

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

REGULAR MEETING – CITY COUNCIL

-NOVEMBER 25, 2013-

Regular meeting of the City Council was held on Monday, November 25, 2013 in the Council Chambers, City Hall, Cranston, Rhode Island.

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

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

Also Present: Gerald Cordy, Director of Administration; Carlos Lopez, Chief of Staff; Jeffrey Barone, Director of Constituent and Government Affairs; Evan Kirshenbaum, Assistant City Solicitor; Robert Strom, Finance Director; Patrick Quinlan, City Council Legal Counsel; Roy Damiano, City Council Internal Auditor.

On motion by Councilman Aceto, seconded by Council Minority Leader Favicchio, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

Council Majority Leader Archetto read Condolence Citation for the family of the late Marie G. Tomlins on her passing on October 28, 2013.

II. PUBLIC HEARINGS

Robert Murray, Esq., appeared to represent applicant for Taco Bell, 1102 Cranston St. regarding the appeal of restricted hours. He quoted RIGL 5-24-1, which states that Victualling License holders are allowed to be open from 6:00 A.M. to 2:00 A.M. Councilman Santamaria asked for Solicitor's opinion regarding this issue and if he agrees that there is a State Statute. Solicitor Kirshenbaum and Mr. Quinlan both agreed with the State Statute, but it does not prohibit the City from restricting hours.

On motion by Councilman Aceto, seconded by Council Vice-President Farina, it was voted to suspend the Rules in order to address the Appeal of restricted hours for Taco Bell. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

On motion by Councilman Santamaria, seconded by Council Majority Leader Archetto, it was voted to grant the appeal of Taco Bell's request to stay open until 2:00 A.M. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

III. RESOLUTIONS

RESOLUTION AUTHORIZING THE CITY TO APPLY FOR A DEPARTMENT OF ENVIRONMENTAL MANAGEMENT MATCHING GRANT OF UP TO \$400,000 TO DESIGN AND BUILD FULL SERVICE LOCKER ROOMS FACILITIES AT CRANSTON STADIUM [\[click to view\]](#)

On motion by Council Majority Leader Archetto, seconded by Councilman Aceto, it was voted to suspend Rule 34B in order to address the above Resolution. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

On motion by Councilman Aceto, seconded by Council Majority Leader Archetto, it was voted to adopt the above Resolution.

Under Discussion:

Councilman Aceto asked to be added as co-sponsor of this Resolution.

Councilmen Aceto, Santamaria and Botts stated they will support this Resolution. They indicated that with full service locker rooms, the City will be able to attract more professional teams to play at the Stadium, which would bring in more revenues.

Mr. Strom thanked Mr. Filarski for his work in helping with the application process and grant is for total of \$800,000, \$400,000 from the city and \$400,000 from the State.

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

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IV. REPORT OF COMMITTEES

FINANCE COMMITTEE
(Councilman Steven A. Stycos, Chair)

RESOLUTION AUTHORIZING REAL ESTATE AND TANGIBLE TAX ABATEMENTS FOR: 79 Gladstone St. and 2206 Broad St [\[click to view\]](#)

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, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

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

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

TAX INTEREST WAIVER APPROVALS

On motion by Council Minority Leader Favicchio, seconded by Councilman Aceto, 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, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

TAX INTEREST WAIVER DENIALS

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

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**10-13-02 ORDINANCE RATIFYING THE SCHOOL COMMITTEE’S
COLLECTIVE BARGAINING AGREEMENT WITH RI COUNCIL
94, AFSCME, AFL-CIO CRANSTON PUBLIC SCHOOL EMPLOYEES
LOCAL 2044, SCHOOL SECRETARIAL UNIT (Fiscal Years 2013-
2014) [\[click to view\]](#)**

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

Under Discussion:

Councilman Stycos asked what the salary range is for secretaries. Lori Ryan, appeared to represent the Secretaries Union, and stated that the salaries range from \$34,000 being the lowest, up to \$39,000 per year.

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, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

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

**TRANSFER OF CLASS LIQUOR LICENSE - NEW
FROM CLASS B LIMITED - TO CLASS BV FULL –
(NEEDS FULL COUNCIL)**

TOMMY’S PIZZA 870 Oaklawn Ave.

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

APPEAL OF RESTRICTED HOURS FOR TACO BELL 1102 Cranston St.

Voted on earlier in the meeting.

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

REPORT OF SETTLED CLAIMS (Informational purposes only): *Curtis Mathieu \$133.32 property damage; Kelvin Alsina \$1,318.77 property damage; Lucy A. Arenas \$32.08 property damage*

No action needed.

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

None.

VI. ELECTION OF CITY OFFICIALS

JUVENILE HEARING BOARD:

Member Reappointments term ending December 1, 2016

- ***RAYMOND COIA, ESQ., CHAIR***

On motion by Councilman Aceto, seconded by Council Vice-President Farina, it was voted to re-appoint ***Raymond Coia, Esq.*** as a member of the Juvenile Hearing Board. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

- ***JOSEPH MAROCCO***

On motion by Councilman Santamaria, seconded by Council Vice-President Farina, it was voted to re-appoint ***Joseph Marocco*** as a member of the Juvenile Hearing Board. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

- ***DAVID GILLIGAN, ESQ.***

On motion by Council Vice-President Farina, seconded by Councilman Aceto, it was voted to re-appoint ***David Gilligan, Esq.*** as a member of the Juvenile Hearing Board. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

Alternate Reappointments: Term ending December 1, 2014

- ***JUDY FOX, ESQ.***
- ***KRISTEN E. HAROIAN***
- ***PAMELA T. SCHIFF***

On motion by Councilman Aceto, seconded by Councilman Santamaria, it was voted to approve the re-appointments of the above Alternate members of the Juvenile Hearing Board as a block. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

On motion by Councilman Aceto, seconded by Council Vice-President Farina, it was voted to approve the re-appointments of the above Alternate members of the Juvenile Hearing Board. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

VII. REPORT OF CITY OFFICERS

RECREATION GRANT – *KEN FILARSKI*

Ken Filarski, City Council Grant Writer, appeared to speak.

OCTOBER 2013 SEWER CONNECTION REPORT

No discussion.

VIII. EXECUTIVE COMMUNICATIONS

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

No discussion.

CRANSTON FIRE DEPARTMENT LT. KEVIN ANSLEY, REQUEST TO BE CONTINUED IN SERVICE

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

SOLICITOR'S OPINION ON CITY COMMITTEE AND COUNCIL JURISDICTION/AUTHORITY TO RATIFY COLLECTIVE BARGAINING AGREEMENTS

Solicitor Kirshenbaum recommended going into Executive Session pursuant to RIGL 42-46-5(a)(2) to discuss this item.

On motion by Councilman Botts, seconded by Councilman Aceto, it was voted to go into Executive Session pursuant to RIGL 42-46-5(a)(2) Collective Bargaining/Litigation. Motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilwoman Lee, Councilman Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -8. The following being recorded as voting "nay": Councilman Stycos -1.

The meeting went into Executive Session at 7:50 P.M.

Present in Executive Session: Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni; Gerald Cordy, Director of Administration; Carlos Lopez, Chief of Staff; Evan Kirshenbaum, Assistant City Solicitor; Robert Strom, Director of Finance; Patrick Quinlan, City Council Legal Counsel.

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

The meeting came out of Executive Session at 8:20 P.M.

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

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On motion by Councilman Santamaria, seconded by Council Vice-President Farina, it was voted to waive the deadline for sewer connection agreement. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

Solicitor Kirshenbaum presented Amended Sewer Connection Agreement between the City of Cranston and Rhode Island LFG Genco, LLC and stated that D.E.M. has requested that the Public Works Committee review it.

IX. COUNCIL PRESIDENT COMMUNICATIONS

Council President Lanni extended condolences to the Tomlins Family on the death of Mrs. Tomlins.

Council President Lanni stated that the \$400,000 grant for the Cranston Stadium will make the Stadium a state of the art facility.

Council President Lanni wished everyone a Happy Thanksgiving.

X. COUNCIL MEMBER COMMUNICATIONS

Councilman Stycos asked Mr. Lopez the possibility of getting grants for America the Beautiful for trees. He also stated that there needs to be a setback tree planting program if we are going to take advantage of these grants. Mr. Lopez stated to Councilman Stycos that he will touch base with him tomorrow regarding this. Councilman Aceto stated that Mr. Filarski is available and is able to help any departments with anything that the Administration needs help with in regards to grants.

Councilman Stycos stated that even though it was not reported in the Finance Committee report, the Committee did vote to reject the Police Contract which was negotiated by the Mayor and the Police Union. The majority of the members felt that the 11¼% increase proposed in the three year contract was excessive. There were concerns regarding the introduction of steps for the officers for the first time and it was his estimate that by the end of the contract, if passed, would cost would be up by a million dollars a year.

XI. OLD BUSINESS

None.

XII. INTRODUCTION OF NEW BUSINESS*

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

11-13-1 ORDINANCE IN AMENDMENT OF TITLE 9.8 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'OFFENSES RELATING TO PROPERTY' (Tree Pruning and Removal Notice). [\[click to view\]](#) Referred to Public Works Committee 12/2/2013.

11-13-2 ORDINANCE IN AMENDMENT OF TITLE 10, CHAPTER 12.260 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC, ONE WAY-STREETS-INTERSECTIONS-ENUMERATED' (Poplar Dr, Cypress Dr. and Garden City Dr.). [\[click to view\]](#) Referred to Ordinance Committee 12/5/2013.

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- 11-13-3 ORDINANCE IN AMENDMENT OF TITLE 10, CHAPTER 32.030 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC, MULTI-WAY STOP INTERSECTIONS-ENUMERATED' (Garden City Dr., Poplar Dr. and Garden Ct.).** [\[click to view\]](#) Referred to Ordinance Committee 12/5/2013.
- 11-13-4 ORDINANCE IN AMENDMENT OF TITLE 3 OF THE CODE OF THE CITY OF CRANSTON 2005, ENTITLED 'REVENUE AND FINANCE' (Real Property Tax Exemption for Elderly and Handicapped).** [\[click to view\]](#) Referred to Finance Committee 12/5/2013.

RESOLUTION LOAN ORDER OF THE CITY OF CRANSTON APPROVING THE FINANCING OF UPGRADES AND RENOVATIONS TO THE CITY'S SEWER SYSTEM, INCLUDING GRAVITY LINES, FORCE MAINS, PUMP STATIONS AND THE TREATMENT PLANT AND ALL PRELIMINARY AND INCIDENTAL EXPENSES AND APPROVING THE ISSUANCE OF WASTEWATER SYSTEM REVENUE BONDS AND NOTES THEREFORE IN THE AMOUNT NOT TO EXCEED \$25,000,000. [\[click to view\]](#) Referred to Finance Committee 12/5/2013.

REQUEST FROM NATIONAL GRID FOR JOINT POLE LOCATION AT ARBOR DR. [\[click to view\]](#) Referred to Public Works Committee 12/2/2013.

REQUEST FROM NATIONAL GRID FOR JOINT POLE LOCATION AT GARFIELD AVE. [\[click to view\]](#) Referred to Public Works Committee 12/2/2013.

CLAIMS - 12/2/2013

ROBERTO RAMIREZ; Property damage; October 16, 2013
STEPHEN & FRANCINE BERANBAUM; Property damage; September 2, 2013

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

XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK

- 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.).** [\[click to view\]](#) Vetoed by Mayor 11/1/2013.

No action was taken and no motions were made.

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Information only – no further action:
10-13-1S ORDINANCE RATIFYING THE IBPO (International Brotherhood of Police Officers) CONTRACT, LOCAL UNION 301 (FY 2012-2013). (Failed 10/17/2013). [\[click to view\]](#)

No discussion.

2014 CRANSTON MUNICIPAL COURT SESSIONS SCHEDULE [\[click to view\]](#)

No discussion.

The meeting adjourned at 8:45 P.M.

Maria Medeiros Wall, JD, City Clerk
(in abstencia)

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist)