

*(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

**-JANUARY 27, 2014-**

Regular meeting of the City Council was held on Monday, January 27, 2014 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:13 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.

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

**I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATION**

None.

**II. PUBLIC HEARINGS**  
(limited to docketed matters)

**Robin Coia**, 4 Franconia Dr., appeared to speak in favor of proposed Ordinance 10-13-1 and stated that after the last meeting, she contacted Pat Maxwell, Animal Control Officer, and Ms. Maxwell is in full support of a dog park in the City, but she has concerns of placing it near the Animal Shelter. A new location is being looked into to place the dog park near the Mulligan's Island on New London Ave.

**Colonel O'Donnell**, RI State Police, appeared to speak. Council Vice-President Farina asked if a report could be given to the City Council on the operation issues that are found as they come up. Colonel O'Donnell stated that documents would be the Mayor's documents and it will be turned over to the Mayor. Councilman Botts asked what the time frame is for this investigation. Colonel O'Donnell stated that there are two steps to the investigation: the first is the internal and the second is the assessment. The internal investigation should be done in a few weeks. Councilman Stycos asked if it is possible to have the report in a report that is releasable under the law so it could be made public due to the Officers Bill of Rights. Colonel O'Donnell stated that that is a statutory provision.

**Valerie Schuele**, 27 Farm St., appeared to speak regarding the proposed dog park and stated that what needs to be considered is who will be cleaning up the dog park. She does not want her tax dollars to pay to have the Parks and Recreation Department clean the dog park. She also spoke regarding the overnight ticket issue and stated that the people who received those tickets were wrong and should be made to pay.

**Paul Valetta**, President of Firefighters Union, appeared to speak in favor of proposed Ordinance 1-14-1S.

**III. RESOLUTIONS**

**RESOLUTION ESTABLISHING AN HONOR FOR THE OLDEST CITIZEN OF CRANSTON.** Sponsored by Council President Lanni and Council Majority Leader Archetto. [[click to view](#)]

On motion by Council Vice-President Farina, seconded by Council Majority Leader Archetto, it was voted to suspend Council Rule 34B in order to vote on 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 Council Majority Leader Archetto, 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.

**IV. REPORT OF COMMITTEES**

**PUBLIC WORKS COMMITTEE**  
**(Councilman Mario Aceto, Chair)**

**10-13-01 ORDINANCE IN AMENDMENT OF CHAPTER 12.20 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'PARKS AND RECREATIONAL FACILITIES' (Dog Park).** Sponsored by Councilwoman Lee. [[click to view](#)]

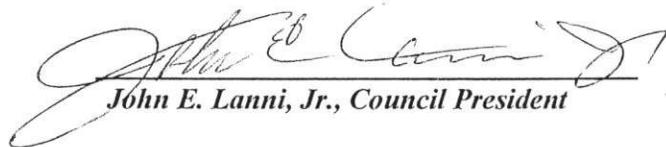
On motion by Council Vice-President Farina, seconded by Councilman Aceto, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader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

THE CITY OF CRANSTON

**RESOLUTION OF THE CITY COUNCIL  
ESTABLISHING AN HONOR FOR THE OLDEST CITIZEN OF CRANSTON**

No. 2014-1

*Passed:*  
January 27, 2014

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

*Resolved that,*

**WHEREAS**, Senior citizens bring a wealth of experience and knowledge to the increasingly active roles they play in today's society; their past contributions and future participation are a vital part of, and valuable asset to the fabric of community life and activity here in Cranston; and

**WHEREAS**, Attendant to such concern and in full accord with its long-standing traditions, this Cranston City Council is justly proud to honor its most senior citizen by establishing a process for Cranston citizens to apply for this special recognition; and

**WHEREAS**, the City Council will design and implement an application process which will include the submission of a birth certificate and proof of residency in the City; and

**WHEREAS**, upon determination by the Council of the oldest citizen of the City, this resident will be presented with a proclamation of the City Council honoring their accomplishments and shall be presented with a key to the City of Cranston; and

**NOW THEREFORE, BE IT RESOLVED**, that the Cranston City Council hereby establishes the Special Recognition Program for Cranston's oldest citizen and urges residents to apply to be considered for this honor.

Sponsored by: Council President Lanni and Councilman Archetto

Referred to \_\_\_\_\_

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10-13-1

THE CITY OF CRANSTON

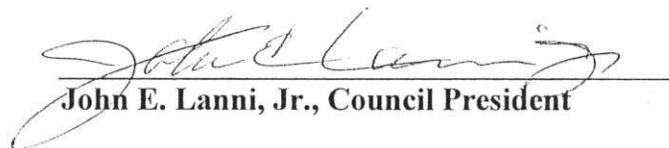
**ORDINANCE OF THE CITY COUNCIL**

IN AMENDMENT OF CHAPTER 12.20 OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED "PARKS AND RECREATIONAL FACILITIES"  
(Dog Park)

No. 2014-4

*Passed:*

January 27, 2014

  
John E. Lanni, Jr., Council President

*Approved:*

February 6, 2014 pursuant to Sect. 3.14 of City Charter.

Allan W. Fung, Mayor

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

SECTION 1. Chapter 12.20 of the Code of Ordinances is hereby amended by adding thereto:

Section 12-24.180 Dog Parks. There is hereby established within the City of Cranston a dog park for the purpose of allowing the off-leash exercise of dogs, provided that such dog is under the control of an attendant who is competent and knowledgeable relative to the behavior of said dog(s).

Section 12-24.190 Definitions:

Attendant: A person eighteen (18) years or older who brings a dog to the Dog Park. Such person is expected to be competent and knowledgeable relative to the behavior of, and have control over, said dog(s) at all times while at or inside the facility.

Dog Park: An enclosed fence facility designated by the City of Cranston for the purpose of allowing dogs, under the control of their owner or attendant, to exercise and socialize off-leash.

Owner: As defined in Section 6-08.010

"Nuisance" Dog: As defined in Section 6-08.010.

Visual Control: The attendant can see the dog(s) and is within 75-feet of the dog(s) at all times.

Voice Control: The attendant is within 75-feet of the dog(s), is able to control and recall the dog(s) at all times, and is not allowing the dog(s) to fight with other dogs. A dog under voice control must immediately come to the attendant when so commanded.

10-13-1

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50 **Section 12-24.200 Park Operations.** The Director of Department of Parks and  
51 Recreation shall have authority to control the Dog Park and to make reasonable rules for  
52 its operation that are consistent with the Ordinance. The Dog Park will be operated year-  
53 round on a daily basis from sunrise to sunset, unless closed for maintenance or severe  
54 weather.

55  
56 **Section 12-24.210 Responsibilities of Dog Park Users.** The attendant must  
57 ensure that their dog(s) are legally licensed and have documentation that their dog's  
58 vaccinations are up-to date. Current license and vaccination tags must be displayed on the  
59 dog's collar. All dogs shall be free of contagious or infectious diseases, be parasite-free  
60 both externally and internally, and have no visible wounds or injuries.

61 No more than two (2) dogs per attendant are allowed in the Dog Park.

62 The attendant of the dog(s) must be inside the enclosed Dog Park and have visual  
63 and voice control of their dog(s) at all times. Dogs shall not be left unattended at or inside  
64 the facility.

65 All dogs must be wearing a collar, however spiked, choke, and gentle-leader style  
66 electronic collars are not permitted.

67 The attendant of any dog(s) using the facility must have in his possession a leash that  
68 must be attached to said dog(s) when outside the facility area.

69 The attendant must fill-in any holes dug at the facility by their dog(s).

70 The attendant must remove their dog(s) when they become engaged in excessive  
71 barking or are fighting with other dogs.

72 The attendant of dogs using the facility must use a suitable container to promptly  
73 remove any feces deposited by their dog(s) and properly dispose of such waste material  
74 in designated receptacles.

75  
76 **12-20.220 Children Regulations.** While inside the facility, children 12 to 18  
77 years of age shall be accompanied by an adult who is solely responsible for the child's  
78 proper behavior and safety. Such children are not permitted to excite or antagonize any  
79 dogs using the facility by any means including, but not limited to, shouting, screaming,  
80 waving their arms, throwing objects, running at or chasing dogs. Children under 12-years  
81 of age are prohibited from entering the Dog Park.

82  
83 **12-20.230 Prohibited Actions.** To ensure the safety of the dogs and attendants  
84 the following are not permitted at the Dog Park:

85 - Animals that are not dogs.

86 - Dogs under the age of four (4) months.

87 - Female dogs when in heat.

88 - Dogs deemed to be vicious, or who have a previous history of aggressive  
89 behavior toward other animals or humans,

90 - The use of bicycles, roller blades/skates, skateboards and similar types of  
91 exercise equipment,

92  
93 - Motorized vehicles and devices, except for wheelchairs for the disabled.

10-13-1

- 94           - Glass bottles and similar breakable containers.
- 95           - Alcoholic beverages.
- 96           - Smoking
- 97           - Food of any type, including dog biscuits/treats.
- 98           - Professional dog trainers may not use the facility in conjunction with the
- 99 operation of their business.

101           **12-20.240 Liability.** Users of the Dog Park shall comply with all rules and

102 regulations governing the use of the facility.

103           The owner and/or attendant is responsible for and liable for all injuries and

104 damages caused by their dog(s).

105           Use of the Dog Park shall constitute the implied consent of the dog owner and/or

106 attendant to all conditions of this ordinance and shall constitute a waiver of liability to the

107 City of Cranston. As such, users of the Dog Park agree and undertake to protect,

108 indemnify, defend, and hold the City of Cranston harmless for any injury or damage

109 caused by or to their dog(s) during any time that said dog(s) is unleashed at the facility.

110

111           **12-20.250 Enforcement.** A person found to be in violation of this Dog Park

112 Ordinance and/or the Dog Park rules is subject to removal from the facility and may be

113 prohibited from future use of the Dog Park.

114           A person who violates any provision of Dog Park Ordinance or Rules shall be

115 subject to a fine of \$50.00 dollars, said penalty may be assessed in accordance with the

116 provisions of this Code.

117           The Animal Control Officer and the Director of Parks Recreation and Forestry

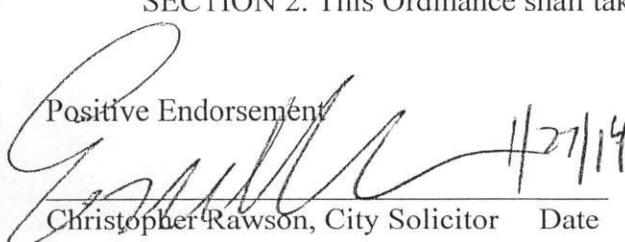
118 shall be authorized to enforce this Dog Park Ordinance.

119

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

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123	Positive Endorsement		Negative Endorsement (attach reasons)
124		11/27/14	
125	_____	_____	_____
126	Christopher Rawson, City Solicitor	Date	Christopher Rawson, City Solicitor    Date

131           Sponsored by Councilwoman Lee

134           Referred to Public Works Committee November 4, 2013

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

**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). As amended in Committee \ 1/16/2014. [\[click to view\]](#)**

On motion by Councilman Stycos, seconded by Councilman Santamaria, it was voted to approve the above Ordinance.

Under Discussion:

**Lawrence DiBona**, Director of Economic Development, appeared to speak and indicated that there is a scrivener's error in sub-section "J" on page 3 of the Ordinance. "ten years" should state "five years".

On motion by Council Vice-President Farina, seconded by Councilman Santamaria, it was voted to amend sub-section "J" to state "five years". 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 Council Vice-President Farina, seconded by Council Minority Leader Favicchio, the above Ordinance was adopted as amended. Motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, 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 Botts -1.

**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. [\[click to view\]](#)**

On motion by Council Vice-President Farina, seconded by Councilman Santamaria, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio and Council Vice-President Farina -8. Council President Lanni recused.

9-13-03

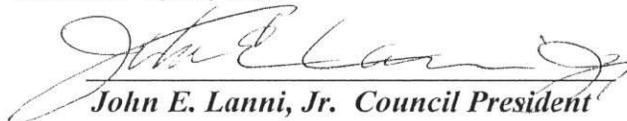
THE CITY OF CRANSTON

**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. 2014-5

*\*As Amended in Committee 1/16/2014**\*\*Scrivener's error amended City Council 1/27/2014***Passed:**

January 27, 2014



*John E. Lanni, Jr. Council President*

**Approved:**

February 6, 2014 pursuant to Sect. 3.14 of City Charter.

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*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 **\*five hundred** ~~\*two hundred fifty thousand~~ dollars ~~\*((\$250,000.00))~~ **\*((\$500,000.00))** and not to exceed two million dollars (\$2,000,000.00).
2. Renovation of an existing building with a minimum construction cost of **\*five hundred** ~~two hundred fifty thousand~~ dollars ~~\*((\$250,000.00))~~ **\*((\$500,000.00))** 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

9-13-03

- 47 4. Nothing in this chapter shall be deemed transferable to another.  
48
- 49 B. New, expanding, or existing industrial facilities must apply for designation  
50 under this tax incentive program for the new, existing or expanded  
51 construction. Further, the new, existing, or expanding business must have  
52 obtained approval for eligibility for participation in this program prior to the  
53 receipt of a certificate of occupancy from the building inspector.  
54 Application forms are available in the office of economic development.  
55
- 56 C. Eligibility for participation in this tax incentive program shall require the  
57 collective approval of the economic development director, building  
58 inspector, tax assessor, city planner or their designees, and the city council.  
59
- 60 D. At the time of the application each business must commit to the creation of  
61 jobs:  
62
- 63 1. **\*New or** Existing businesses expanding their facility must  
64 **\*increase \*commit to increasing** its employment over the course  
65 of three years.  
66
- 67 ~~\*2. New businesses moving their businesses to Cranston who  
68 construct a new facility must create a minimum of three-five jobs  
69 within the first year of operation and must maintain a increase  
70 employment minimum of three-five jobs each year during the entire  
71 during the five (5) year period to be eligible to continue to receive the  
72 tax benefit.~~
- 73 ~~\*3. If the new business does not maintain create the three-five new  
74 jobs each year during the entire five (5) year period, then the business  
75 shall no longer be entitled to receive the tax incentive benefit and shall  
76 be taxed at the regular rate and shall immediately be removed from the  
77 tax incentive program.~~
- 78
- 79
- 80 \*2. Businesses must submit a copy of their quarterly wage and tax reports  
81 to the economic development department in the city of Cranston.  
82
- 83 E. All participating businesses either new, existing or expanding are required  
84 to comply with all federal, state and municipal rules and regulations  
regarding job safety and hiring practices.
- 85
- 86
- 87 F. All new, existing or expanding business including any and all subsidiaries,  
88 affiliates, subdivisions, parents or other entities of said businesses with ten  
89 (10) percent or more common ownership, unless otherwise approved by the  
90 city council, must provide proof that all municipal taxes, fees and other  
91 assessments are paid and current and have been current for the last three  
92 years in order for said business to be eligible under this tax incentive  
93 program.  
94

9-13-03

- 95 G. Notwithstanding any vote and findings by the city council, the property  
 96 shall be assessed for and shall pay that portion of the tax if any assessed by  
 97 the city in which the real property is located, for the purpose of paying the  
 98 indebtedness of the state or any political subdivision thereof to the extent  
 99 assessed upon or apportioned to the city, and the interest thereon, and for  
 100 appropriation to any sinking fund of the city, which portion of the tax shall  
 101 be paid in full, and the taxes so assessed and collected shall be kept in a  
 102 separate account and used only for that purpose.  
 103
- 104 H. The city planner, the tax assessor, the building inspector and the director of  
 105 economic development shall promulgate with city council approval such  
 106 rules and regulations and provide suitable documents necessary to effect the  
 107 purpose of this article.  
 108
- 109 I. The mayor shall submit to the finance committee in the month of March an  
 110 annual report prepared by the city planner, the tax assessor and the director  
 111 of economic development which will identify all businesses participating in  
 112 this tax incentive program and shall verify the applicant's compliance with  
 113 all provisions of this chapter. Said report shall include the amount of  
 114 incentive granted to each business previously approved, the number of jobs  
 115 and/or the amount of expansion created by said new businesses, and the  
 116 remaining term for said incentive program for each business. Said annual  
 117 report shall also include the assessed value, the taxes generated and the taxes  
 118 defeased as a result of the participation in the tax incentive program for each  
 119 participating business.  
 120
- 121 J. That for the entire duration of the ~~\*\*ten (10)~~ five (5) year tax incentive the  
 122 aforementioned facility must be solely owned and operated by the recipient  
 123 of said tax incentive. That if for any reason the recipient of said tax  
 124 incentive vacates the aforementioned premises, abandons, or sells the  
 125 facility to another entity, corporation, partnership or person, prior to the  
 126 expiration of the ~~\*\*ten (10)~~ five (5) year tax incentive the city of Cranston  
 127 shall have the right to perfect a lien, equal to the incentive amount given to  
 128 date, placed upon said property pursuant to subsection (L) and (M) below.  
 129 The city of Cranston shall also have the right to assess a penalty requiring  
 130 the business to pay an amount equal to the total amount of the tax incentive  
 131 given to the business to date.  
 132
- 133 K. That for the entire period of said tax incentive program (5) years) the  
 134 recipient of said tax incentive shall grant to the city of Cranston a lien  
 135 encumbering said property including all improvements placed thereon, in  
 136 the amount of the value of the tax incentive. Said lien shall be filed with the  
 137 land evidence records of the city of Cranston.  
 138
- 139 L. The terms of said lien shall include the right of the city of Cranston to  
 140 perfect a lien without further notice to recipient of said tax incentive upon  
 141 the following conditions:  
 142

9-13-03

- 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.

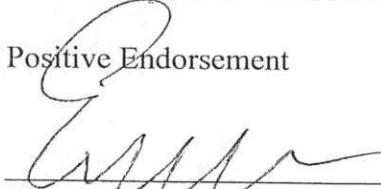
N. Failure to timely pay the taxes under this incentive program when due (in addition to the foreclosure remedies provided herein) will result in forfeiture of all future benefits under this program and all future taxes due to be assessed without the benefit of the incentives.

O. Upon the expiration of the five (5) 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)

 1/27/14  
 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

12-13-1

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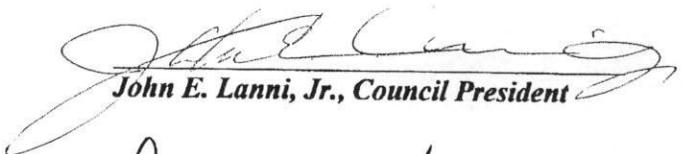
CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**

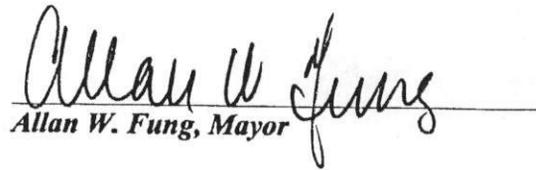
**RATIFYING THE ATTACHED MEMORANDUM OF AGREEMENT BETWEEN  
THE CITY OF CRANSTON AND THE TEAMSTERS LOCAL UNION 251  
(Workforce Solutions of Providence/Cranston)**

No. 2014-1

*Passed:*  
January 27, 2014

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

*Approved:*  
January 28, 2014

  
**Allan W. Fung, Mayor**

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

**Section 1.** The City of Cranston has through its corporate officials, bargained collectively with the Teamsters Local Union 251 which is the certified bargaining representative of Local 251 as set forth in the contract; and Local 251 and the City of Cranston have reached a Memorandum of Agreement related to Workforce Solutions of Providence/Cranston.

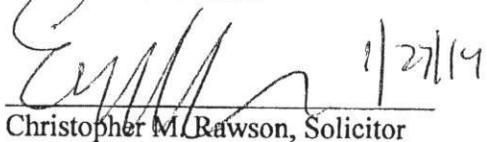
**Section 2.** That agreement in writing between the City of Cranston and Local 251, a copy of which is attached hereto and made a part hereof, is hereby ratified, confirmed and approved by this City Council.

**Section 3.** That except as modified by the terms of the aforesaid agreement, the City of Cranston shall retain all powers vested in it by law and its Charter over the management, regulation and control of said Local Union 251.

**Section 4.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

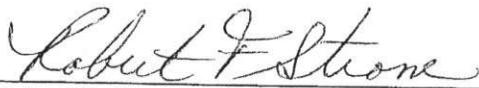
 1/27/14  
Christopher M. Rawson, Solicitor

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Christopher M. Rawson, Solicitor

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**Fiscal Note**

I hereby certify that it is anticipated that sufficient funds will be available to fund this agreement, and I have provided a fiscal impact analysis, in accordance with Section 3.04.152 of the Cranston City Code.

  
Robert F. Strom, Director of Finance

Sponsored by Allan W. Fung, Mayor

Referred to Finance Committee January 16, 2014

V 10.29.2013

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into as of this 15<sup>th</sup> day of Nov, 2013, between the City of Cranston ("City"), and THE TEAMSTERS, Chauffeurs, Warehousemen & Helpers of America, Local Union No. 251 ("Union"). This Memorandum of Agreement shall not be construed or interpreted as overriding any existing Collective Bargaining Agreement between the City and the Union, but is rather a supplemental agreement to it. All rights, benefits, privileges, duties, and obligations existing under the original contract between the parties are hereby still in effect.

Specifically, the following provisions are hereby explicitly agreed to by the aforementioned parties:

The employees of the City who are members of the Union and are employed at Workforce Solutions of Providence/Cranston ("WFS") are to receive the same pay rates as their Providence equivalents receive.

The above Union employees of the City are not to receive a pay increase or raise in their salaries or wages until the equivalent Providence employees receive their increase or raise first.

This Memorandum of Agreement is effective for the term of the Union contract with the City between July 1, 2012 to June 30, 2015.

CITY OF CRANSTON

By William W. Perry

Witness:

Anna E. Marino

Teamsters Local 251

By Steve M. Salvi

Witness:

Lynn M. Farney

**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. [\[click to view\]](#)**

On motion by Councilman Aceto, seconded by Council Vice-President Farina, the above Ordinance 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.

**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. [\[click to view\]](#)**

On motion by Council Vice-President Farina, seconded by Councilwoman Lee, the above Ordinance 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 REQUESTING THAT THE R.I. STATE POLICE COMMENCE AN INVESTIGATION OF THE ALLEGED CRANSTON TICKETING SCANDAL. Sponsored by Councilmen Stycos and Archetto. As amended in committee 1/16/2014. [\[click to view\]](#)**

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

On motion by Council Majority Leader Archetto, seconded by Councilman Aceto, it was voted to amend this Ordinance as follows: delete lines #64 thru 67.

Under Discussion:

**Council Minority Leader Favicchio** stated that the State Policed is doing their investigation. As stated earlier by Colonel O'Donnell, they are almost done with the investigation. He questioned why we are still acting on this Resolution.

**Council Vice-President Farina** agreed with Council Minority Leader Favicchio.

**Council Majority Leader Archetto** stated that this Resolution was introduced prior to the State Police coming in. This will support the Mayor's decision to bring the State Police in.

**Councilman Botts** stated that he agrees that there is no need for this Resolution any more since the State Police is conducting the investigation.

Roll call was taken on motion to amend the above Ordinance and motion passed on a vote of 6-3. The following being recorded as voting "aye": Councilwoman Lee, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio and Council Vice-President Farina -6. The following being recorded as voting "nay": Councilmen Stycos, Botts and Council President Lanni -3.

On motion by Council Majority Leader Archetto, seconded by Councilman Stycos, the above Ordinance was adopted as amended on a vote of 6-3. The following being recorded as voting "aye": Councilwoman Lee, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio and Council Vice-President Farina -6. The following being recorded as voting "nay": Councilmen Stycos, Botts and Council President Lanni -3.

**RESOLUTION AUTHORIZING REAL ESTATE AND TANGIBLE TAX ABATEMENTS [LINK](#)**

On motion by Councilman Botts, seconded by Councilman Stycos, 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 [LINK](#)**

On motion by Council Vice-President Farina, seconded by Councilman Stycos, 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 [\[click to view\]](#)**

On motion by Council Vice-President Farina, seconded by Councilman Stycos, 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 [\[click to view\]](#)**

On motion by Council Vice-President Farina, seconded by Councilman Stycos, 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.

12-13-2

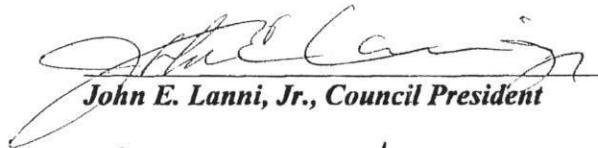
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CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
RATIFYING THE ATTACHED MEMORANDUM OF AGREEMENT BETWEEN  
THE CITY OF CRANSTON AND THE TEAMSTERS LOCAL UNION 251  
(Clerk Class Positions)

No. 2014-2

Passed:  
January 27, 2014

  
John E. Lanni, Jr., Council President

Approved:  
January 28, 2014

  
Allan W. Fung, Mayor

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

**Section 1.** The City of Cranston has through its corporate officials, bargained collectively with the Teamsters Local Union 251 which is the certified bargaining representative of Local 251 as set forth in the contract; and Local 251 and the City of Cranston have reached a Memorandum of Agreement related to Clerk Class Positions.

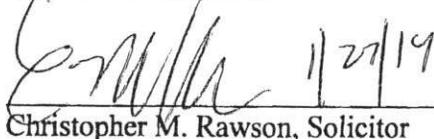
**Section 2.** That agreement in writing between the City of Cranston and Local 251, a copy of which is attached hereto and made a part hereof, is hereby ratified, confirmed and approved by this City Council.

**Section 3.** That except as modified by the terms of the aforesaid agreement, the City of Cranston shall retain all powers vested in it by law and its Charter over the management, regulation and control of said Local Union 251.

**Section 4.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

 1/27/14  
Christopher M. Rawson, Solicitor

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Christopher M. Rawson, Solicitor

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**Fiscal Note**

I hereby certify that it is anticipated that sufficient funds will be available to fund this agreement, and I have provided a fiscal impact analysis, in accordance with Section 3.04.152 of the Cranston City Code.



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Robert F. Strom, Director of Finance

Sponsored by Allan W. Fung, Mayor

Referred to Finance Committee January 16, 2014

V 11.12.13

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into as of this 15<sup>th</sup> day of Nov, 2013 between the City of Cranston ("City") and the Teamsters, Chauffeurs, Warehousemen & Helpers of America, Local Union No. 251 ("Union").

Specifically, the position listed below would be elevated to the following Class and Grade:

Current Class 13 Grade 6 Clerk position to a Class 14 Grade 6 Senior Clerk position in the City Clerk's Office.

This modification of position/grade will be effective on July 1, 2013.

CITY OF CRANSTON

By Allan D. Gury

TEAMSTERS LOCAL 251

By Steven M. Sobiech

Witness:

Anna E. Reimo

Witness:

Lynn M. Furney

1-14-1S

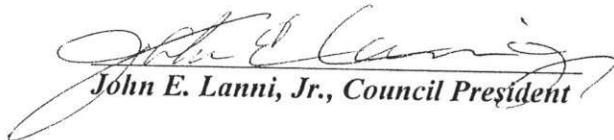
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THE CITY OF CRANSTON

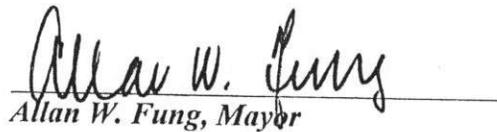
**ORDINANCE OF THE CITY COUNCIL**  
RATIFYING THE JUDGMENT AND CONSENT AGREEMENT BETWEEN  
THE CITY OF CRANSTON AND THE CRANSTON POLICE DEPARTMENT  
RETIREES ASSOCIATION, INC. AND LOCAL 1363 RETIREEES ASSOCIATION

No. 2014-3

Passed:  
January 27, 2014

  
John E. Lanni, Jr., Council President

Approved:  
January 28, 2014

  
Allan W. Fung, Mayor

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

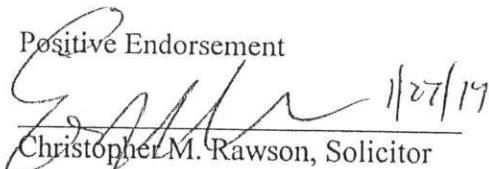
**Section 1.** The City of Cranston has through its officials, negotiated a Final and Consent Judgment before the Kent County Superior Court.

**Section 2.** That agreement in writing between the City of Cranston and the Cranston Police Department Retirees Association, Inc. and Local 1363 Retirees Association, a copy of which is attached hereto, and made a part hereof, is hereby ratified, confirmed and approved by this City Council.

**Section 3.** The adoption of this Ordinance shall only apply to those individuals who accepted the terms of the Final Consent Judgment in Kent County Superior Court, CA No. PC-2013-1899, does not apply to any individuals who opted out of the Final and Consent Judgment, and shall in no way amend, alter, modify or vacate Ordinances No. 2013-5 (3-13-04) and 2013-6 (3-13-05) which remain in full force and effect.

**Section 4.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

 1/27/14  
Christopher M. Rawson, Solicitor

Negative Endorsement (attach reasons)

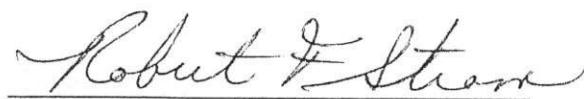
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Christopher M. Rawson, Solicitor

1-14-1S

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**Fiscal Note**

Attached is the J30 Funding Plan prepared by Buck Consultants, in accordance with Section 3.04.152 of the Cranston City Code.

  
Robert F. Strom, Director of Finance

Sponsored by Allan W. Fung, Mayor  
Referred to Finance Committee January 16, 2014

**City of Cranston - Fire & Police Pension Plans**  
**Critical Status Emergence Plan Scenarios**  
**Benefit Policy = Every Other Year COLA Freeze for 10 Years (starting FYE 2014) and 1.5% COLA for Years 11 and 12**  
**EXCLUDING CURRENT WIDOWS AND FUTURE WIDOWS OF INACTIVES**  
**Funding Policy = Stated % of Scenario ARC plus additional contributions including state allocation**  
**Amortization Period Extended Through FYE 2042**  
**Updated to reflect the 7/1/2012 valuation**

FYE	Employer Normal Cost	UAL Amortization	ARC	Additional Contribution	Percentage of ARC Contributed	Employer Contribution	Funded Ratio	Benefit Payments
6/30/2014	1,025,841	21,551,836	22,577,677	180,198	100.0%	22,757,875	19%	23,219,271
6/30/2015	910,444	21,536,266	22,446,710	0	98.0%	21,997,776	20%	24,054,257
6/30/2016	743,161	21,575,504	22,318,665	0	98.5%	21,983,885	21%	24,231,938
6/30/2017	632,756	21,605,132	22,237,888	0	99.0%	22,015,509	22%	24,939,597
6/30/2018	519,148	21,625,081	22,144,229	0	99.5%	22,033,508	22%	25,009,045
6/30/2019	418,732	21,635,163	22,053,895	0	100.0%	22,053,895	23%	25,632,408
6/30/2020	317,662	21,635,163	21,952,825	0	100.0%	21,952,825	24%	25,558,857
6/30/2021	243,274	21,635,163	21,878,437	0	100.0%	21,878,437	25%	26,006,682
6/30/2022	188,215	21,635,163	21,823,378	0	100.0%	21,823,378	25%	25,764,965
6/30/2023	146,837	21,635,163	21,782,000	0	100.0%	21,782,000	26%	25,773,494
6/30/2024	115,803	21,635,163	21,750,966	0	100.0%	21,750,966	27%	25,739,062
6/30/2025	89,644	21,635,163	21,724,807	0	100.0%	21,724,807	28%	25,987,449
6/30/2026	58,043	21,635,163	21,693,206	0	100.0%	21,693,206	29%	26,172,900
6/30/2027	38,412	21,635,163	21,673,575	0	100.0%	21,673,575	30%	26,316,056
6/30/2028	24,141	21,635,163	21,659,304	0	100.0%	21,659,304	32%	26,399,218
6/30/2029	16,253	21,635,163	21,651,416	0	100.0%	21,651,416	33%	26,437,788
6/30/2030	10,078	21,635,163	21,645,241	0	100.0%	21,645,241	35%	26,429,443
6/30/2031	4,978	21,635,163	21,640,141	0	100.0%	21,640,141	36%	26,361,604
6/30/2032	3,331	21,635,163	21,638,494	0	100.0%	21,638,494	38%	26,236,957
6/30/2033	2,675	21,635,163	21,637,838	0	100.0%	21,637,838	41%	26,059,783
6/30/2034	376	21,635,163	21,635,539	0	100.0%	21,635,539	44%	25,815,234
6/30/2035	0	21,635,163	21,635,163	0	100.0%	21,635,163	47%	25,503,483
6/30/2036	0	21,635,163	21,635,163	0	100.0%	21,635,163	51%	25,122,343
6/30/2037	0	21,635,163	21,635,163	0	100.0%	21,635,163	56%	24,669,841
6/30/2038	0	21,635,163	21,635,163	0	100.0%	21,635,163	62%	24,143,561
6/30/2039	0	21,635,163	21,635,163	0	100.0%	21,635,163	69%	23,543,453
6/30/2040	0	21,635,163	21,635,163	0	100.0%	21,635,163	77%	22,871,145
6/30/2041	0	21,635,163	21,635,163	0	100.0%	21,635,163	88%	22,128,397
6/30/2042	0	21,635,163	21,635,163	0	100.0%	21,635,163	100%	21,318,038
	5,509,804	627,137,720	632,647,524	180,198		631,710,908		727,446,269

J30 - Every Other Year COLA Freeze for 10 Years 1.5% for Years 11 and 12, Effective FYE 2014, Excluding Current Widows and Future Widows of Inactives, Amort Period Through FYE 2042, Including State Allocation, Contribute Stated % of ARC.

buckconsultants

STATE OF RHODE ISLAND  
Kent, SC.

SUPERIOR COURT

THE CRANSTON POLICE DEPARTMENT RETIREES  
ASSOCIATION, INC.

AND

LOCAL 1363 RETIREES ASSOCIATION

Plaintiffs,

v.

THE CITY OF CRANSTON, by and through its  
Treasurer, DAVID CAPUANO,  
Defendant.

C.A. No. KC 13-1046  
(formerly PC 13-1899)

**FINAL AND CONSENT JUDGMENT**

This matter came before the Court for hearing on December 13, 2013 for entry of this Final and Consent Judgment. In connection therewith, the Court makes the following findings of fact:

A. On or about April 22, 2013, the Cranston City Council passed and the Mayor signed into law, Ordinance No. 3-13-04 amending Title 2.20.050 of the Cranston Code of Ordinances dealing with its police pension fund and the retirement system and Ordinance No. 3-13-05 amending Title 2.28.050 of the Cranston Code of Ordinances (collectively the "Ordinances") dealing with its firemen's pension fund and the retirement system. More specifically, the Ordinances suspend certain cost-of-living adjustments for retired City employees, or future retirees.

B. On or about April 24, 2013, The Cranston Police Department Retirees Association, Inc. and the Local 1363 Retirees Association (the "Associations") on behalf of retirees of the City (the "Retirees"), commenced a lawsuit against the City of Cranston (the "City") (C.A. No. 13-1899).

C. In their complaint in C.A. No. 13-1899, the Plaintiffs sought declaratory judgment, injunctive relief and damages.

DAVID J. CAPUANO  
Treasurer  
CITY OF CRANSTON  
KENT COUNTY SUPERIOR COURT

STEPHEN J. CLARK  
CLERK  
KENT COUNTY SUPERIOR COURT

D. More specifically, the Plaintiffs in C.A. No. 13-1899 alleged that the City's enactment of the Ordinances resulted in the unilateral change of pension benefits for the Retirees notwithstanding the City's obligations created under any other statute, ordinance, interest arbitration award or collective bargaining agreement to the contrary.

E. In response, the City alleged that the enactment of the Ordinances were a valid exercise of the police power of the City and comported with the requirements of the State of Rhode Island and United States Constitutions.

F. On or about June 7, 2013, the Court entered an order certifying C.A. No. 12-3590, as a class action pursuant to Superior Court Rule of Civil Procedure 23 with the following sub-classes of plaintiffs comprising of all persons or entities who were:

- (i) hired prior to July 1, 1995 and retired from employment with the Cranston Police Department and are entitled to a city-paid pension with mandatory cost of living adjustments ("COLA" or "COLAs") for the remainder of his/her life under a collective bargaining agreement ("CBA" or "CBAs"), ordinance, arbitration awards, settlement agreements, court decisions and/or consent judgments as a result of that employment;
- (ii) hired prior to July 1, 1995 and retired from employment with the Cranston Fire Department and are entitled to a city-paid pension with mandatory COLAs for the remainder of his/her life under a CBA, ordinance, arbitration awards, settlement agreements, court decisions and/or consent judgments as a result of that employment;
- (iii) hired prior to July 1, 1995 and who anticipate retiring from employment as members of either the IBPO or Local 1363 at a point in time after the enactment of the Ordinances and will be entitled to a City paid pension with mandatory COLAs for the remainder of his/her life under a CBA, ordinance, arbitration awards, settlement agreements, court decisions and/or consent judgments as a result of that employment;

All such putative members, being referred to as the "Retirees" (the Retirees shall hereinafter be collectively referred to as the "Class" and the members thereof as the "Class Members").

G. By Order dated September 6, 2013 (the "Order of Notice"), the Court approved and directed two forms of notice to the Class Members, the first consisting of a Notice of Class Action Lawsuits and Proposed Settlements of Claims and of Hearing Thereon (the "First Notice"), and the second consisting of

CLERK  
SUPERIOR COURT

a Notice of Approved Settlement, Deadline For Exclusion From Class, and Hearing on Entry of Final and Consent Judgment (the "Second Notice").

H. Based upon an Affidavit of Compliance of William M. Dolan III filed prior hereto, the First Notice was timely mailed to the Class Members on September 12, 2013 and published on September 17, 2013 in accordance with the terms of the Order of Notice.

I. The Court held a hearing (the "Fairness Hearing") to consider the settlement embodied in this Final and Consent Judgment (the "Settlement") and any objections thereto and, for the reasons stated on the record at the hearing, the Court overruled any objections and found the Settlement fair and reasonable.

J. Based upon an Affidavit of Compliance of William M. Dolan III filed prior hereto, the Second Notice was timely mailed to the Class Members on November 18, 2013 in accordance with the terms of the Order of Notice.

K. As evidenced by an Affidavit of William M. Dolan III filed simultaneously herewith, certain Class Members have timely opted-out and excluded themselves from the Class as hereinafter identified.

Accordingly, it is thereby:

**ORDERED, ADJUDGED AND DECREED as follows:**

**General Provisions Applicable to COLA Ordinance Settlements**

1. The Court has jurisdiction over the subject matter of this Class Action and over all parties, including all Class Members. The Court is a proper and convenient venue for the consideration, approval, and administration of the Settlement.
2. The findings and decrees contained in the previous Order of the Superior Court certifying the Class are incorporated herein by reference as if fully set forth.
3. The First Notice and the Second Notice were disseminated and published in accordance with the Order of Notice. The notice given thereby was the best notice to the Class practicable under the circumstances, and provided due and adequate notice of the terms of the Settlement, the hearings thereon and the terms and conditions of this Final and Consent Judgment, and all other matters set forth herein to all persons entitled to notice, and satisfied the requirements of Rule 23 of the Superior Court Rules of Civil Procedure and the requirements of due process.
4. A full opportunity having been offered to Class Members to participate in the Fairness Hearing, it is hereby determined that all Class Members, other than those persons and entities who have opted-out of and requested exclusion from the Class in accordance with the terms of the Notice (as set forth in Exhibit A), are bound by this

**Final and Consent Judgment.** Persons who opt-out of, and are thereby excluded from, the Settlement are bound by the Ordinances, subject to their right to challenge the Ordinances.

5. The Court grants final approval of the Settlement set forth herein and, as the Court ruled at the Fairness Hearing, finds and determines that the Settlement is fair, adequate and reasonable in all respects to the City and Class Members, and hereby orders the parties to consummate the Settlement in accordance with the terms of this Final and Consent Judgment.

6. Upon the entry of this Final and Consent Judgment, without any further action by anyone, each of the Class Members who has not duly requested exclusion from the Class, for good and sufficient consideration, by operation of this Final and Consent Judgment, shall be deemed to have released and forever discharged all of the claims against the City in respect to the Ordinances.

7. Upon entry of this Final and Consent Judgment, the Class Members who have not timely requested exclusion from the Class, by operation of this Final and Consent Judgment, shall be severally and permanently barred and enjoined from instituting, maintaining, prosecuting or enforcing against the City any of the claims settled hereby, in respect to the Ordinances, except for enforcement of this Final and Consent Judgment. Further, in no event shall any such Class Member materially, financially or otherwise assist any person in the commencement or maintenance of any lawsuit against the City to challenge the Ordinances.

8. The Persons listed on Exhibit A hereto have properly excluded themselves from the Class. All persons listed on Exhibit A are not bound by this Final and Consent Judgment, and they shall not share in the benefits of the settlement effected hereby as Class Members. Notwithstanding their exclusion from the Class by the inclusion of their names on Exhibit A, the following individuals shall submit to the City within fourteen (14) days from the date hereof, the required opt out letter as specifically delineated in the opt out procedures of the First and Second Notice: Borden, Spencer K., Evans, Edward M., Falco, Pasco J., Grayhurst, Michael R., Scichilone, Joseph M., and Suter, Albert E. Failure to file the required opt out letters by the aforementioned individuals shall result in their inclusion in the Class.

9. None of the terms in this Final and Consent Judgment, nor any of the negotiations or proceedings connected with it, nor any of the documents or statements referred to therein shall be: (a) offered or received against the City as evidence of or construed as or deemed to be evidence of any presumption, concession, or admission by the City with respect to the truth of any fact alleged by the Plaintiffs or the validity of any claim that had been or could have been asserted in the Class Actions or in any litigation, or of any liability, negligence, fault, or wrongdoing of the City; (b) be offered or received against the City as evidence of a presumption, concession or admission of any fault, misrepresentation or omission with respect to any statement or written document approved or made by the City or against the Plaintiffs or any member of the

Class as evidence of any infirmity in the claims of the Plaintiffs or any member of the Class; (c) be offered or received against the City or against the Plaintiffs or any member of the Class as evidence of a presumption, concession or admission with respect to any liability, negligence, fault or wrongdoing, or in any way referred to for any other reason as against any of the parties hereto, in any other civil, criminal or administrative action or proceedings; (d) be construed against the City, the Plaintiffs or any member of the Class as an admission or concession that the consideration to be given hereunder represents the amount that could be or would have been recovered after trial; or (e) be construed as, or received in evidence as, an admission, concession or presumption against the Plaintiffs or any member of the Class or any of them that any of their claims are without merit or that relief sought under the Complaint would not have exceeded the value of the Settlement effectuated hereby.

10. The Court retains jurisdiction over the Plaintiffs, the Class and the City for all matters relating to this Class Action, including the administration, interpretation, effectuation or enforcement of the Settlement and the Final and Consent Judgment.

**Specific Provisions Pertaining to the COLA Ordinances**

11. Except as modified by the terms of this Final and Consent Judgment, the Ordinances shall remain in full force and effect. Persons who opt-out of and are thereby excluded from the Settlement embodied herein shall remain bound by the Ordinances, subject to their right to challenge the Ordinances

12. The City shall suspend the annual three percent (3%) compounded COLA, excluding current or future widows that do not opt-out of the settlement, every other year over a ten (10) year period beginning on July 1, 2013. Upon the expiration of the ten year period, for years eleven (11) and twelve (12), said three percent (3%) per annum compounded COLA shall be reduced to one and one half percent (1.5%) compounded, excluding current or future widows who do not opt-out of the settlement.

13. Upon the expiration of the reduced one and one half percent (1.5%) compounded COLA in year twelve (12), the COLA shall be fixed permanently at three percent (3%) compounded per annum without any further escalation based upon any raises to active employees.

14. The re-amortization period of the unfunded liability of the locally administered pension plan shall be over a thirty (30) year period.

15. The City's obligation to fund the Annual Required Contribution (the "ARC") shall be as set forth in the critical status emergence plan prepared by actuary Buck Consultants and entitled "J30" (and attached as Exhibit "B"). In accordance with plan J30, the City shall fund the ARC at 100% in Fiscal Year 2014. In Fiscal Years 2015, 2016, 2017, and 2018, the City shall fund the ARC at 98%, 98.5%, 99%, and 99.5%, respectively. In Fiscal Years 2019 through 2042, the City shall fund its ARC at 100%.

16. In the event that additional incentive funding to assist communities with locally administered pension plans is appropriated by the General Assembly in the

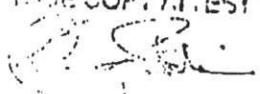
fiscal years of 2015, 2016, 2017, or 2018, and that said funds are received by the City, then the City shall utilize said funding to fund its ARC contribution during that corresponding fiscal year.

17. In the event the City settles a claim or lawsuit with any Fire or Police retiree who opts-out of the Class on terms that are materially better than the Settlement effectuated hereby, then in such event, at the election of any retiree who did not opt-out of the Class and Settlement, which election shall be made within ninety (90) days of the Settlement with any such retiree who opted-out, the Settlement embodied herein shall be void as to the retiree making the election herein provided. Notice of any such settlement shall be provided to any retiree who did not opt-out of the Class and Settlement, via first class mail at the retiree's last known address.

18. In the event that a receiver is appointed for the City or if the City files any insolvency proceedings, and in either event there is an attempt to change any of the terms of this Final and Consent Judgment, then any Class Member shall have the option to have this Final and Consent Judgment vacated as it applies to him/her and then be able to contend that all previous benefits that were in place on or before April 23, 2013 be available to him/her, with full reservation by the City of its rights, claims and defenses in any such case, including, without limitation, the right to reject, impair or otherwise modify any executory or other form of contract under applicable federal or state law; except that the defenses of laches or the statute of limitations shall not be available to the City. The remedy set forth in this paragraph is not intended to be the sole and exclusive remedy of the parties, but shall be in addition to any other remedy that may be available to the parties under law.

19. The City also agrees that in the event that it files any insolvency proceedings, then any plan with respect to the Class Members' pension benefits until there is a formal Plan of Adjustment, shall be governed by this Final and Consent Judgment. In addition, and to the extent allowable by law, this Final and Consent Judgment shall be deemed to be the Plan of Adjustment with respect to Class Members' pension benefits during any insolvency proceedings.

20. The terms of this Final and Consent Judgment have been approved by the Cranston City Council prior to its submission to the Court for entry.

TRUE COPY ATTEST  
  
LISA ST. JULIE P.,  
CLERK OF SUPERIOR COURT

**ENTER:**

*[Signature]*

Dated:

THE CRANSTON POLICE DEPARTMENT  
RETIREES ASSOCIATION, INC.; and

LOCAL 1363 RETIREE ASSOCIATION

By Class Counsel,

*[Signature]*

James E. Kelleher, Esq. (4054)  
Revens Revens & St. Pierre  
946 Centerville Road  
Warwick, RI 02886  
(401) 822-2900  
Fax: (401)-826-3245

**ORDER:**

*[Signature]*  
*Deputy Clerk*  
12/10/13

THE CITY OF CRANSTON, by and through  
its Treasurer, DAVID CAPUANO,

By its Attorneys,

*[Signature]*

William M. Dolan III (#4524)  
BROWN RUDNICK LLP  
10 Memorial Boulevard, 10th Floor  
Providence, RI 02903  
(401) 276-2600  
(401) 276-2601 Facsimile

TEST  
COURT

**EXHIBIT A**

STATE OF RHODE ISLAND  
Kent, SC.

SUPERIOR COURT

THE CRANSTON POLICE DEPARTMENT RETIREES  
ASSOCIATION, INC.

AND

LOCAL 1363 RETIREES ASSOCIATION

Plaintiffs,

v.

THE CITY OF CRANSTON, by and through its  
Treasurer, DAVID CAPUANO,  
Defendant.

C.A. No. KC 13-1046  
(formerly PC 13-1899)

**OPT OUT LIST**

1.	Abbott, James D.
2.	Antuono, Ronald P.
3.	Barber, Robert
4.	Baxter, Sean
5.	Belanger, Henry
6.	Blackmar, Ronald
7.	Borden, Spencer K.
8.	Cabral, Michael A.
9.	Campbell, Edward C.
10.	Castelli, Michael A.
11.	Chalek, Michael A.
12.	Clark, Jeannette
13.	Cody, Kenneth M.
14.	Cook, David W.
15.	Cook, Peter W.
16.	Cooney, Joseph W.
17.	Corrente, Albert

TEST  
COURT

18.	Cuddemi, Michael
19.	Davies, Robert
20.	Del Bonis, Frank P.
21.	DelPrete, John V.
22.	DiBiase, Anthony V.
23.	DiBiasi, Vincent R.
24.	Douglas, Michael S.
25.	Evans, Edward M.
26.	Falco, Pasco J.
27.	Falcone, Arthur Joseph
28.	Falcone, Richard H.
29.	Fazio, Thomas A.
30.	Flanders, Harvey J.
31.	Gabriele, Steven R.
32.	Galligan, Charles J.
33.	Gallo, Frank J.
34.	Gemma, Raymond R.
35.	Gilkenson, Glenn
36.	Grant, Kevin P.
37.	Grayhurst, Michael R.
38.	Greene, David H.
39.	Groeneveld, David
40.	Guilmette, Joseph
41.	Hargreaves, Ronald H.
42.	Henderson, Ronald S.
43.	Hitchen, Ronald J.
44.	Hutter, Ernest C.
45.	Jackson, James E.
46.	Jones, Charles Q.
47.	Kelly, Richard R.
48.	Kirejczyk, William M.
49.	Lynch, Kevin M.
50.	Lynch, William T.
51.	Maccarone, Vincent M.
52.	Maggiacomo, Ennio F.
53.	Martin, Ronald P.
54.	Martin, Thomas J.
55.	Matrunalo, Vincent A.
56.	McGrath, Edward A.

57.	McGrath, Stephen
58.	McMahon, Joseph F.
59.	Meola, Anthony J.
60.	Milan, Donald J.
61.	Miller, Jr., Charles F.
62.	Mooney, Joseph T.
63.	Moretti, John D.
64.	Mullins, Charles J.
65.	Palazzo, Michael J.
66.	Palumbo, Donald R.
67.	Quirk, Raymond W.
68.	Remington, Bill
69.	Robertson, Steven C.
70.	Sanders, Timothy
71.	Scichilone, Joseph M.
72.	Sperlongano, Pasquale
73.	Sullivan, Patrick J.
74.	Suter, Albert E.
75.	Walsh, Edward J.
76.	Zabinski, Mark

2007

CLERK  
COURT

THE CITY OF CRANSTON

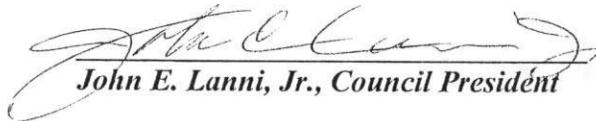
**RESOLUTION OF THE CITY COUNCIL  
REQUESTING THAT THE RI STATE POLICE INVESTIGATE THE ALLEGED  
CRANSTON TICKETING SCANDAL**

No. 2014-2

\*As amended in Committee 1/16/2014  
\*\*Amended in City Council 1/27/2014

*Passed:*

January 27, 2014



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

*Resolved that,*

**WHEREAS**, allegations of retaliatory ticketing against the residents of Wards One and Three undermine the credibility of the Cranston Police Department,

**WHEREAS**, the issuance of 128 tickets in Wards One and Three during the two days following the Finance Committee's rejection of the proposed police union contract suggests the participation of numerous police officers and the coordination by supervisory police officers,

**WHEREAS**, press reports indicate that at least one high ranking Cranston police officer participated in retaliatory ticketing,

**WHEREAS**, governmental bodies have a difficult time investigating themselves,

~~**WHEREAS**, Mayor Allan Fung has hired Sterling & Stephens Investigations and Consulting of Mountainside, New Jersey to merely "review" the findings of an internal police department investigation of the alleged retaliatory ticketing,~~

**WHEREAS**, the citizens of Cranston deserve a police department that is trusted by residents and free of scandal,

~~**BE IT RESOLVED**, that the Cranston City Council declares that a thorough investigation by a trusted outside agency is required to determine whether some Cranston police officers violated the law, their oath of office or police department procedures~~

47  
48  
49 **\*BE IT RESOLVED, that the Cranston City Council thanks the Rhode**  
50 **Island State Police for agreeing to investigate the retaliatory ticketing and assume**  
51 **temporary direction of the Cranston Police Department.**  
52

53 ~~**\*BE IT FURTHER RESOLVED,**~~ that the Cranston City Council requests the  
54 Rhode Island State Police immediately begin a thorough investigation of alleged police  
55 misconduct by retaliatory ticketing following the Finance Committee's rejection of the  
56 proposed police union contract.

57 **\*BE IT FURTHER RESOLVED, that the Cranston City Council urges the**  
58 **Rhode Island State Police to investigate all allegations of police misconduct by the**  
59 **Cranston Police.**  
60

61 ~~**\*BE IT FURTHER RESOLVED,**~~ that the Cranston City Council urges Mayor  
62 Allan Fung to join in calling for a Rhode Island State Police investigation;  
63

64 ~~\*\* **\*BE IT FURTHER RESOLVED, that the Cranston City Council**~~  
65 ~~**welcomes recommendations from the Rhode Island State Police on changes to the**~~  
66 ~~**City Charter, Ordinances, Police Department regulations and the police union**~~  
67 ~~**contract that would improve the operation of the Cranston Police Department.**~~  
68

69 **\*BE IT FURTHER RESOLVED, that the Cranston City Council asks**  
70 **Mayor Allan Fung to testify at a City Council meeting and answer questions about**  
71 **when he learned about the retaliatory ticketing and what role, if any, he and/or his**  
72 **administrative staff played in the retaliatory ticketing.**  
73

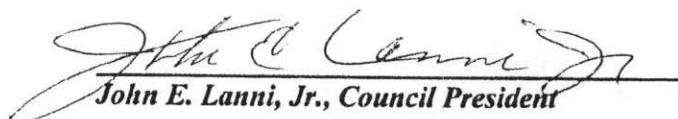
74 **BE IT FINALLY RESOLVED,** that the City Clerk send a copy of this  
75 Resolution to the Rhode Island State Police: **Colonel Steven O'Donnell, Captain Kevin**  
76 **Barry, Captain Benjamin Barney and Major Todd Catlow of the Rhode Island State**  
77 **Police.**  
78

79  
80  
81  
82  
83 Sponsored by Councilmen Steven Stycos and Paul Archetto

## THE CITY OF CRANSTON

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

No. 2014-3

*Passed:*  
January 27, 2014  
*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)

ALLAN FUNG  
MAYOR



DIVISION OF ASSESSMENT  
869 PARK AVE  
CRANSTON, RI 02910

SALVATORE SACCOCCIO JR.  
CITY ASSESSOR

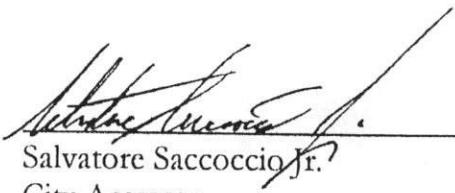
DAVID COLE  
DEPUTY ASSESSOR

MEMO

DATE: January 6, 2014  
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, 2012	297,846	8,800.16
December 31, 2011	<u>60,130</u>	<u>2,060.05</u>
Totals:	357,976	10,860.21

  
Salvatore Saccoccio Jr.  
City Assessor

\*\*\* RECRIABT.REP \*\*\* Printed 12312013 at 10:50:49 by KARBUR

Page 1

City of Cranston  
2013 Abatement List

<p>1 0229900001 022-0138 Location 23 BRIAR HILL DR BLANCHETTE CHRISTOPHER D BLANCHETTE MICHHELLE M TE 23 BRIAR HILL DR CRANSTON RI 02921</p> <table border="0"> <tr> <td></td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Original</td> <td>: 279800</td> <td>6390.63</td> </tr> <tr> <td>LISTING ERROR</td> <td>: 5200</td> <td>118.77</td> </tr> <tr> <td>Adjusted</td> <td>: 274600</td> <td>6271.86</td> </tr> </table>		Value	Tax	Original	: 279800	6390.63	LISTING ERROR	: 5200	118.77	Adjusted	: 274600	6271.86	<p>2 1714930036 026-0005 Location ROWE DR PROVIDENCE CITY OF C/O PROVIDENCE WATER 552 ACADE 552 ACADEMY AVENUE PROVIDENCE RI 02908</p> <table border="0"> <tr> <td></td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Original</td> <td>: 198800</td> <td>6742.36</td> </tr> <tr> <td>ASSESSORS APPE</td> <td>: 42400</td> <td>1462.62</td> </tr> <tr> <td>Adjusted</td> <td>: 154400</td> <td>5299.74</td> </tr> </table>		Value	Tax	Original	: 198800	6742.36	ASSESSORS APPE	: 42400	1462.62	Adjusted	: 154400	5299.74	<p>3 1714930047 035-0131 Location 6 BASIL CROSSING PROVIDENCE CITY OF C/O PROVIDENCE WATER 552 ACADE 552 ACADEMY AVENUE PROVIDENCE RI 02908</p> <table border="0"> <tr> <td></td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Original</td> <td>: 36000</td> <td>1233.36</td> </tr> <tr> <td>ASSESSORS APPE</td> <td>: 12000</td> <td>411.12</td> </tr> <tr> <td>Adjusted</td> <td>: 24000</td> <td>822.24</td> </tr> </table>		Value	Tax	Original	: 36000	1233.36	ASSESSORS APPE	: 12000	411.12	Adjusted	: 24000	822.24
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ASSESSORS APPE	: 12000	411.12																																				
Adjusted	: 24000	822.24																																				
<p>4 1714930044 033-0066 Location 2790 PLAINFIELD PK PROVIDENCE CITY OF C/O PROVIDENCE WATER 552 ACADE 552 ACADEMY AVENUE PROVIDENCE RI 02908</p> <table border="0"> <tr> <td></td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Original</td> <td>: 280000</td> <td>9592.80</td> </tr> <tr> <td>ASSESSORS APPE</td> <td>: 34400</td> <td>1178.54</td> </tr> <tr> <td>Adjusted</td> <td>: 245600</td> <td>8414.26</td> </tr> </table>		Value	Tax	Original	: 280000	9592.80	ASSESSORS APPE	: 34400	1178.54	Adjusted	: 245600	8414.26	<p>5 1714930011 016-1089 Location 50 MELODY LN PROVIDENCE CITY OF C/O PROVIDENCE WATER 552 ACADE 552 ACADEMY AVENUE PROVIDENCE RI 02908-2725</p> <table border="0"> <tr> <td></td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Original</td> <td>: 58700</td> <td>2011.06</td> </tr> <tr> <td>ASSESSORS APPE</td> <td>: 42000</td> <td>1438.92</td> </tr> <tr> <td>Adjusted</td> <td>: 16700</td> <td>572.14</td> </tr> </table>		Value	Tax	Original	: 58700	2011.06	ASSESSORS APPE	: 42000	1438.92	Adjusted	: 16700	572.14	<p>6 1714930031 020-2110 Location SCITUATE AV PROVIDENCE CITY OF C/O PROVIDENCE WATER 552 ACADE 552 ACADEMY AVENUE PROVIDENCE RI 02908-2725</p> <table border="0"> <tr> <td></td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Original</td> <td>: 130000</td> <td>4762.14</td> </tr> <tr> <td>ASSESSORS APPE</td> <td>: 44100</td> <td>1510.87</td> </tr> <tr> <td>Adjusted</td> <td>: 94900</td> <td>3251.27</td> </tr> </table>		Value	Tax	Original	: 130000	4762.14	ASSESSORS APPE	: 44100	1510.87	Adjusted	: 94900	3251.27
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<p>7 1916120511 037-0009-023 Location 255 SCITUATE AV #C RHODE ISLAND HOUSING AND MORTG 44 WASHINGTON ST PROVIDENCE RI 02903-7120</p> <table border="0"> <tr> <td></td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Original</td> <td>: 132600</td> <td>3028.58</td> </tr> <tr> <td>Exemption Omit</td> <td>: 117748</td> <td>2689.32</td> </tr> <tr> <td>Adjusted</td> <td>: 14854</td> <td>339.26</td> </tr> </table>		Value	Tax	Original	: 132600	3028.58	Exemption Omit	: 117748	2689.32	Adjusted	: 14854	339.26	<p>0000000000 Location</p> <table border="0"> <tr> <td>Original</td> <td>:</td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Adjusted</td> <td>:</td> <td></td> <td></td> </tr> </table>	Original	:	Value	Tax	Adjusted	:			<p>0000000000 Location</p> <table border="0"> <tr> <td>Original</td> <td>:</td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Adjusted</td> <td>:</td> <td></td> <td></td> </tr> </table>	Original	:	Value	Tax	Adjusted	:										
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Adjusted	825054	24960.77																																				

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Page 1

City of Granston  
2012 Abatement List

1	2108960501	992-1089-605	0000000000	0000000000
	Location 31 HILLSIDE RD		Location	Location
	TEN THOUSAND VILLAGES			
	TEN THOUSAND VILLAGES			
	P O BOX 307			
	AKRON PA 17501			

		Value	Tax	Original	:	Value	Tax	Original	:	Value	Tax
Original	:	102375	3507.36	Original	:				:		
LISTING ERROR	:	60130	2060.05		:				:		
Adjusted	:	42245	1447.31	Adjusted	:			Adjusted	:		

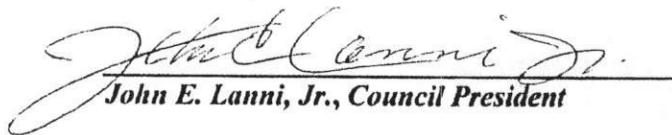
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	Value	Tax	
Original	102375	3507.36	
Abatements	60130	2060.05	on 1 Accounts
Adjusted	42245	1447.31	

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

No. 2014-4

*Passed:*  
January 27, 2014

  
**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)

ALLAN FUNG  
MAYOR



DIVISION OF ASSESSMENT  
869 PARK AVE  
CRANSTON, RI 02910

SALVATORE SACCOCCIO JR.  
CITY ASSESSOR

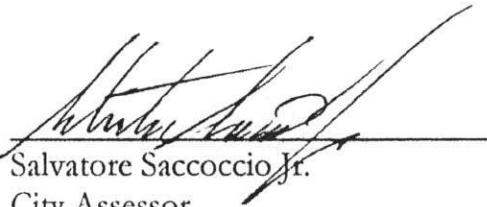
DAVID COLE  
DEPUTY ASSESSOR

## MEMO

DATE: January 6, 2014  
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, 2009	1,978	83.94
December 31, 2010	4,475	189.94
December 31, 2011	13,879	589.03
December 31, 2012	<u>34,299</u>	<u>1,455.63</u>
Totals:	54,631	2,318.54

  
Salvatore Saccoccio Jr.  
City Assessor

\*\*\* MECRIABT\_CR.REP \*\*\* Printed 12312010 at 11:12:54 by KARBUR

Page 1

City of Cranston  
2010 Motor Vehicle  
Abatement List

1	50010540	0000145835		00000000	0000000000	00000000	0000000000
	Vehicle 2008	HONDA	831731	Vehicle 0000	ID	Vehicle 0000	ID
	ID 2HGFG12678HS15809						
	TORRES LISA A						
	13 TALBOT MANOR						
	Cranston RI 02905						

	Value	Tax	Original	:	Value	Tax	Original	:	Value	Tax
Original	:	4,222	173.07	Original	:					
STOLEN/SOLD/JUNK/TOT	:		83.94	Adjusted Tax:	:					
Adjusted Tax:	:		89.13	Adjusted Tax:	:					

-----  
For Tax Year: 2010

	Value	Tax	
Original	:	4222	173.07
Adjusted Tax	:		83.94 on 1 Accounts
			89.13

\*\*\* MECRIABT\_CR.REP \*\*\* Printed 12312013 at 11:12:37 by KARBUR

Page 1

City of Cranston  
2011 Motor Vehicle  
Abatement List

1	35003340	0000040223	037621	00000000	0000000000	00000000	0000000000
	Vehicle 2007	CHEV		Vehicle 0000		Vehicle 0000	
	ID 1GBDV13117D1B0B98			ID		ID	
	ENTERPRISE FM TRUST						
	600 CORPORATE PARK DR						
	St Louis MO 63105						

Original :	Value	Tax	Original :	Value	Tax	Original :	Value	Tax
STOLEN/SOLD/JUNK/TOT	7,542	23,158.12						
Adjusted Tax:		189.94	Adjusted Tax:			Adjusted Tax:		
		22,968.18						

For Tax Year: 2011

Original :	Value	Tax	Accounts
	7542	23158.12	
Adjusted Tax :		189.94	on 1
		22968.18	

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Page 1

City of Cranston  
2012 Motor Vehicle  
Abatement List

1	35003350	0000048380	2	52010520	0000151522	00000000	0000000000
	Vehicle 2007	CHEV	037621	Vehicle 2008	VOLK	818191	Vehicle 0000
	ID 1GBDV131170180898			ID 3VHRZ71K98M024230			ID
	ENTERPRISE FM TRUST			VH CREDIT LEASING LTD			
	800 CORPORATE PARK DR			1401 FRANKLIN BOULEVARD			
	St Louis MO 63105			LIBERTYVILLE IL 60			
	Original :	Value Tax		Original :	Value Tax		Original :
	STOLEN/SOLD/JUNK/TOT	1,986 27,351.59		STOLEN/SOLD/JUNK/TOTA	14500 160094.24		Value Tax
	Adjusted Tax:	79.11 27,272.48		Adjusted Tax:	509.02 160484.32		Adjusted Tax:

For Tax Year: 2012

Original :	Value Tax	
Adjusted Tax :	18480 188345.83	
	589.03 on 2	Accounts
	187766.80	

\*\*\* MECRIABT\_CR.REP \*\*\* Printed 12312013 at 11:11:57 by KARBUR

Page 1

City of Cranston  
2013 Motor Vehicle  
Abatement List

<p>1      48010905    0000123214    2      52000710    0000151549    3      52010450    0000151900</p> <p>Vehicle 2007    CHEV    005916    Vehicle 2003    FORD    V 718    Vehicle 2011    VW    RG 905</p> <p>ID 1G1AL55F377405902 RICHARDSON JIM 54 HIGHLAND ST Cranston RI 02920</p> <p>ID 1FAPP45X93F375198 VOLPE RICHARD M 72 WALES ST Cranston RI 02920</p> <p>ID 3VHD27AJ0BM333514 VW CREDIT LEASING LTD 1401 FRANKLIN BOULEVARD Libertyville IL 60</p>	<table border="0"> <tr> <td>Value</td> <td>Tax</td> <td>Value</td> <td>Tax</td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Original :</td> <td>5,387</td> <td>211.73</td> <td>Original :</td> <td>4806</td> <td>286.39</td> </tr> <tr> <td>EXEMPTION OMITTED</td> <td></td> <td>59.82</td> <td>OUT OF STATE REG</td> <td></td> <td>286.39</td> </tr> <tr> <td>Adjusted Tax:</td> <td>151.91</td> <td></td> <td>Adjusted Tax:</td> <td></td> <td></td> </tr> </table>	Value	Tax	Value	Tax	Value	Tax	Original :	5,387	211.73	Original :	4806	286.39	EXEMPTION OMITTED		59.82	OUT OF STATE REG		286.39	Adjusted Tax:	151.91		Adjusted Tax:			<table border="0"> <tr> <td>Value</td> <td>Tax</td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Original :</td> <td>18325</td> <td>15802.33</td> <td>Original :</td> </tr> <tr> <td>OUT OF COMMUNITY</td> <td></td> <td>871.81</td> <td>Adjusted Tax:</td> </tr> <tr> <td>Adjusted Tax:</td> <td></td> <td>157330.72</td> <td></td> </tr> </table>	Value	Tax	Value	Tax	Original :	18325	15802.33	Original :	OUT OF COMMUNITY		871.81	Adjusted Tax:	Adjusted Tax:		157330.72	
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Adjusted Tax:		157330.72																																								
<p>4      52010450    0000152024</p> <p>Vehicle 2008    VOLK    818191</p> <p>ID 3VWR271K9B8624230 VW CREDIT LEASING LTD 1401 FRANKLIN BOULEVARD Libertyville IL 60</p>	<table border="0"> <tr> <td>Value</td> <td>Tax</td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Original :</td> <td>10,772</td> <td>158,002.33</td> <td>Original :</td> </tr> <tr> <td>STOLEN/SOLD/JUNK/TOT</td> <td></td> <td>437.81</td> <td>Adjusted Tax:</td> </tr> <tr> <td>Adjusted Tax:</td> <td></td> <td>157,564.52</td> <td></td> </tr> </table>	Value	Tax	Value	Tax	Original :	10,772	158,002.33	Original :	STOLEN/SOLD/JUNK/TOT		437.81	Adjusted Tax:	Adjusted Tax:		157,564.52		<table border="0"> <tr> <td>Value</td> <td>Tax</td> <td>Value</td> <td>Tax</td> </tr> <tr> <td>Original :</td> <td></td> <td></td> <td>Original :</td> </tr> <tr> <td>Adjusted Tax:</td> <td></td> <td></td> <td>Adjusted Tax:</td> </tr> </table>	Value	Tax	Value	Tax	Original :			Original :	Adjusted Tax:			Adjusted Tax:												
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Value	Tax	Value	Tax																																							
Original :			Original :																																							
Adjusted Tax:			Adjusted Tax:																																							

For Tax Year: 2013

Value	Tax	
Original :	37200	318502.78
Adjusted Tax :		1455.83 on 4 Accounts
		315047.15

Recommend To Approve:

<u>NAME</u>	<u>ADDRESS</u>	<u>TAX AMT</u>	<u>INTEREST</u>	<u>REASON</u>
Abbott, Virginia	18 Kermit Ave	\$901.73	\$108.16	illness
Adams, Robert	37 Kneeland Ave	280.14	\$33.63	hardship
Cooney, Hazel	17 Lee St	792.29	\$118.85	illness
Decesaris, Angela	34 Everett St	3,101.58	\$310.16	illness
Decorpo, Marion	137 Southern St	664.39	\$99.66	illness
Gracie, Frank	2226 Cranston St	775.46	\$77.55	hardship
Lamarre, Gerald	30 Lindsey Lane	2,620.65	\$393.10	lostcheck
O'Neil, Gerald	114 Villa Ave	1,061.05	\$159.12	illness
Pfanstiel, Louise	93 Sheldon St	4,388.49	\$219.42	hardship
Ricci, Anna	21 Wayland Ave	651.25	\$78.14	hardship
Rolle, Richard	57 Peerless St	901.74	\$138.27	death
Sardelli, John	304 Dean Ridge Ct	4,384.47	\$219.23	death
StLawrence, Joanne	9 Dudley Ave	361.20	\$54.07	hardship
Strauss, Justin	222 Beechwood Dr	3,442.62	\$413.13	illness
Torres, Liz	13 Talbot Manor	1,543.77	\$217.30	hardship

**Recommend to Deny**  
Barry, Rosemarie

123 Burbank St	2,678.31	\$321.76	hardship commercial
----------------	----------	----------	------------------------

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

**CLASS B V LIQUOR LIC - NEW –  
ABOVE THE CAP REQUIRES FULL COUNCIL**

***Fresco, TOO LLC a/k/a John Walrond***

149 Comstock Parkway

On motion by Councilman Aceto, seconded by Council Vice-President Farina, it was voted to approve the above liquor license 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.

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

**REPORT OF SETTLED CLAIMS (*Informational purposes only*): Stephen & Francine Beranbaum \$1,800.00 property damage; Roberto Ramirez \$1,902.02 vehicle damage; Amica Insurance as subrogee for Thomas Flynn \$5,381.74 vehicle damage; Thomas Flynn \$809.38 vehicle rental; Brian Valcourt \$154.51 vehicle damage.**

No action needed.

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

None.

**VI. ELECTION OF CITY OFFICIALS**

**HISTORICAL CEMETERIES COMMISSION:**

***RESIGNATION OF JOHN W. BAXTER, MEMBER***

**COUNCIL AUDITOR:**

***RESIGNATION OF ROY DAMIANO***

**Council President Lanni** indicated that resignation letters have been received for the above two positions. He stated that the City Clerk will be accepting resumes for the Council Auditor's position. Applicants will be at the February Council meeting to be interviewed by the Council.

**VII. REPORT OF CITY OFFICERS**

**DECEMBER 2013 SEWER CONNECTION REPORT. [\[click to view\]](#)**

**Councilman Aceto** asked if this needs Council approval. Mr. Kirshenbaum stated that no vote is needed. Per Ordinance, the City Council approves just out of City connections. This is in City and is on the docket for information only.

**VIII. EXECUTIVE COMMUNICATIONS**

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

No discussion.

**REQUEST TO BE PLACED ON PENSION *OFFICER JEFFREY DUCLOS*,  
CRANSTON POLICE DEPARTMENT**

**Mr. Cordy** appeared to speak.

On motion by Council Vice-President Farina, seconded by Councilman Aceto, 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.

**REQUEST TO BE PLACED ON PENSION *DETECTIVE CRAIG PIERANUNZI*,  
CRANSTON POLICE DEPARTMENT**

**Mr. Cordy** appeared to speak.

On motion by Council Vice-President Farina, seconded by Councilman Aceto, 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.

**CLAIMS SETTLED BY SOLICITOR: *Edith Ascenzi and Martinous Law Associates*  
\$10,000.00 personal injury.**

No action needed.

**IX. COUNCIL PRESIDENT COMMUNICATIONS**

**Council President Lanni** referred to an article in the January 26<sup>th</sup> Providence Journal of a statement made by Attorney Rodio, who represents the Police Union, stating that the Police were arbitrarily issuing tickets. He stated that there are Ordinances in place and the Police should follow them and enforce them.

**X. COUNCIL MEMBER COMMUNICATIONS**

**COUNCIL VICE-PRESIDENT FARINA:**

- *Administration Report on Status of current snow budget*

**Mr. Strom** stated that based on estimate given to him today by the Highway Department, we currently have approximately \$60,000 left in this line item.

**Councilman Aceto** asked what area is overspent. Mr. Strom stated, the sub-contractors.

**Council Majority Leader Archetto** asked what the cost is for the last storm. Mr. Strom stated, approximately \$180,000.

- *State Police Investigation*

**Council Vice-President Farina** stated that he is hopeful that the Mayor will share the results of the evaluation the State Police will give them.

**COUNCILWOMAN LEE:**

- *Fine during Snow storms*

**Councilwoman Lee** asked if tickets are being issued for not clearing sidewalks. Mr. Barone stated that there have been no fines, but there have been several compliance checks.

**COUNCILMAN SANTAMARIA:**

- *Yard Waste*

**Councilman Santamaria** stated that there is a lot of yard waste out throughout the City. He asked if this is going to be picked up. Mr. Barone stated that normally, yard waste is picked up from the first week in April to the second week in December. This year, it was extended for two weeks. Yard waste is picked up by a separate truck. For the City to have them pick up the yard waste at this point, they would charge the City additional fee. The landfill will accept the yard waste if the person dropped it off themselves.

**COUNCILMAN STYCOS:**

- *Carpionato corporation failure to honor agreement with City to plant trees on City land*

**Council Vice-President Farina** provided a copy of a letter from Kelly Coates, Senior Vice-President of Carpionato, to the Planning Director indicating that Carpionato will plant nine trees on City property in the Spring.

**XI. OLD BUSINESS**

None.

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

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

- 1-14-01 **ORDINANCE IN AMENDMENT OF TITLE 8, CHAPTER 12, SECTIONS 090, 110 AND 121 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'HEALTH AND SAFETY' (Garbage Collection and Disposal).** [[click to view](#)]
- 1-14-02 **ORDINANCE IN AMENDMENT OF TITLE 5, CHAPTER 68 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'TOBACCO DEALERS' (Cigar Sales Regulated).** [[click to view](#)]
- 1-14-03 **ORDINANCE IN AMENDMENT OF TITLE 5, CHAPTER 68 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'TOBACCO DEALERS' (Tobacco – Prohibition on Sale of Blunt Wraps).** [[click to view](#)]
- 1-14-04 **ORDINANCE IN AMENDMENT OF TITLE 10, CHAPTER 32 AND CHAPTER 24 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC' (Jordan Ave. and Flint Ave.).** [[click to view](#)]

1-14-01

CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 8 CHAPTER 12 SECTION'S 090, 110, AND 121 OF  
THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "HEALTH AND  
SAFETY"  
(Garbage Collection and Disposal)

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 8, Chapter 12, Section 090, "Covering matter on dumping ground required", Section 110, "Matter taken from catch basins to be covered", and Section 121, "Provisions for municipal refuse and recycling collection", are hereby amended as follows:

**Section 2.** 8.12.090 entitled "covering matter on dumping ground required" and 8.12.110 entitled "matter taken from catch basins to be covered" shall be deleted from the Code in their entirety as they are no longer relevant.

**Section 3.** 8.12.121, an additional paragraph shall be added at the end of the first existing paragraph and it will state: "The Department of Public Works provides one refuse and one recycling roll out cart to each residential unit, which remains the property of the City of Cranston. Disposal of bulky waste (defined as any object that will not fit into a roll out cart) is the responsibility of the property owner. The Department of Public Works shall provide a means for the property owner to coordinate and pay for disposal of bulky waste and mattresses with the contractor that performs refuse and recycling collection with the City."

**Section 4.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

Christopher M. Rawson, City Solicitor

Christopher M. Rawson, City Solicitor

Sponsored by: Mayor, Councilmen Botts and Favicchio  
Referred to Public Works Committee February 3, 2014

01-14-02

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 5, CHAPTER 68 OF THE CODE OF THE CITY  
OF CRANSTON, 2005, ENTITLED "TOBACCO DEALERS"  
(Cigar Sales Regulated)

*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 5.68, entitled "Tobacco Dealers" is hereby amended by adding thereto the following section:

**5.68 Section .041 Cigar Sales Regulated**

1. No retailer, retail establishment, or other individual or entity shall sell or distribute or cause to be sold or distributed a cigar unless the cigar is contained in an original package of at least 4 cigars.

2. This section shall not apply to:

a. The sale or distribution of any cigar having a retail price of \$2.50 or more.

b. A person or entity engaged in the business of selling or distributing cigars for commercial purposes to another person or entity engaged in the business of selling or distributing cigars for commercial purposes with the intent to sell or distribute outside the boundaries of Cranston.

**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 Safety Services Committee February 3, 2014



1-14-04

THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 10, CHAPTER 32 AND CHAPTER 24 OF THE  
CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "VEHICLES AND  
TRAFFIC"  
(Jordan Ave. and Flint Ave.)

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 10.24, Section .050 entitled "Yield Right of Way Signs" is hereby amended by deleting there from the following:

[Jordan Avenue and Flint Avenue.] (northerly intersection)

[Jordan Avenue and Flint Avenue.] (southerly intersection)

**Section 2.** Chapter 10.32, Section .030 entitled " Multi-way Stop intersections- enumerated" is hereby amended by adding thereto the following:

Jordan Avenue and Flint Avenue, 4-Way Stop

**Section 3.** 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 Archetto

Refer to Ordinance Committee February 13, 2014

**RESOLUTION PROPOSING AMENDMENT TO SECTION 3.19 OF THE CRANSTON HOME RULE CHARTER AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE BALLOT THE FOLLOWING REFERENDUM QUESTION (Non-Interference in Administrative matters). [\[click to view\]](#)**

**Claims:**

**Mandy Milner; Personal injury; January 3, 2001  
Thomas Falciglia; Property damage; November 27, 2013  
Lawrence DiBoni; Property damage; December 15, 2013  
Corey Capirchio; Property damage; December 14, 2013  
Rafiel Rodriguez; Property damage; December 13, 2013  
George Schpac, III; Property damage; December 17, 2013  
Joseph Tirocchi; Property damage; December 28, 2013  
James Cofone; Property damage; January 9, 2014**

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**

**MAYOR'S RESPONSE TO RES. 2013-47 "RESOLUTION URGING THE MAYOR TO ESTABLISH A SIDEWALK PROGRAM". [\[click to view\]](#)**

No action.

**SEWER CONNECTION AGREEMENT BETWEEN LFG GENCO, LLC AND CITY OF CRANSTON [\[click to view\]](#) Waiting for Executed Copy**

No action.

**10-13-1S ORDINANCE RATIFYING THE IBPO (International Brotherhood of Police Officers) CONTRACT, LOCAL UNION 301 (FY 2012-2013). [\[click to view\]](#)  
Denied in Finance Committee 1/16/2014**

No action.

THE CITY OF CRANSTON

**RESOLUTION OF THE CITY COUNCIL**  
**PROPOSING AMENDMENT TO SEC 3.19 OF THE CRANSTON HOME RULE**  
**CHARTER AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE**  
**BALLOT THE FOLLOWING AS A REFERENDUM QUESTION**  
**(Non-interference in Administrative Matters)**

No.

*Passed:*

John E. Lanni, Jr., Council President

*Resolved that*

**SECTION 1.** That Section 3.19 of the Home Rule Charter of the City of Cranston be amended to read as follows:

**Sec. 3.19 - Noninterference in administrative matters.**

No member of the council shall direct or request the appointment of any person to or any person's removal from any office or employment by the mayor or any of the mayor's subordinates or in any way take part in the appointment or removal of officers and employees of the city except as specifically provided in the Charter. Except for investigation as provided in section 3.17 the council and its members shall deal with the administrative services of the city solely through the mayor and neither the council nor any of its members shall give orders either publicly or privately to any subordinate of the mayor. Notwithstanding the preceding sentence, department heads shall give to council members such information as may be requested. If any council member shall violate any of the provisions of this section, that member shall be censured member's seat on the council may be declared vacant by a majority vote of all the other council members, after a public hearing. Said censure shall include suspension from participating at the next council meeting following the imposition of the censure. The seat so declared vacant shall be filled according to the provisions of this Charter.

43           **SECTION 2.** That the question of the approval of the proposed amendment be  
 44 submitted to the electors of the City of Cranston at the November 14, 2014 general  
 45 election in substantially the following form:

46  
 47           "Shall an amendment to Chapter 3.19 of the Home Rule Charter of the City of  
 48 Cranston providing for amendment to Section 3.10 (a) be approved:  
 49

50           No member of the council shall direct or request the appointment of any person  
 51 to or any person's removal from any office or employment by the mayor or any  
 52 of the mayor's subordinates or in any way take part in the appointment or  
 53 removal of officers and employees of the city except as specifically provided  
 54 in the Charter. Except for investigation as provided in section 3.17 the council  
 55 and its members shall deal with the administrative services of the city solely  
 56 through the mayor and neither the council nor any of its members shall give  
 57 orders either publicly or privately to any subordinate of the mayor.

58           Notwithstanding the preceding sentence, department heads shall give to  
 59 council members such information as may be requested. If any council  
 60 member shall violate any of the provisions of this section, that member shall be  
 61 censured member's seat on the council may be declared vacant by a majority  
 62 vote of all the other council members, after a public hearing. Said censure shall  
 63 include suspension from participating at the next council meeting following the  
 64 imposition of the censure. The seat so declared vacant shall be filled according  
 65 to the provisions of this Charter.

66  
 67           **SECTION 3.** That the city clerk and the Cranston Board of Canvassers forward certified  
 68 copies of this resolution to the Secretary of Slate, with a notice that the above question be placed  
 69 on the ballot at the November 14, 2014 general election, pursuant to the provisions of Sec. 8 of  
 70 Article XIII of the Constitution of the State of Rhode Island.

71  
 72           **SECTION 4.** That the city clerk cause the proposed amendments to be advertised four  
 73 times during the thirty days prior to the date of the election, and that sufficient copies of the  
 74 proposed amendment be made available in the city clerk's office for all persons desiring a copy  
 75 thereof.  
 76

77           **SECTION 5.** Subject to the approval of these proposed amendments by the electors of  
 78 the City of Cranston at the aforesaid election, the Cranston City Council does hereby  
 79 memorialize the General Assembly to act favorably on the validation of the above amendment to  
 80 the Cranston Home Rule Charter.  
 81

82  
 83 Sponsored by: Councilman Archetto  
 84

85  
 86 Referred to Ordinance Committee February 13, 2014

**-JANUARY 27, 2014-**

**12-13-03 ORDINANCE IN AMENDMENT OF TITLE 5, CHAPTER 68 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "TOBACCO DEALERS" (Cigar Sales Regulated). Failed in Safety Services Committee 1/6/2014. [\[click to view\]](#)**

No action.

The meeting adjourned at 8:30 P.M.



Maria Medeiros Wall, JD, City Clerk



Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist)