amended by adding thereto the following:

10.32. Section .040 - No Parking on Certain Streets—Generally.

No vehicle shall remain standing for any period of time within or upon any of the following streets or highways or parts thereof:

Bridge Street, north side, both sides, from Broad Street easterly for a distance of two hundred thirty-five (235) feet and on the south side, from a point forty (40) feet easterly of Broad Street, easterly for a distance of one hundred ninety five (195) feet.

**Section 2.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

\_\_\_\_\_  
Christopher Rawson, City Solicitor Date

\_\_\_\_\_  
Christopher Rawson, City Solicitor Dte

Sponsored by: Councilman Stycos

Referred to Ordinance Committee October 17, 20123

9-13-09

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Change of Zone-777 Cranston Street -Trolley Barn)

No.

Passed:

John E. Lanni, Jr., Council President

Approved:

Allan Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

Section 1. That the Zoning Map accompanying and made a part of Chapter 17 of the Code of the City of Cranston, Rhode Island, 2005, entitled, "Zoning", as adopted January 24, 1966, as amended, is hereby further amended by deleting therefrom the following:

By deleting from a M-2 General Industry District, Lot no. 1 on Zoning Plat 7/2 located at 777 Cranston Street

And by adding thereto the following:

C-5 Heavy Business, Industry District, Lot no. 1 on Zoning Plat 7/2 located at 777 Cranston Street.

SECTION 2. This Ordinance shall take effect upon its final adoption.

Positive Endorsement:

Negative Endorsement: (Attach reasons)

Christopher M. Rawson Date City Solicitor

Christopher M. Rawson Date City Solicitor

Petition filed by Trolley Barn Associates, LLC Referred to Ordinance Committee October 17, 2013

# nationalgrid

13  
TOWN COUNCIL COPY

## PETITION OF THE NATIONAL GRID FOR JOINT OR IDENTICAL POLE LOCATION

TO THE HONORABLE \_\_\_\_\_ TOWN COUNCIL \_\_\_\_\_  
OF \_\_\_\_\_ CRANSTON \_\_\_\_\_ RHODE ISLAND  
THE NATIONAL GRID

Respectfully asks permission to locate and maintain poles, wires and fixtures, including the necessary sustain and protecting fixtures to be owned and used in common by you petitioner along and across the following public ways:

GAUNT DRIVE PROPOSE NEW JO POLE LOCATION

Wherefore your petitioners pray that they be granted joint of identical location for existing poles and permission to erect and maintain poles and wires together with such sustaining and protecting fixtures as the may find necessary, said poles erected or to erected substantially in accordance with the plan filed herewith marked: 15203198

DATED 08/15/2013

Your petitioner agrees to reserve or provide space for one cross arm at a suitable point on each of said poles for the fire, police, telephone signal wires belonging to the municipality and used by it exclusively for municipal purposes.

THE NATIONAL GRID

BY: John Castro *JB*  
John Castro, Engineering  
THE VERIZON

BY: Mary C. Hamley  
ORDER

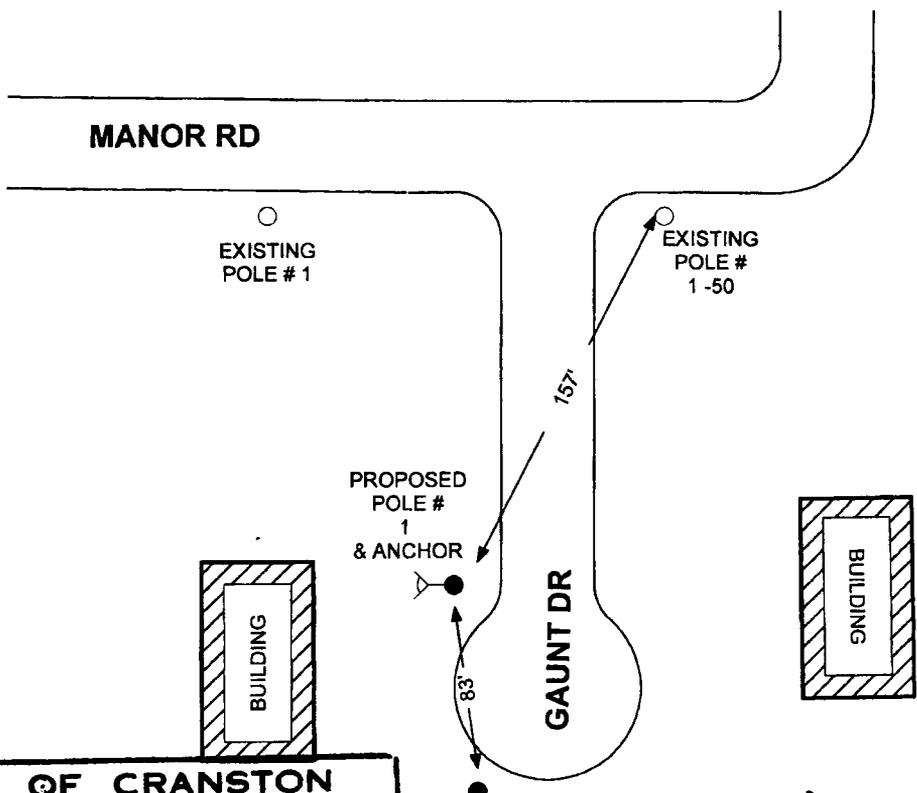
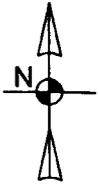
The foregoing petition been read, it was voted that the consent at the

For the use of public ways named for the purposes stated in said petition be and it hereby is granted-----  
work to be done subject to the supervision of

A true copy of the vote at the Public Works Committee  
Adopted Ratified 10/09/13 and recorded in Records Book# \_\_\_\_\_ Page# \_\_\_\_\_

Approved by chris 9/10/13

Rosalba Jarama  
CLERK



**CITY OF CRANSTON  
ENGINEERING DIVISION  
CRANSTON, R. I.**

<input checked="" type="checkbox"/>	APPROVED
<input type="checkbox"/>	APPROVED AS CORRECTED
<input type="checkbox"/>	RESUBMIT FOR FINAL APPROVAL
<input type="checkbox"/>	DISAPPROVED - RESUBMIT

Date 9/10/2013 By [Signature]

If so marked, approval is given for design only; it does not relieve the Contractor from complying with the requirements of the Contract, contract drawings, and specifications. The Contractor shall be responsible for all dimensions, quantities, schedules and field conditions.

<b>JOINT OWNED POLE PETITION</b>		<b>nationalgrid</b> And <b>Verizon New England, Inc.</b>	
<input checked="" type="checkbox"/>	Proposed Pole Locations		
<input type="checkbox"/>	Existing Pole Location To Be Made J.O.		
<input type="checkbox"/>	Existing Electric Co. Pole Locations	Date: AUGUST 15, 2013	
<input type="checkbox"/>	Existing Telephone Co. Pole Locations	Plan Number: WR #: <u>15203198</u>	
<input type="checkbox"/>	Existing Joint Pole Locations	To Accompany Petition Dated: AUGUST 15, 2013	
<input checked="" type="checkbox"/>	Existing Pole Locations To Be Abandoned	To The: CITY Of CRANSTON	
DISTANCES ARE APPROXIMATE		For Proposed: POLE Pole: 1 & 2 Location: SEE ABOVE	
		Date Of Original Grant:	

**-SEPTEMBER 23, 2013-**

**XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK**

**Firefighters Local 1363 contract (Executed copy received Sept. 9, 2013)**

**ORDINANCE NO. 2012-16 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE RI DEPARTMENT OF EDUCATION FOR THE TRANSFER OF OWNERSHIP OF CRANSTON AREA CAREER AND TECHNICAL CENTER TO THE CITY OF CRANSTON FOR \$3.2 MILLION DOLLARS. (awaiting executed agreement)**

The meeting adjourned at approximately 9:05 P.M.



Maria Medeiros Wall, JD  
City Clerk



Rosalba Zanni  
Assistant City Clerk/Clerk of Committees  
(transcribed from audio recording)

(See Stenographic Notes of Ron Ronzio, Stenotypist)