

(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).

FINANCE COMMITTEE

Regular meeting of the Finance Committee was held on Thursday, January 16, 2014, in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 6:35 P.M. by the Chair.

Present Councilman Steven A. Stycos, Chair
 Council Vice-President Michael J Farina, Vice-Chair
 Councilman Mario Aceto
 Councilwoman Sarah Kales Lee
 Council Majority Leader Paul H. Archetto
 Councilman Donald Botts, Jr.
 Council President John E. Lanni, Jr.

Also Present: Councilman Richard D. Santamaria, Jr.
 Council Minority Leader Michael W. Favicchio
 Gerald Cordy, Director of Administration
 Jeffrey Barone, Director of Constituent and Government Affairs
 Carlos Lopez, Chief of Staff
 Evan Kirshenbaum, Assistant City Solicitor
 Robert Strom, Finance Director
 Patrick Quinlan, City Council Legal Counsel
 Salvatore Saccoccio, City Assessor
 Larry DiBoni, Director of Economic Development
 Maria Medeiros Wall, City Clerk
 Rosalba Zanni, Assistant City Clerk/Clerk of Committees
 Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

On motion by Councilman Aceto, seconded by Council President Lanni, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

MISCELLANEOUS BUSINESS:

CORRESPONDENCE:

PUBLIC HEARINGS/OLD BUSINESS:

Jonathan Lewis appeared to speak regarding issue of Vision Appraisal. He stated that the last revaluation he was noted as signing the inspector's card not allowing them to enter his home, when in fact, he did allow the inspector into his home. He indicated that there were no attempts made to go into the homes in his neighborhood. He stated that not entering the homes has a huge impact on the tax base of the City. He also stated that various homes in his neighborhood were not entered and questioned what they were valued at.

Chair asked that Mr. Lewis provide the Administration and the Assessor copies of the documents he has for the Assessor to review.

- **Claim of erroneous tax assessment : Virginia Kowal, 45 Kimberly Lane North. (Referred back to Committee from 12/16/2013 City Council).**

Chair indicated that this item will be continued to next month's meeting.

Councilman Aceto stated that he has an email from Ms. Kowal of dates and amounts she is questioning. He asked that the Administration and the City Assessor review this information and report back next month.

- **Administration report on progress of Vision Appraisal reassessment, including letters to those not home and those who allegedly refused entry.**

Mr. Saccoccio stated that the inspectors have valued approximately 50% of the property owners and have gotten into the homes of approximately 27% of those properties. He also stated that letters will be sent out next week to those who the inspectors were not able to get into the homes to see if an appointment can be set up.

Councilman Aceto asked if there is a schedule the inspectors use when going out to inspect properties. **Mr. Saccoccio** stated, no, this is for safety reasons. We do not want people going out to properties pretending to be inspectors. He indicated that he knows where the inspectors are at a given day.

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). (Cont. 12/16/2013). [\[click to view\]](#)

On motion by Councilman Aceto, seconded by Councilwoman Lee, it was voted to recommend approval of this Ordinance.

On motion by Council Vice-President Farina, seconded by Councilman Aceto, it was voted to amend this Ordinance as follows:

- line #32 (A)(1), delete "two hundred fifty" and add "five hundred";
- line #33 (A)(1), delete "\$250,000.00" and add "\$500,000.00";
- line #37 (A)(2), delete "two hundred fifty" and add "five hundred";
- line #38 (A)(2), delete "\$250,000.00" and add "\$500,000.00";
- line #64 (D)(1), add "New or";
- line #65 (D)(1), delete "increase" and add "commit to increasing".

Roll call was taken on motion to recommend approval of this Ordinance as amended and motion passed on a vote of 6-1. The following being recorded as voting “aye”: Councilman Stycos, Councilwoman Lee, Council Majority Leader Archetto, Councilman Aceto, Council Vice-President Farina and Council President Lanni -6. The following being recorded as voting “nay”: Councilman Botts -1.

10-13-1S Ordinance ratifying the IBPO (International Brotherhood of Police Officers) Contract, Local Union 301 (FY 2012-2013). [\[click to view\]](#)

On motion by Councilwoman Lee, seconded by Council President Lanni, it was voted to remove this Ordinance from the table. Motion passed on a vote of 6-1. The following being recorded as voting “aye”: Councilman Stycos, Councilwoman Lee, Council Majority Leader Archetto, Councilman Aceto, Council Vice-President Farina and Council President Lanni -6. The following being recorded as voting “nay”: Councilman Botts -1.

On motion by Council Vice-President Farina, seconded by Council President Lanni, it was voted to deny this Ordinance. Motion passed unanimously.

PUBLIC HEARINGS/NEW BUSINESS:

- **Police ticketing issue: Administrative Report on costs to the City in the hiring of Sterling & Stephens Investigations and Consulting of Mountainside, NJ to conduct review, and the selection process that was followed.**

Mr. Lopez appeared to speak and stated that 0.0 dollars were spent on this matter.

Councilman Aceto stated that if the New Jersey firm were to conduct the investigation, he asked how the funding would be for that. **Mr. Lopez** stated that the Administration never got to that point.

Council Majority Leader Archetto asked if this was ever put out to bid. **Mr. Lopez** stated that he does not believe it has to. **Mr. Strom** stated that it has always been purchasing policy that professional services are not required to go out to bid, similar to legal services.

Council President Lanni asked what other services do not go out to bid. **Mr. Strom** stated that he cannot answer that off the top of his head.

Solicitor Kirshenbaum quoted Section 5.03 of the Charter, which states that the Mayor has power to investigate. This has not happened. There was no contract signed with any firm and no money spent so he does not know why this is being discussed.

Council President Lanni clarified that this item was placed on this agenda prior to the Mayor not using this firm.

- **Resolution Requesting that the R.I. State Police Commence an Investigation of the Alleged Cranston Ticketing Scandal. Sponsored by Councilmen Stycos and Archetto [\[click to view\]](#)**

Chair handed gavel to Vice-Chair.

On motion by Councilman Stycos, seconded by Council Majority Leader Archetto, it was voted to recommend approval of this Resolution.

Under Discussion:

Councilman Botts questioned the need for this Resolution since the RI State Police are already conducting this investigation.

Councilman Stycos presented proposed amendments.

On motion by Councilman Stycos, seconded by Council Majority Leader Archetto, it was voted to delete first three “Be It Resolved” paragraphs. Motion passed unanimously.

Solicitor Kirshenbaum stated that he is concerned that Councilman Stycos is deleting 80% of the original Resolution and the Council is using the amendment procedure essentially writing a new Resolution where the public has not seen it. He also stated that he is worried about public notice. This seriously poses an Open Meetings question.

Council Vice-President Farina asked Mr. Quinlan if he agrees with Solicitor Kirshenbaum. Mr. Quinlan stated, not necessarily. Resolutions do not have to be fully advertised and the Council has the right to amend. The spirit of the Resolution is the same as the proposed amended Resolution.

Council President Lanni agreed with Solicitor Kirshenbaum that the residents of the City have a right to know. This is just a request. This Resolution will be heard again at the Council meeting.

Councilman Botts stated that this evening is the first time he is seeing the amendments. As a courtesy, it should have been provided to the Council prior to this meeting. He also questioned why it is before this Committee and not the full City Council.

On motion by Councilman Stycos, seconded by Councilwoman Lee, it was voted to amend this Resolution to add four new paragraphs as follows:

- “BE IT RESOLVED, that the Cranston City Council thanks the Rhode Island State Police for agreeing to investigate the retaliatory ticketing and assume temporary direction of the Cranston Police Department.”
- “BE IT FURTHER RESOLVED, that the Cranston City Council urges the Rhode Island State Police to investigate all allegations of police misconduct by the Cranston Police.”
- “BE IT FURTHER RESOLVED, that the Cranston City Council welcomes recommendations from the Rhode Island State Police on changes to the City Charter, Ordinances, Police Department regulations and the police union contract that would improve the operation of the Cranston Police Department.”
- “BE IT FURTHER RESOLVED, that the Cranston City Council asks Mayor Allan Fung to testify at a City Council meeting and answer questions about when he learned about the retaliatory ticketing and what role, if any, he and/or his administrative staff played in the retaliatory ticketing.”

Under Discussion:

Councilman Santamaria asked if the Mayor is willing to meet with the Council in Executive Session to advise the Council on what exactly is going on. Mr. Lopez thanked Councilman Santamaria for doing this today. No other Council member has contacted him or anyone in the Mayor's Office making such a request, unlike other Council members going to the media regarding this. He also stated that the Mayor would be happy to sit with the Council to discuss this matter in Executive Session due to delicate matters involving personnel matters and Rhode Island State Police.

Council President Lanni stated that everyone on the Council should be informed and it should not be up to the Council to make a request of the Mayor. Mr. Lopez stated that the Administration holds monthly leadership meetings with the Council President and sometime Council Vice-President. With the holidays and other conflicts, these meetings were postponed. Due to certain circumstances, this issue was not addressed earlier, but the Administration will make every effort to inform the City Council in a bi-partisan effort to move forward.

Council Minority Leader Favicchio stated that since the RI State Police is investigating, he questioned why in the world we can't wait until the Mayor receives a report from Colonel O'Donnell. Why the rush. Is it because of the media presence or that the Mayor is running for Governor. We need to let the process take its course. He has no problem with what the Committee is doing this evening, but we should wait for the State Police investigation to be completed.

Council Majority Leader Archetto asked if the Cranston Police preliminary report is finished. Mr. Lopez stated that he cannot answer that, this is part of an ongoing State Police investigation. Council Majority Leader Archetto stated that once this report is completed, he asked if it will be forwarded to the City Council. Mr. Lopez stated that we would have to check with the Legal Department.

Councilman Santamaria stated that he would like to have a Special Council meeting in Executive Session regarding this and not wait until the regular Council meeting.

Roll call was taken on motion to add four new paragraphs and motion passed on a vote of 6-1. The following being recorded as voting "aye": Councilmen Stycos, Aceto, Councilwoman Lee, Council Majority Leader Archetto, Council Vice-President Farina and Council President Lanni -6. The following being recorded as voting "nay": Councilman Botts -1.

On motion by Councilman Stycos, seconded by Council Majority Leader Archetto, it was voted to amend this Resolution by last paragraph as follows: "BE IT FINALLY RESOLVED, that the City Clerk send a copy of this Resolution to Colonel Steven O'Donnell, Captain Kevin Barry, Captain Benjamin Barney and Major Todd Catlow of the Rhode Island State Police." Roll call passed on a vote of 6-1. The following being recorded as voting "aye": Councilmen Stycos, Aceto, Councilwoman Lee, Council Majority Leader Archetto, Council Vice-President Farina and Council President Lanni -6. The following being recorded as voting "nay": Councilman Botts -1.

On motion by Councilman Stycos, seconded by Council Majority Leader Archetto, it was voted to amend this Resolution by deleting fifth paragraph. Motion passed unanimously.

Discussion took place on this Resolution as amended.

Councilman Botts stated that he was in full support of the original Resolution. The State Police is investigating. Let the State Police do their work and let the truth come out.

Roll call was taken on motion to recommend approval of this Resolution as amended and motion passed on a vote of 6-1. The following being recorded as voting “aye”: Councilmen Stycos, Aceto, Councilwoman Lee, Council Majority Leader Archetto, Council Vice-President Farina and Council President Lanni -6. The following being recorded as voting “nay”: Councilman Botts -1.

Gavel was handed back to the Chair.

12-13-01 Ordinance Ratifying the Attached Memorandum of Agreement Between the City of Cranston and the Teamsters Local Union 251 (Workforce Solutions of Providence/Cranston) Sponsored by Mayor Fung. [\[click to view\]](#)

Mr. Cordy appeared to speak and explained this Ordinance. No one appeared to oppose.

On motion by Councilman Aceto, seconded by Councilwoman Lee, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

12-13-02 Ordinance Ratifying the Attached Memorandum of Agreement Between the City of Cranston and the Teamsters Local Union 251 (Clerk Class Position) Sponsored by Mayor Fung. [\[click to view\]](#)

Mr. Cordy appeared to speak and explained this Ordinance. No one appeared to oppose.

On motion by Councilman Aceto, seconded by Councilwoman Lee, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

1-14-01S Ordinance Ratifying the Judgment and Consent Agreement Between the City of Cranston and the Cranston Police Department Retirees Association, Inc. and Local 1363 Retirees Association. [\[click to view\]](#)

No one appeared to speak in favor or to oppose.

On motion by Councilman Aceto, seconded by Councilwoman Lee, it was voted to recommend approval of this Ordinance.

Under Discussion:

Mr. Strom appeared to speak.

Council President Lanni thanked the Administration and stated that they did a great job in this pension reform.

Councilman Aceto stated that of the members who opted out, he asked if they could be added to the Ordinance later on if they changed their mind. Paul Valetta, President of Firefighters Union, appeared to speak and stated that there are approximately 18 firefighters and approximately 42 police officers who are retired and have opted out. If they change their mind and would like to opt back in, they would have to go through the Court system. They could come back to the City to negotiate a new deal.

Roll call was taken on motion to recommend approval of this Ordinance and motion passed unanimously.

**Tax Incentive Application 5 year Commercial: Café Itri, 1686 Cranston Street
Raymond F. Coletta & Gregory P. Spremulli [\[click to view\]](#)**

Chair stated that this Tax Incentive Application will be continued to next month's meeting.

- **Real Estate and Tangible Tax Abatements [\[click to view\]](#)**

On motion by Councilman Aceto, seconded by Council President Lanni, it was voted to recommend approval of this Resolution. Motion passed unanimously.

- **Motor Vehicle Tax Abatements [\[click to view\]](#)**

On motion by Council Vice-President Farina, seconded by Council President Lanni, it was voted to recommend approval of this Resolution. Motion passed unanimously.

- **Tax Assessment Board of Review Decisions assessed December 31, 2012 [\[click to view\]](#)**

No action needed.

- **Tax Interest Waiver Approvals [\[click to view\]](#)**

On motion by Council Vice-President Farina, seconded by Council President Lanni, it was voted to recommend approval of this list of Tax Interest Waiver Approvals. Motion passed unanimously.

- **Tax Interest Waiver Denials [\[click to view\]](#)**

On motion by Councilman Botts, seconded by Council President Lanni, it was voted to recommend approval of this list of Tax Interest Waiver Denials. Motion passed unanimously.

The meeting adjourned at 8:30 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees