

(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

-FEBRUARY 24, 2014-

Regular meeting of the City Council was held on Monday, February 24, 2014 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:00 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: Carlos Lopez, Chief of Staff; Jeffrey Barone, Director of Constituent and Government Affairs; Evan Kirshenbaum, Assistant City Solicitor; Robert Strom, Finance Director; Kenneth Mason, Director of Public Works; 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

Councilman Santamaria presented Citations to Sean Myrick, Angelica Moschetti and Andrew Levine of Hugh B. Bain Middle School for achieving Seventh Grade Honors.

II. PUBLIC HEARINGS

(limited to docketed matters)

John Bolton, Esq., appeared to represent Carpionato Group, appeared to speak regarding the item under "Executive Communications" in regards to the BOCAP Approval of New London Ave. State Property. Council President Lanni asked that this item be addressed when it comes up on the agenda.

III. RESOLUTIONS

RESOLUTION IN OPPOSITION TO PROPOSED PENSION SETTLEMENT AGREEMENT

On motion by Councilman Aceto, seconded by Councilman Botts, it was voted to suspend Council Rule 34B in order to vote on the above Resolution.

Under Discussion:

Councilman Santamaria stated that he will be recusing, since he is a member of RI Local 94, in litigation in the proposed settlement agreement.

Council President Lanni asked Mr. Quinlan to explain the Ethics ruling of who can vote on an item when they have a relative working for the State. Mr. Quinlan addressed this question. Council President Lanni stated that he will also be recusing since he has a family member who is a Union member in litigation in the proposed settlement agreement.

Council Minority Leader Favicchio stated that he also will be recusing for the same reasons as stated by Councilman Santamaria and Council President Lanni.

Council President Lanni handed gavel to Council Vice-President Farina.

Roll call was taken on motion to suspend Rule 34B and motion passed on a vote of 1-5 with 3 recusals. The following being recorded as voting "aye": Councilman Botts -1. The following being recorded as voting "aye": Councilwoman Lee, Councilman Stycos, Council Majority Leader Archetto, Councilman Aceto and Council Vice-President Farina -5. Councilman Santamaria, Council Minority Leader Favicchio and Council President Lanni recused.

On motion by Councilman Aceto, seconded by Councilman Botts, it was voted to approve the above Resolution.

Under Discussion:

Councilman Stycos questioned why the rush in approving this Resolution and bypassing Committee.

Council Majority Leader Archetto stated that he also does not support this motion. This Resolution should go to Committee in order for the city Council to dissect it.

Councilman Stycos stated that he would like this Resolution to go to Committee and the Mayor to appear to further discuss this.

Council Vice-President Farina stated that he also thinks this should go to Committee for further diligence as a body.

On motion by Councilman Stycos, seconded by Council Majority Leader Archetto, it was voted to refer this Resolution to the Finance Committee. Motion passed on a vote of 6-0 with 3 recusals. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto and Council Vice-President Farina -6. The following recused: Councilman Santamaria, Council Minority Leader Favicchio and Council President Lanni.

-FEBRUARY 24, 2014-

IV. REPORT OF COMMITTEES

PUBLIC WORKS COMMITTEE
(Councilman Mario Aceto, Chair)

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).

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

Under Discussion:

Council Vice-President Farina indicated that the contract with Waste Management for the automated pickup is for one 65 gallon bin per household. He asked what the average amount of trash collected per week in the City is. Mr. Mason stated that he does not have this information. Council Vice-President Farina stated that we should know that because we are capping it at 65 gallon per week per household. Mr. Mason stated that people can pay for an additional 65 gallon bin for \$150 per year. The 65 gallon bin per week should work for a typical family of four.

Councilman Botts asked how the 65 gallon bin was decided. Mr. Mason stated that it was recommended by RIRRC, for trash and recycling, as the most cost-effective way to come with a mandated 35% recycling rate.

Councilman Stycos asked what happens if we don't increase our recycling rate. Mr. Mason stated that there is no specific penalty if this is achieved.

Council Vice-President Farina stated that he agrees that this is a great program, but we are stating that there will be a savings with this new program, but to state that the residents will be charged \$150 per year for an additional bin, this does not feel well. There is no hard evidence that has been provided to the City Council that the 65 gallon bin is sufficient.

Council Majority Leader Archetto stated that he is concerned that by passing this Ordinance, it would eliminate jobs.

Council Minority Leader Favicchio stated that a 65 gallon bin is fairly large and heavy when it is empty. He feels that this is sufficient. It may be even too heavy for the elderly to roll out to the curb when it is filled. There is also a concern of storing them if they were larger.

Councilman Santamaria asked if the Administration asked for a 95 gallon bin during the meetings with Waste Management. Mr. Mason stated that the automated pickup was approved by BOCAP back in November. What this Ordinance is doing is just to better define who is going to own the bins at the end of the contract and better define the other services, such as yard waste.

Councilman Stycos stated that he will support this Ordinance and feels that the 65 gallon bin is a lot of trash. The 65 gallon bins are more than big enough.

Councilwoman Lee agreed that the 65 gallon bins are more than sufficient.

Councilman Aceto stated that he does not like the fact that we will be charging the taxpayers, who pay the highest taxes in the State, \$150 per year for an additional bin.

Councilman Botts asked what will happen if this Ordinance is not passed. Mr. Mason stated that this Ordinance would just define that the City would own the bins at the end of the contract and also putting the burden on the property owners for fees for special pickups, which would include mattresses. Councilman Botts stated that when this type of program was implemented in the City of Warwick, the property owners were given the option to switch to larger bins if they wished, for a one time only. The problem he has with this contract is there is no flexibility.

Council President Lanni stated that to his knowledge, Warwick is the only City that has 95 gallon bins. Providence has smaller ones then 95 gallons and they get by with that. He also stated the 65 gallon bins are more then enough.

Roll call was taken on motion to approve the above Ordinance and motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilman Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -8. The following being recorded as voting "nay": Councilman Aceto -1.

EXECUTIVE SESSION PURSUANT TO RIGL 42-46-5(a)(2) FOR UPDATE ON RIRRC PENDING LITIGATION

Solicitor Kirshenbaum stated that there is no update at this time and there is no need for an Executive Session.

ORDINANCE COMMITTEE
(Council Majority Leader Paul H. Archetto, Chair)

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 and Flint Ave.)

On motion by Council Vice-President Farina, seconded by Council Majority Leader Archetto, 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.

FINANCE COMMITTEE
(Councilman Steven A. Stycos, Chair)

TAX INCENTIVE APPLICATION 5 YEAR COMMERCIAL: CAFÉ ITRI, 1686 CRANSTON STREET – RAYMOND F. COLETTA & GREGORY P. SPREMULLI

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

Under Discussion:

Councilman Stycos stated that at the Finance Committee meeting, he asked Solicitor Kirshenbaum to research two questions: 1) whether the person applying for the Tax Incentive has to be the owner of the property; 2) would this application be valid, since at the time of application for this Tax Incentive, the prior Ordinance was in effect. Solicitor Kirshenbaum stated that he would like to present his full findings at the next Finance Committee meeting, since he has not had a chance to fully research this.

Roll call was taken on motion to approve this Tax Incentive Application and motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilwoman Lee, Councilman Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -8. The following being recorded as voting "nay": Councilman Stycos -1.

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. 2014-6

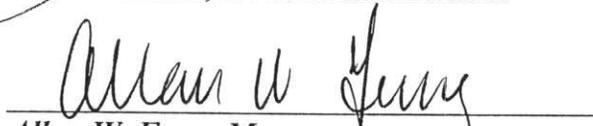
Passed:

February 24, 2014


John E. Lanni, Jr. Council President

Approved:

February 26, 2014


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:

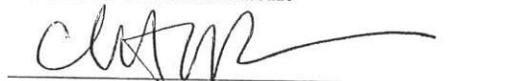
Section 2. 8.12.090 entitled "covering matter on dumping ground required" and 8.12.110 entitled "matter taken from catch basins to be covered" shall be deleted from the Code in their entirety as they are no longer relevant.

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

ALLAN W. FUNG
MAYOR



Kenneth R. Mason P.E.
Director of Public Works

DEPARTMENT OF PUBLIC WORKS
CITY HALL, ROOM 109
869 PARK AVENUE
CRANSTON, RHODE ISLAND 02910

MEMO

Date: February 3, 2014
To: Members of the Public Works Committee
From: Ken Mason, Director of Public Works
RE: Trash and Recycling

The Department of Public Works has signed a new contract with Waste Management to provide trash and recycling disposal. Bids were received on October 1, 2013 and the contract was awarded at the November 5, 2013 Board of Contract and Purchase meeting. The current contract expires on June 30, 2014. This contract as structured is for a seven year term, with four one year extension options. The contract will also be converting the entire City to an automated pickup system with Waste Management furnishing and distributing roll out carts for both refuse and recycling to all 28,000 residential units. At the end of the seven year contract, the carts will become the property of the City. Delivery of the new carts is tentatively scheduled to begin in June, with automated pickup starting in July.

There are several goals which the public works department is looking to accomplish with this new contract:

1. Increase the Citywide recycling rate from the current 23% to the State mandated 35%.
2. Promote a cleaner City by providing full closing trash and recycling containers.
3. Reduce the rodent population by providing high strength containers which should help reduce the food source for the rodents.

The contract as awarded includes one 65 gallon trash cart and one 65 gallon recycling cart as the standard cart for the program. Both trash and recycling will be picked up on a weekly basis, as it currently is. The contract includes the requirement for Waste Management to offer smaller 35 gallon carts for both refuse and recycling if the resident requests one. We will be having a series of mailings to each property owner prior to roll out of the carts, which is when they will have to decide if they want to opt for the smaller size carts. This must be decided before delivery of the carts to the property.

For residential units that wish to have additional trash capacity, Waste Management will supply an additional 65 gallon refuse cart, and charge them \$150 per year for that additional cart, which would be serviced weekly along with the regular pickups. Waste Management would administer the program and collect all the fees.

The disposal of bulky waste and mattresses will change dramatically in the City. Waste Management currently picks up all kinds and sizes of waste put out at the curb and mattresses are picked up by appointment at no cost to the property owner. Per the new base fee contract, Waste Management is to pick up only what is put in the roll out carts. Anything that will not fit in the carts is considered bulky waste, as are mattresses, and will require Waste Management to send a separate truck out to pick up the material. The new trucks being ordered by Waste

Management will have the articulating arms to pick up the carts and will not have the ability to pick up bulky waste. Waste Management will provide this service as a billable item to the resident at \$18 per item for bulky waste and \$25 per mattress/box spring. That would put the financial responsibility on the homeowner with Waste Management administering and collecting the fee. There would be no charges to the City.

As discussed with Waste Management, if there is a monetary fee applied to each resident for bulky waste pickup and mattresses, a resident will typically find a way to avoid or minimize this fee. This could be accomplished by donating furniture, disassembling or cutting up the waste so it will fit into the cart, etc. A common terminology in the recycling community is the use of the three "R's". Recycling, re-use and re-purpose.

There is the possibility of the waste being thrown into the woods or disposed of in some other illegal fashion, which would end up being paid for by the City. Hopefully this kind of action can be minimized. The City should maintain a contingency of approximately \$100,000 to pick up illegally discarded items.

The changes coming with the new contract will be dramatic and will require a complete change in the mindset of the citizens in order to be successful. Gone will be the days when any and all waste deposited curbside will be picked up by the City at no cost to the homeowner. In order to strictly and swiftly enforce the new policies, I would propose to employ a full time refuse/recycling coordinator. The job duties of this individual would be to provide policing activities on a daily basis by issuing verbal and written warnings to residences not in compliance with the new disposal policies.

For comparison sake, the current FY 14 budget and proposed FY 15 budget is shown below.

CURRENT CONTRACT

Base Fee (includes yard waste, schools and municipal buildings)	\$3,908,000
Fuel Surcharge (as established in 2010 contract extension)	\$ 182,000
Mattress disposal (based on 9,053 mattresses at \$25 each)	<u>\$ 226,328</u>
Total budget for FY 14	\$4,316,328

NEW CONTRACT

Base Fee (also includes yard waste, schools and municipal buildings)	\$3,967,665
Estimated Fuel Surcharge	\$ 60,000
New position of Refuse/Recycling coordinator	\$ 70,000
Pickup of illegally discarded items	\$ 100,000
Tipping fee adjustment (assumes going from 23% to 28% recycling rate)	<u>\$- 32,000</u>
Total proposed budget for FY 15	\$4,165,665

The base fee will increase by approximately 3.3% per year over the life of the contract and the fuel surcharge will be adjusted annually based upon CNG costs as determined by the Department of Energy, versus the bid cost of \$2.12 per gallon.

Please note the above budgets do not include the tipping fee charged by Rhode Island Resource Recovery which currently is budgeted at \$968,547 per year. This may increase dramatically due to the expiration of the current contract between cities and towns with RIRRC which expires in June, 2014.

Disposal of TVs, computers, tires, waste oil, and metals will continue to be collected at the Highway Department on Phenix Avenue, as has been done in the past.

1-14-04

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THE CITY OF CRANSTON

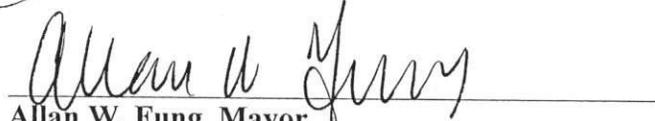
ORDINANCE OF THE CITY COUNCIL
IN AMENDMENT OF TITLE 10, CHAPTER 32 AND CHAPTER 24 OF THE
CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "VEHICLES AND
TRAFFIC"
(Jordan Ave. and Flint Ave.)

No. 2014-7

Passed:
February 24, 2014


John E. Lanni, Jr., Council President

Approved:
February 26, 2014


Allan W. Fung, Mayor

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

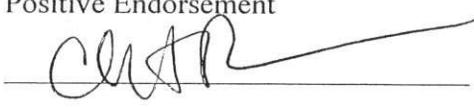
Section 1. Chapter 10.24, Section .050 entitled "Yield Right of Way Signs" is hereby amended by deleting there from the following:

- [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

Allan W. Fung
Mayor



Kenneth R. Mason, P.E.
Director of Public Works

Bureau of Traffic Safety

STAFF REPORT

Date: 2/6/14

To: City Council

From: Stephen Mulcahy, Traffic Engineer (Acting)

Ordinance Proposal No: 1-14-04

Date referred to staff: 1/24/14

CC: Wall; Zanni; Cordy; Lopez; Barone; Giarrusso

Subject: **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.

BACKGROUND

Procedure: Pursuant to Section 9.06 of the City of Cranston Charter, the Bureau of Traffic Safety shall issue a report prior to the adoption of any rule, regulation, or order relating to traffic. Such reports may include in-house and/or field investigations to compile data relative to crash/accident incidence; roadway geometry; sight line distance; current codified ordinance; and other traffic control standards as defined in the *Manual on Uniform Traffic Control Devices*, 2009 edition, approved by the Federal Highway Administration.

Existing Condition:

- Jordan Ave.: two-way residential (25MPH) roadway; total ROW width of 40' including a 24' paved roadway with paved and grass curbed sidewalks at the segment north of Flint Ave., and paved, uncurbed sidewalks at the segment south of Flint Ave. There is a **NO PARKING** restriction along the northeast side from Flint Ave. to Peerless Ave. that is adjacent to the Cranston Stadium parking lot.
- Flint Ave.: two-way residential and commercial (25MPH) roadway; total ROW width of 40' including 24' paved roadway with no well-defined sidewalk area due to encroachment at various sections within the ROW.

- Poor corner visibility within the subject intersection due to structures and vegetation projecting to and beyond the edge of the property lines at all four corners of the subject intersection.
- Roadway geometry is mostly level. The northern segment of Jordan Ave. approaches Flint Ave. at approximately a 45 degree angle.

Staff Analysis:

- Heavy pedestrian and vehicular volume due to events and activities throughout the year at the Cranston Stadium results in increased potential for pedestrian/vehicle conflicts.
- Restricted view and inadequate site distance at all four approaches requires a STOP condition for vehicles and pedestrians to safely navigate through the intersection. This condition satisfies the MUTCD criteria for a 4-way STOP control.
- The main entrance to the Cranston Stadium is within approximately 100 feet of the subject intersection.
- A concentration of retail business parking lots having ingress and egress from Flint Ave. within immediate proximity to subject intersection contributing to traffic congestion.

FISCAL IMPACT

Funds for material and perpetual maintenance of these devices shall be expended from the Division of Highway Maintenance operating budget under line item 101-1302-54103, Traffic Sign Materials.

RECOMMENDATION

Given the skewed intersection geometry, poor corner visibility, and increased vehicle and pedestrian volume during stadium events, it is the opinion of this office that safety at this intersection would be greatly improved with the **approval** of this ordinance.

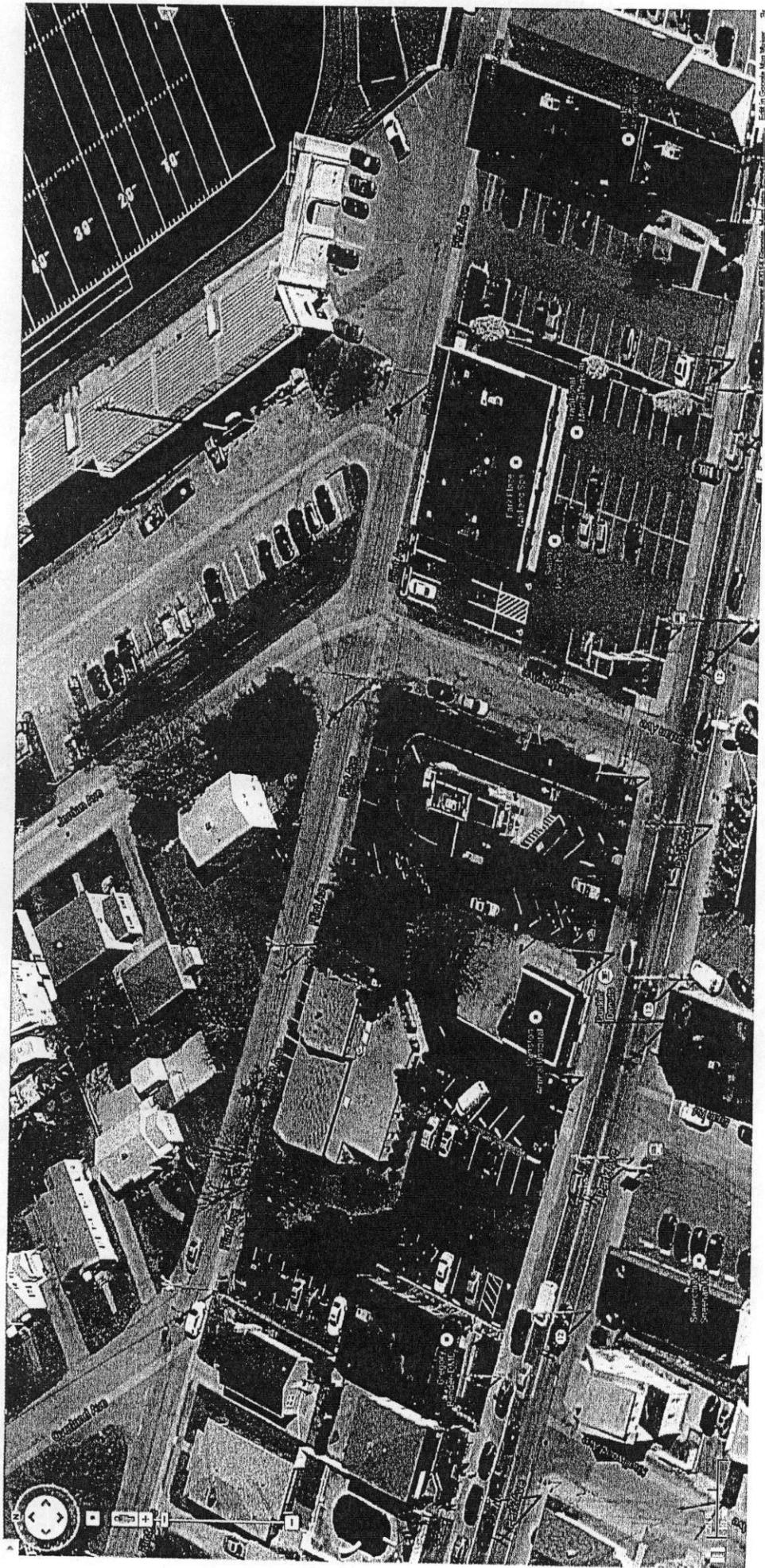
ATTACHMENTS

See annotated map.

Authorized Signature:



Date: 2/6/14



Allan W. Fung
MAYOR



Lawrence J. DiBoni
DIRECTOR

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

Date: December 12, 2013

To: Members of the City's Finance Committee

CC: Mayor Fung, Jerry Cordy, Chris Rawson

Ordinance: Five Year Commercial Tax Incentive

Dear Members of the City's Finance Committee,

The following information is in support of Raymond F. Colella, Gregory P. Spremulli and Cafe Itri of 1686 Cranston Street request to take advantage of the Five Year Commercial Tax Incentive program.

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

Raymond F. Colella, Gregory P. Spremulli and CafeItri of 1686 Cranston Street must commit to increasing its employment over the course of 3 years and must submit a copy of their quarterly wage and tax reports to the Division of Economic Development.

Café Itri is an authentic Italian restaurant located in the Knightsville area. Mr. Spremulli has been operating the restaurant since 1990. The restaurant is named after Itri, Italy a small city in the central Italian region of Latium and the Province of Latina. Itri is an agricultural centre divided in two parts by a small river, the Pontone.

Cafe Itri plans on growing its staff. Currently, Cafe Itri employs 12 – 14 full time employees and 10 – 12 part time employees, with their expansion they plan on growing their staff to over 30 employees.

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

Summary:

Applicant: Raymond F. Colella, Gregory P. Spremulli and Cafe Itri

Employees: 12 – 14 full time employees and 10 – 12 part time employees

Building: 5,619 SF Total with an expansion of 3,088 SF

Current Taxes: \$ 11,628

Estimated Additional Tax by Tax Assessor: \$10,000

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

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

RESOLUTION AUTHORIZING REAL ESTATE AND TANGIBLE TAX ABATEMENTS

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

RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS

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

TAX INTEREST WAIVER APPROVALS

On motion by Council Vice-President Farina, seconded by Councilwoman Lee, it was voted to approve the above list of Tax Interest Waiver Approvals. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -8. Council Majority Leader Archetto was not present for roll call vote.

CLAIMS COMMITTEE
(Councilwoman Sarah Kales Lee, Chair)

REPORT OF SETTLED CLAIMS (*Informational purposes only*): Lawrence DiBoni \$50.00 property damage.

No action needed.

V. PUBLIC HEARINGS
(open to any matters)

None.

VI. ELECTION OF CITY OFFICIALS

ZONING BOARD OF REVIEW:

- **Re-appointment of LORI CARLINO, Second Alternate Member for a term to expire 6/25/2014.**

On motion by Council Vice-President Farina, seconded by Councilman Botts, it was voted to re-appoint Lori Carlino as Second Alternate member of the Zoning Board of Review. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Lee, Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -9.

THE CITY OF CRANSTON

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

No. 2014-5

Passed:

February 24, 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

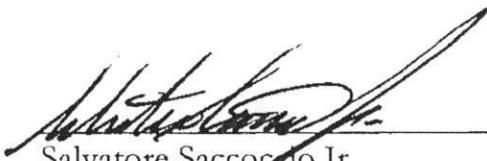
DAVID COLE
DEPUTY ASSESSOR

MEMO

DATE: February 7, 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	1,354,082	45,333.75



Salvatore Saccoccio Jr.
City Assessor

City of Cranston
2013 Abatement List

1 0230654501 990-2306-545
 Location 24 ONEIDA ST
 BAEZ KEITH A
 KEITH A BAEZ
 24 ONEIDA ST
 CRANSTON RI 02920

2 0610621006 008-2692
 Location 1683 CRANSTON ST
 FROM LLC
 1681 CRANSTON STREET
 CRANSTON RI 02920

3 1429740501 010-1031
 Location 181 POPLAR DR
 MARBLE DONNA M TRUSTEE
 181 POPLAR DRIVE
 CRANSTON RI 02920-5520

Original	Value	Tax	Original	Value	Tax
OUT OF BUSINES	13025	448.23	ASSESSORS APPE	200000	6852.00
Adjusted	13025	448.24	Adjusted	1417800	48573.82
		-.01			
Original	Value	Tax	Original	Value	Tax
OUT OF BUSINES	13025	448.23	LISTING ERROR	5000	114.20
Adjusted	13025	448.24	Adjusted	179700	4104.34
		-.01			

4 1718089001 991-7180-890
 Location 295 MESHANTICUT VALLEY
 POULOS JAMES N
 JAMES N POULOS
 295 MESHANTICUT VLY PKWY
 CRANSTON RI 02920

5 2411904001 992-4119-040
 Location 1610 PONTIAC AV
 WASTE MANAGEMENT OF RI INC
 C/O MARVIN F POER & CO
 PO BOX 52427
 ATLANTA GA 30355

Original	Value	Tax	Original	Value	Tax
OUT OF BUSINES	49500	1695.87	Duplicate Asse	1086557	37225.44
Adjusted	49500	1695.87	Adjusted	1086557	8739.88

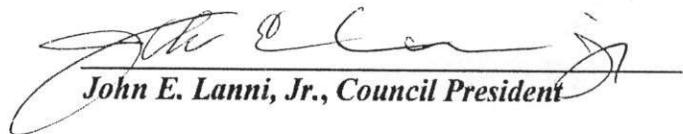
Original	Value	Tax	Accounts
Abatements	2951582	107755.78	on 5
Adjusted	1354082	46333.75	
	1597500	61432.03	

THE CITY OF CRANSTON

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

No. 2014-6

Passed:
February 24, 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

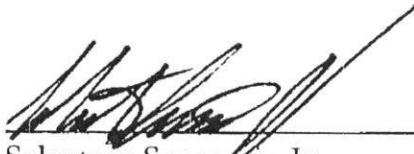
DAVID COLE
DEPUTY ASSESSOR

MEMO

DATE: February 7, 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, 2007	7,161	303.91
December 31, 2008	442	18.76
December 31, 2009	45	1.91
December 31, 2010	567	24.05
December 31, 2011	2,194	93.12
December 31, 2012	<u>96,712</u>	<u>4,104.45</u>
Totals:	107,121	4,546.20



Salvatore Saccoccio Jr.
City Assessor

*** MECRIABT_CR.REP *** Printed 02032014 at 15:12:05 by KAABUR

Page 1

City of Cranston
2008 Motor Vehicle
Abatement List

1	32018550	0000013391	066200	00000000	0000000000	00000000	0000000000
	Vehicle 2004	JEEP		Vehicle 0000		Vehicle 0000	
	ID 1J8G68J84C183593			ID		ID	
	BOISSY DAVID S						
	146 CANNON ST						
	Cranston RI 02920						

Original	:	Value		Tax		Original	:	Value		Tax
STOLEN/SOLD/JUNK/TOT	:	18,525		531.56		Adjusted Tax:	:	303.91		227.65

For Tax Year: 2008

Original	:	Value		Tax	
Adjusted Tax	:	18525		531.56	
				303.91	on 1
				227.65	Accounts

*** MCR1ABT_CR.REP *** Printed 02032014 at 15:12:49 by KARBUR

Page 1

City of Cranston
2009 Motor Vehicle
Abatement List

1	32018420	0000013083	000000000	000000000	000000000
	Vehicle 2004	JEEP	066200	Vehicle 0000	000000000
	ID 1J8G68J84C183693			ID	000000000
	BOISSY DAVID S			Vehicle 0000	000000000
	146 CANNON ST			ID	000000000
	Cranston RI 02920				

Original	:	Value		Original	:	Value		Original	:	Value	
STOLEN/SOLD/JUNK/TOT	:	934		18.76	:	18.76		Adjusted Tax:	:	Adjusted Tax:	

For Tax Year: 2009

Original	:	Value		Tax	
Adjusted Tax	:	934		18.76	
				18.76	on 1
					Accounts

*** MECRIABT_CR.REP *** Printed 02032014 at 15:13:09 by KARBUR

Page 1

City of Cranston
2010 Motor Vehicle
Abatement List

1	31008740	000002741	BU 134	00000000	0000000000	00000000	0000000000
	Vehicle 1997	SATUR		Vehicle 0000	ID	Vehicle 0000	ID
	ID 1G8ZG5283VZ108323						
	ALVES JOSEPH L						
	1310 PIPPIN ORCHARD						
	Cranston RI 02921						
	Original	Value	Tax	Original	Value	Tax	Original
	OUT OF STATE REG	86	191.41	:			:
	Adjusted Tax:		1.91	Adjusted Tax:			Adjusted Tax:
			189.50				

For Tax Year: 2010

	Original	Value	Tax	Accounts
	:	86	191.41	
	Adjusted Tax	:	1.91	on 1
	:		189.50	

*** MEDRIABT_CR.REP *** Printed 02032014 at 15:13:30 by KARBUR

Page 1

City of Cranston
2011 Motor Vehicle
Abatement List

1	32009610	000009661	2	32027090	000015517	000000000	00000000000
	Vehicle 2003	FORD		Vehicle 1996	SATUR	Vehicle 0000	
	ID 1FAFP33P23M325224			ID 1G8ZJ5272T247148		ID	
	BELAND MARIA T			BROWN MARTHA E			
	20 GROVE AVE			2190 BROAD ST			
	CRANSTON RI 02910			Cranston RI 02905			
	Original Value	Tax		Original Value	Tax	Original Value	Tax
	OUT OF COMMUNITY	3,097		STOLEN/SOLD/JUNK/TOTA	395		
	Adjusted Tax:	110.22		Adjusted Tax:	110.29		
		20.37			3.68		
		89.85			106.61		

For Tax Year: 2011

Original Value	3492	Tax	220.51	on 2	Accounts
Adjusted Tax			24.05		
			196.46		

City of Cranston
2012 Motor Vehicle
Abatement List

ID	Vehicle	Year	Value	Tax	Original	Adjusted
1	31012040 Vehicle 2004 ID 21BR32E34C258311 ANDREWS MONIQUE 141 CAPORAL ST Cranston RI 02910	TOYOT	646449	6,023	398.43	50.76
2	32009560 Vehicle 2003 ID 1FAFP33P23M325224 BELAND MARIA T 20 GROVE AVE Cranston RI 02910	FORD	718989	2730	94.64	17.49
3	32027240 Vehicle 1996 ID 108ZJ5273T347148 BROWN MARTHA E 2190 BROAD ST Cranston RI 02905	SATUR	J0 374	1086	24.87	24.87

For Tax Year: 2012

Original	Value	Tax	Adjusted	Accounts
9839	517.94	93.12	424.82	on 3

City of Cranston
2013 Motor Vehicle
Abatement List

Item #	Original Value	Original Tax	Adjusted Value	Adjusted Tax
1	31011940 Vehicle 2004 ID 21BR32E34C258811 ANDREWS MONIQUE 141 CARORAL ST Cranston RI 02910	000004623 TOYT 646449	0000008626 AUDI 532292	0000013548 TOYT 013002
2	32003910 Vehicle 2006 ID MAUDEF78E06A23292 BARBERA JOSEPH D 3595 POST RD #22104 Cranston RI 02920	0000016172 SATUR JQ 374	0000037438 VOLK G 702	
3	32018010 Vehicle 2002 ID 41BE32K12U116101 BOTSVERT SHERRI ANN 780 RESERVOIR AVE Cranston RI 02910	0000037438 VOLK G 702		
4	32025490 Vehicle 2010 ID 1M1AN09Y4AM06683 BROTHERTON JAMES T 125 TOMAHAWK TR Cranston RI 02921	0000015805 MACK 011391	0000016172 SATUR JQ 374	
5	32026680 Vehicle 1996 ID 1G8ZJ5E27J72347148 BROWN MARTHA E 2190 BROAD ST Cranston RI 02905	0000016172 SATUR JQ 374		
6	34006590 Vehicle 2008 ID WVAEK3C98E180845 DEANGELIS GLORIA 36 INDIAN TRL Cranston RI 02921	0000037438 VOLK G 702		
7	34031250 Vehicle 2010 ID JTKNJD0U7A0195833 DUCHARNE FRANCIS E 44 FREEHOLD AV Cranston RI 02920	0000045510 TOYO 625085	0000157941 HURS 042084	
8	49001200 Vehicle 2003 ID 1FTRE1423HC01861 SAFE VUE SCREENS 101 COMSTOCK PARKWAY UNIT 25 CRANSTON RI 02921	0000128726 FRPD 019443		
9	56002220 Vehicle 2001 ID 1H9T3162411057692 ZINCONE MICHAEL E 31 FAIRMWOOD DRIVE Cranston RI 02920	0000157941 HURS 042084		
10	Original : STOLEN/SOLD/JUNK/TOT Adjusted Tax:	Value : 19,425 Tax : 2,494.25 741.73 1,752.52	Original : DUPLICATE ASSESSMENT Adjusted Tax:	Value : 2298 Tax : 83.10 56.73 26.37
11	Original : STOLEN/SOLD/JUNK/TO Adjusted Tax:	Value : 2350 Tax : 176.13 60.92 115.21		

For Tax Year: 2013

Original Value Tax
117941 7203.76
4104.45 on 9 Accounts
Adjusted Tax 3099.31

Jan-14 Waiver of Interest Applications

Page 1

Recommend To Approve:

<u>NAME</u>	<u>ADDRESS</u>	<u>TAX AMT</u>	<u>INTEREST</u>	<u>REASON</u>
Baggeson, Susan	307 Smith St	\$142.44	\$25.64	illness
Cardillo, Madeline	76 Lake Garden Dr	1,884.75	\$166.60	illness
Carpenter, Richard	298 Montgomery Ave	1,480.80	\$185.24	illness
Colella, Raymond	400 Meshanicut Valley	1,514.25	\$212.01	hardship
Dechristofaro, Angela	18 Overland Ave	2,020.59	\$188.59	death
Mattucci, Francis	70 Perennial Dr	3,915.78	\$296.36	death

Recommend to Deny

-FEBRUARY 24, 2014-

TAX ASSESSMENT BOARD OF REVIEW:

- **Appointment of MICHAEL SACCOCCIO as First Alternate member.**

On motion by Council Vice-President Farina, seconded by Councilman Santamaria, it was voted to appoint Michael Saccoccio as First Alternate member of the Tax Assessment Board of Review. 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.

- **Appointment of GINA GOULD HOWARTH as Second Alternate member.**

On motion by Council Vice-President Farina, seconded by Councilman Aceto, it was voted to appoint Gina Gould Howarth as Second Alternate member of the Tax Assessment Board of Review. 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.

COUNCIL INTERNAL AUDITOR:

- **Appointment of ANTHONY C. MORETTI**

On motion by Councilman Aceto, seconded by Councilman Santamaria, it was voted to appoint Anthony C. Moretti as City Council Internal Auditor. 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.

Council President Lanni thanked and introduced Mr. Moretti and stated that Mr. Moretti will do a great job as City Council Internal Auditor.

Mr. Moretti appeared to speak and thanked the Council for approving his appointment and looks forward to working with the Council.

PERSONNEL APPEAL BOARD:

- **Appointment of GARY J. VIERRA as member.**

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

- **Appointment of ELENA MERESI as alternate member.**

On motion by Council Vice-President Farina, seconded by Council Majority Leader Archetto, it was voted to appoint Elena Mereis as an Alternate Member of the Personnel Appeal Board.

Under Discussion:

Solicitor Kirshenbaum indicated that, per the Charter, this Board is comprised of only three members.

Motion and second were withdrawn.

- Appointment of MICHAEL MULCAHY as member.

On motion by Councilman Santamaria, seconded by Councilman Aceto, it was voted to appoint Michael Mulcahy as a member of the Personnel Appeal Board.

Under Discussion:

Council Majority Leader Archetto questioned if Mr. Mulcahy is related to Steven Mulcahy, City's Traffic Engineer. Solicitor Kirshenbaum stated that he does not believe there is any relation.

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

VII. REPORT OF CITY OFFICERS

None.

VIII. EXECUTIVE COMMUNICATIONS

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

No discussion.

REQUEST TO BE CONTINUED IN SERVICE PVT. TIMOTHY COLANTONIO, CRANSTON FIRE DEPARTMENT

On motion by Council Vice-President Farina, seconded by Councilman Santamaria, it was voted to approve the above 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 CONTINUED IN SERVICE DEPUTY CHIEF STEPHEN MACINTOSH, CRANSTON FIRE DEPARTMENT

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

BOCAP APPROVAL OF NEW LONDON AVENUE STATE PROPERTY

John Bolton, Esq. appeared to represent Carpionato Group and stated that his client is not looking for the City Council to give final approval of this property this evening. What they are looking for is authority to move forward with this property. He quoted Section 7.09 of the City Charter where the City can sell this property without the bidding process as long as BOCAP has acted on this. They are requesting that the City Council request the Purchasing Agent to proceed with the process of the sale of the property.

Kelly Coates, Vice-President of Carpionato Group, appeared to speak and stated that this has been through RI DOT.

-FEBRUARY 24, 2014-

Councilman Stycos asked Solicitor if this is properly before the City Council, as to meeting Open Meetings Law. Mr. Quinlan stated that he does not think there is any requirement for this evening, since there would be no vote being taken on this issue this evening. A vote will be taken at a future hearing. Councilman Stycos asked if this should be referred to Committee. Mr. Quinlan stated that the attorney and his client are just looking to give the Purchasing Agent direction as to what the process is.

Councilman Santamaria stated that he was under the impression that there would be no vote take on this this evening. This, to him, looks like it is just for informational only.

Council President Lanni stated that the Law Department and the Solicitor will give directions to the Purchasing Agent to continue the process.

Council Minority Leader Favicchio stated that this would not give final approval of this. There will be hearings regarding this.

Councilman Aceto stated that according to the Charter, the City Council cannot direct a department head. This is an Executive decision.

Council Majority Leader Archetto stated that it was his impression that this was on the docket for information only. He asked if there has been an appraisal done on this property. Attorney Bolton stated that this is one of the things that they are trying to get from the City to start the process.

Council Vice-President Farina asked if a motion could be made to approve the process as laid out by the Solicitors. Solicitor Kirshenbaum and Mr. Quinlan both stated, yes.

On motion by Council Vice-President Farina, seconded by Councilman Santamaria, it was voted to approve the process as laid out by the Solicitors.

Under Discussion:

Councilman Aceto asked if the Rules need to be suspended in order for a vote to be taken. Mr. Quinlan stated that this vote would just be a clarification of the process.

Councilman Stycos asked if Carpionato would be deeding back the property to the State after the improvements are done. Attorney Bolton stated, yes, only the roadway related improvements, which would be deed restricted.

Roll call was taken on motion to approve the process as laid out by the Solicitors and motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilwoman Lee, Councilman Botts, Council Majority Leader Archetto, Councilmen Aceto, Santamaria, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni -8. The following being recorded as voting "nay": Councilman Stycos -1.

IX. COUNCIL PRESIDENT COMMUNICATIONS

• **Pension Reform**

Council President Lanni stated that he hopes the Administration will look at ways to make up that loss.

• **Financial Status**

Council President Lanni stated that the City of Cranston is moving forward, making progress economically, but we have to be very vigilant. He asked that the City Council be financially prudent in the upcoming year.

-FEBRUARY 24, 2014-**X. COUNCIL MEMBER COMMUNICATIONS****Councilwoman Kales Lee:**

- *Status report from Administration on search for dog park location.*

Councilwoman Lee questioned if there is an update on a location for the dog park.

Mr. Barone stated that since the Ordinance creating a dog park has been passed, he suggested that this issue be continued to the April Council meeting, when the weather clears. This is at the request of the Director of Parks and Recreation. He stated that there are potential locations, but with the winter weather, it has made it difficult to access those properties.

Councilwoman Lee asked that this be kept on the docket for the March meeting, incase there is an update at that time.

Councilman Steven Stycos:

- *Is contractor assigned to plow Fifth St?*

Councilman Stycos stated that he is concerned that the section of this street, corner of Elmwood, is overlooked every snowstorm. The plow contractor has told him that this street was never plowed. Mr. Mason stated that the City dispatcher is aware that this street needs to be plowed and it will be addressed in the future.

- *Status of barriers to prevent dumping on City land at the end of Park View Boulevard and Dresden Street.*

Councilman Stycos asked for status regarding this issue.

Mr. Mason stated that he has contacted National Grid to see if they would install those barriers. If they don't, then the City will.

Councilman Richard Santamaria:

- *Potholes*

Councilman Santamaria asked how many trucks the City has going out to fill potholes in the City. Mr. Mason stated, there were three trucks out today, but normally, there are two.

- *Status of Atwood Ave. Traffic Signal and Floodwall on Fletcher Ave.*

Councilman Santamaria asked for an update on the following items for the next Public Works Committee meeting: Traffic Signal at Atwood Ave.; Floodwall on Fletcher Ave.

Council Majority Leader Archetto:

- *Tobacco Sales*

Council Majority Leader Archetto referred to an article in the February 24th Providence Journal regarding tobacco sales.

- *Babe Ruth Little League*

Council Majority Leader Archetto stated that he received an email from a constituent of Babe Ruth Little League regarding unprofessionalism allegations of President of the League, Mr. Santos. He stated that he would like this discussed before the Ordinance Committee and have the Director of Parks and Recreation and Mr. Santos appear at that meeting. Mr. Barone stated to Council Majority Leader Archetto that he can do this, but the City has nothing to do with Babe Ruth. Council President Lanni stated that he received the same email and allegations occurred in the City of Warwick, not Cranston. He also stated that the City Council has more important things to address in the City instead of getting involved in disputes with little leagues.

Councilman Mario Aceto:

- *Potholes*

Councilman Aceto asked what the process is for potholes on State roads and whether they should be called into the City's Public Works Department or the State of Rhode Island and is Cranston communicating to the State on them. Mr. Mason stated that the City does contact the State when the City's Public Works Department receives calls or sees potholes.

Council Minority Leader Favicchio:

- *Poplar Dr. Signage*

Council Minority Leader Favicchio asked when the one-way stop signs on Poplar Dr. will be installed. Mr. Mason stated that they will be installed as soon as the weather breaks.

Councilman Stycos:

- *Tree Planting Program*

Councilman Stycos asked that a report be provided for the next Public Works Committee meeting regarding the Tree Planting Program.

XI. OLD BUSINESS

None.

XII. INTRODUCTION OF NEW BUSINESS*

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

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

RESOLUTION REQUESTING THE MEMBERS OF THE GENERAL ASSEMBLY FROM CRANSTON TO INTRODUCE AND URGE PASSAGE OF LEGISLATION AUTHORIZING A \$1.8 MILLION DOLLAR BOND FOR THE CITY'S LIBRARIES. [\[click to view\]](#)

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 March 13, 2014

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THE CITY OF CRANSTON

**RESOLUTION OF THE CITY COUNCIL
REQUESTING THE MEMBERS OF THE GENERAL ASSEMBLY
FROM CRANSTON TO INTRODUCE AND URGE PASSAGE OF
LEGISLATION AUTHORIZING A 1.8 MILLION DOLLAR BOND
FOR THE CITY'S LIBRARIES**

No.

Passed:

John E. Lanni, Jr., Council President

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

WHEREAS, The Cranston City Council hereby requests the Members of the General Assembly from Cranston to introduce and urge passage of legislation authorizing a bond in the amount of \$1,800,000.00 for general capital building improvements to the Cranston Public Library system.

WHEREAS, The Cranston City Council hereby urge passage to authorize a referendum to be submitted to the electors of the City of Cranston on November 4, 2014.

NOW THEREFORE BE IT RESOLVED, This Resolution shall take effect upon its final adoption.

Sponsored by: Council Vice President Farina, Councilmen Stycos, Aceto and Archetto

Referred to Finance Committee, March 13, 2014

RESOLUTION PROPOSING AMENDMENT TO SECTION 14.01 OF THE CRANSTON HOME RULE CHARTER AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE BALLOT THE FOLLOWING REFERENDUM QUESTION (Director of Personnel – Abolish Position). [\[click to view\]](#)

2-14-01 ORDINANCE IN AMENDMENT OF Title 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘RFD RESIDENTIAL PLANNED DISTRICTS’. [\[click to view\]](#).

CLAIMS:

- **Gary Munroe; Property damage; January 25, 2014**
- **Clifton Tidd; Property damage; January 16, 2014**
- **Robert Blinkhorn; Property damage; January 4, 2014**
- **Estela Andreoni; Personal injury; September 1, 2013**
- **James Beaton; July 3, 2013**
- **Bettina D. Moreid; Property damage; February 3, 2014**
- **Richard Cunningham; Property damage; February 8, 2014**

On motion by Council Majority Leader Archetto, seconded by Council Minority Leader Favicchio, 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.

RESOLUTION REQUESTING THE MEMBERS OF THE GENERAL ASSEMBLY FROM CRANSTON TO INTRODUCE AND URGE PASSAGE OF LEGISLATION AUTHORIZING A \$11.8 MILLION DOLLAR REPAIR AND RENOVATION BOND FOR THE CITY’S SCHOOLS [\[click to view\]](#).

Council President Lanni stated that a Resolution was sent to the City Clerk by the School Department this afternoon. He spoke to the Superintendent this afternoon and he was advised that this Resolution needs to be acted on this evening in order for it to be sent to the General Assembly in time for the November ballot. Since this did not meet the filing deadline for New Business, he asked for a motion to suspend Council Rules 34A and B in order for this Resolution to be acted and voted on this evening.

On motion by Council Vice-President Farina, seconded by Councilman Aceto, it was voted to suspend Council Rules 34A and B.

Under Discussion:

Councilman Aceto stated that this has been discussed by the School Buildings Committee. As to why it was filed as New Business late, he does not know.

Councilman Santamaria stated that the General Assembly votes on Referendum items until April or May. He does not see the urgency in this. He also stated that he is concerned regarding advertising and hearing process.

Mr. Strom indicated that there are some School Bonds that are still active that could offset some of this dollar amount. He suggested that before we actually bond, we need to see what is still open so we do not add more debt to the City.

Council Vice-President Farina stated that it would have been nice if someone from the School Department was present this evening to explain this and what the urgency is.

THE CITY OF CRANSTON

RESOLUTION OF THE CITY COUNCIL
PROPOSING AMENDMENT TO SEC. 14.01 OF THE CRANSTON HOME RULE
CHARTER AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE
BALLOT THE FOLLOWING AS A REFERENDUM QUESTION
(Director of Personnel- Abolish Position)

No.

Passed:

John E. Lanni, Jr., Council President

Resolved that

SECTION 1. That Section 14.01 of the Home Rule Charter of the City of Cranston be amended to abolish the position of Personnel Director.

14.01- Department of personnel.

The department of personnel shall consist of ~~the director of personnel,~~ such other employees as may be authorized by ordinance, the personnel appeal board and the employee retirement board.

Section 2. That Section 14.02 of the Home Rule Charter of the City of Cranston be amended to abolish the position of the Personnel Director.

Sec. 14.02 - Director of personnel.

~~The director of personnel shall be a person trained and skilled in personnel administration with knowledge of and interest in public personnel administration. The director of personnel shall be appointed by the mayor as hereinafter provided and shall be a member of the classified service. The first mayor under this Charter immediately upon taking office and thereafter the mayor whenever a vacancy shall occur in the office of the director of personnel shall appoint an examining committee of three persons to examine the qualifications of all applicants for the position of director of personnel. At least two members of the examining committee shall be public personnel administrators or public personnel specialists of recognized standing who need not be residents of the City of Cranston. The mayor shall give wide publicity to the appointment of the committee, the position to be filled and the time and place at which an open competitive examination shall be held by the examining committee. Such examination shall include among other things consideration of the training and experience of all candidates and competition shall not be limited to residents of the City of Cranston or the State of Rhode Island. Upon its~~

~~conclusion the examining committee shall certify to the mayor the names of the three candidates rated highest if there be that many passing the examination and if not all the candidates passing the examination in the order of their rank in the examination. The mayor shall then appoint one of the persons so certified to be director of personnel. The compensation and expenses of the members of the examining committee shall be an obligation of the city and paid upon the requisition of the mayor.~~

Section 3. That Section 14.05 of the Home Rule Charter of the City of Cranston be amended to abolish the position of the Personnel Director.

Section 14.05- Rules and regulations.

It shall be the duty of the ~~director of personnel~~ personnel administration to prepare and submit to the council from time to time rules and regulations relative to personnel administration which may be in addition to or amendment of the rules and regulations in force at the effective date of this Charter. Such proposed rules shall become effective on approval by the council after public hearing. Notice of such hearing shall be given by posting in the city hall and other municipal buildings and by publication once as a paid advertisement in a newspaper of general circulation in the city at least seven days prior to the date of such hearing. These rules and regulations shall not be inconsistent with the provisions of this Charter and shall include but not be limited to:

(a)

Construction and amendment from time to time of the classification plan and pay plan for all positions in the service of the city, except the certified personnel of the school committee.

(b)

Standards of age, sex, physical fitness, education and morals to be required of all applicants for positions or classes of positions in the classified service.

(c)

Time of holding and methods of advertising and conducting open competitive examinations, the type and content of such examinations and their grading including the conditions on which not more than ten points on a scale of one hundred of additional credit may be allowed to any person who has served in time of war in the army, navy, marine corps, air force or coast guard of the United States and has been honorably discharged therefrom.

(d)

Noncompetitive tests for unskilled labor positions.

- 93
94
95 (e)
96
97 Maintenance, consolidation and cancellation of eligible lists and methods for certifying eligibles
98 for appointment.
99
100 (f)
101
102 Promotions and the application of service ratings thereto.
103
104 (g)
105
106 Probationary periods of employment.
107
108 (h)
109
110 Administration of classification plan and pay plan.
111
112 (i)
113
114 Work schedules, holidays, vacations, sick leaves and other leaves of absence, overtime pay,
115 layoffs and reinstatements.
116
117 (j)
118
119 Procedure on appeal from disciplinary action and from the administration of the classification
120 plan and pay plan.
121
122 (k)
123
124 Plans for resolving the grievances of employees and for establishing sound relations between
125 employer and employee.
126
127 **Section 4.** That Section 14.06 of the Home Rule Charter of the City of Cranston be
128 amended to abolish the position of the Personnel Director.
129
130 **Sec. 14.06 - Further duties of the director of personnel.**
131
132 It shall further be the duty of the ~~director of personnel~~ personnel administration acting in
133 accordance with the terms of this chapter and of the rules and regulations adopted as above
134 provided to:
135
136
137
138

139

140 (a)

141

142 Conduct open competitive examinations of all original appointments in the classified service
 143 except in the case of unskilled laborers and whenever the ~~director of personnel~~ personnel
 144 administration shall determine in accordance with the said rules and regulations that the same is
 145 practicable, for promotions, and to give wide publicity through the channels appropriate to each
 146 case to all announcements of competitive examination; provided, that in formulating
 147 examinations the ~~director of personnel~~ personnel administration shall consult with all officers
 148 having power of appointment as to their personnel requirements.

149

150 (b)

151

152 Maintain eligible lists based on such examinations for each class of position in the classified
 153 service to which original appointments are to be made and whenever a vacancy in such a position
 154 is to be filled to certify to the appointing officer the names of the three persons standing highest
 155 on the list applicable to the position in the order of their standing, provided that if there are fewer
 156 than three names on any such list, the ~~director of personnel~~ personnel administration shall
 157 announce and conduct an examination for that class of position of which at least ten days notice
 158 shall be given by publication in a newspaper of general circulation in the city and if after such
 159 examination there remain fewer than three names on the eligible list for the position the ~~director~~
 160 of personnel personnel administration shall certify all the names thereon in the order of their
 161 standing.

162

163 (c)

164

165 Enter into agreement subject to the approval of the council with other public personnel
 166 departments or agencies in the State of Rhode Island for the joint administration of competitive
 167 examinations and the joint use of eligible lists.

168

169 (d)

170

171 Authorize in writing for a period not exceeding three months a temporary appointment without
 172 examination to a position of a seasonal or transitory character but only when there is no qualified
 173 person on an eligible list reasonably applicable to the position to be filled who desires such
 174 appointment and no such appointment shall be renewed.

175

176 (e)

177

178 Authorize in writing a provisional appointment to a position for which there is no eligible list but
 179 no such appointment shall be for a longer period than three months and no such appointment
 180 shall be renewed. It shall be the duty of the ~~director~~ administration to continue the ~~director's~~
 181 administration's efforts to establish an eligible list for the position and when such a list has been
 182 established the provisional appointment shall terminate. No credit shall be allowed on any
 183 examination for experience gained in a provisional appointment.

184

185 (f)
186
187 Prepare and recommend to the council a classification plan, a pay plan, and amendments thereto,
188 covering all positions in the classified service.

189
190 (g)
191
192 Supervise the maintenance by the heads of all departments, offices and agencies of the city of
193 such personnel records and service ratings as may be prescribed by the rules and regulations
194 approved by the council.

195
196 (h)
197
198 Maintain a roster of all positions in the classified service which shall specify as to each employee
199 the class title of the position held; the salary or pay; any changes in class title, salary or pay; and
200 such other data as may be deemed useful or significant.

201
202 (i)
203
204 Examine all payrolls on which the names of persons in the classified service appear and no
205 payment of salary or wages shall be made to such persons by virtue of any payroll unless it bears
206 the certificate of the ~~director of personnel~~ personnel administration that such persons have been
207 appointed and are being employed in accordance with the provisions of this chapter and the rules
208 and regulations of the department of personnel, that such persons are credited with pay at the
209 rates determined by the pay plan and that the ordinances of the city and the rules and regulations
210 of the department of personnel including those relating to overtime, vacations and sick leaves
211 have been observed.

212
213 (j)
214
215 Investigate the operation and effect of the personnel provisions of this Charter and the rules and
216 regulations adopted thereunder and report at least annually his findings and recommendations to
217 the mayor and council.

218
219 (k)
220
221 Serve as secretary of the employee retirement board and be responsible for the maintenance of its
222 records.

223
224 (l)
225
226 Perform such other duties as may be assigned to him by ordinance.

227
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231
232 **Section 5.** That Section 14.07 of the Home Rule Charter of the City of Cranston be
233 amended to abolish the position of the Personnel Director.
234

235 **Sec. 14.07 - The classified service.**
236

237 All original appointments in the classified service shall be made from eligible lists
238 certified by the ~~director of personnel~~ personnel administration except as provided in subsections
239 (d) and (e) of section 14.06. Appointments to higher positions in the classified service shall be
240 made as provided in section 14.08. All original appointments shall be made for a probationary
241 period the conditions of which shall be determined by the rules and regulations of the
242 department, provided that no probationary period shall exceed one year. Members of the
243 classified service shall be subject to such disciplinary action including removal as may be
244 ordered by the officer having the power of appointment to the position held by the person to be
245 disciplined, as limited by the right of appeal hereinafter provided. Prior to the end of the
probationary period of any employee, the employee's service may be terminated by such officer
with the approval of the ~~personnel director~~ personnel administration if they are of the opinion
that the employee does not possess the qualifications required by the position. Upon the
conclusion of the probationary period no member of the classified service shall be suspended for
more than ten days, reduced in rank or pay or removed except after notice in writing of the
grounds of the proposed action and an opportunity to be heard thereon by the personnel appeal
board. If within five days after the receipt of such notice the employee shall in writing addressed
to the personnel appeal board request a hearing the board shall fix a time and place for such
hearing to be held not earlier than five nor later than ten days after receipt of such request and
notify the employee thereof. The hearing may be public at the option of the employee and the
employee may be represented by counsel or by some other person of the employee's own
choosing. The personnel appeal board may sustain, reverse or modify the disciplinary action
appealed from and may order the restoration of pay lost during the pendency of the appeal.

260 **Section 6.** That Section 14.08 of the Home Rule Charter of the City of Cranston be
261 amended to abolish the position of the Personnel Director.
262

263 **Sec. 14.08 - Promotions.**
264

265 Vacancies in higher positions in the classified service shall be filled as far as practicable
266 by promotion from a lower class of position upon the basis of competitive examinations
267 including a consideration of service ratings, provided that in case the ~~Director of Personnel~~
personnel administration with the approval of the Mayor directs any such position may be filled
on the basis of competitive examination open not only to members of the classified service but to
persons not in service of the City. All examinations for the purpose of filling higher positions in
the classified service shall be conducted by the ~~Director of Personnel~~ personnel administration in
accordance with the rules and regulations of the department and the ~~Director of Personnel~~
personnel administration shall certify to the appointing authority a list of candidates rated highest
if there be that many passing the examination in the order of their rank in the examination and all
appointments shall be made in the order of the persons so certified be approved?
276

277
278 **SECTION 7.** That the City Clerk and the Cranston Board of Canvassers forward
279 certified copies of this resolution to the Secretary of State, with a notice that the above question
280 be placed on the ballot at the November 6, 2012 general election, pursuant to the provisions of
281 Sec. 8 of Article XIII of the Constitution of the State of Rhode Island.
282

283 **SECTION 8.** That the City Clerk cause the proposed amendments to be advertised four
284 times during the thirty days prior to the date of the election, and that sufficient copies of the
285 proposed amendment be made available in the city clerk's office for all persons desiring a copy
286 thereof.
287

288 **SECTION 9.** Subject to the approval of these proposed amendments by the electors of
289 the City of Cranston at the aforesaid election, the Cranston City Council does hereby
290 memorialize the General Assembly to act favorably on the validation of the above amendment to
291 the Cranston Home Rule Charter.
292

293
294 Sponsored by Councilman Stycos and Council Minority Leader Favicchio
295

296 Referred to Ordinance Committee March 13, 2014

2-14-01

CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF TITLE 17 OF THE CODE OF THE CITY OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "RFD RESIDENTIAL PLANNED DISTRICT"

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 17 entitled "Zoning" is hereby amended as follows:

Chapter 17.104 RPD RESIDENTIAL PLANNED DISTRICTS

Sections:

17.104.010 Permitted uses.

17.104.020 Development standards.

17.104.030 Administration.

17.104.010 Permitted uses.

Single-family dwellings, two-family dwellings, townhouses, residential accessory uses, uses permitted in open space and public lands, community centers, recreation facilities and associated structures designed for the sole use of the residents of the development.

17.104.020 Development standards.

A. Location of Structures. Where any part of a single-family dwelling or two-family dwelling is proposed to be located within one hundred (100) feet of an abutting property boundary, such building shall be located so as to comply with the minimum yard dimensions for the underlying zoning district as contained in Section 17.20.120. No townhouse in an RPD shall be located within one hundred fifty (150) feet of an abutting property boundary. These requirements may

2-14-01

35 be reduced at the planning commission's discretion where:

- 36 1. The adjacent land is currently open space and likely to remain so, or
 37 2. The planning commission concludes that a substantial and lasting barrier exists
 38 which would serve as a buffer to the abutting properties. The buffer need not be
 39 buildable land as defined in these regulations.

40

41 B. Minimum Size of Development: The tract of land proposed for an RPD shall have, in
 42 addition to the area requirements of subsection 17.96.100(h), the minimal capacity to support six
 43 dwelling units in accordance with the underlying zone district regulations.

44 C. Maximum Number of Dwelling Units. The maximum number of dwelling units allowed in
 45 an RPD shall not exceed the amount computed using the following formula:

46 The number of dwelling units permitted is equal to the gross area of tract-land
 47 unsuitable for development divided by the minimum lot size permitted in zoning district
 48 (Section 17.20.110).

49 In no case shall the number of dwelling units permitted in the RPD exceed the number
 50 which would be permitted in the zoning district(s) in which the tract lies if developed in the
 51 conventional manner.

52 1. Land unsuitable for development shall include:

53 ~~a. Wetlands as defined in Title 2, Chapter 1 of the General Laws of Rhode~~
 54 ~~Island, as amended. As relates to this article, the setback requirements of said~~
 55 ~~title and chapter shall not be considered wetlands.~~

56 b. Existing water bodies.

57 c. Streets, including all areas proposed for public and/or common vehicular
 58 access, whether or not intended to be dedicated to the city.

59 d. Land possessing other physical constraints, including, but not limited to
 60 areas with slope in excess of fifteen (15) percent, ledge outcrops, cemeteries,
 61 etc., which by their nature and severity would preclude conventional
 62 development.

63 D. Townhouse criteria:

64 1. Not more than four contiguous townhouses shall be built in a row with the same or
 65 approximately the same front line, and not more than eight townhouses shall be
 66 contiguous.

2-14-01

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- 2. Each townhouse shall have on its own lot one yard containing not less than four hundred (400) square feet, reasonably secluded from view from streets or from neighboring property. Such yards shall not be used for off street parking, garages, driveways, leachfields or for any accessory building.
- 3. The minimum distance between any two rows of townhouse buildings, substantially parallel to each other, shall be sixty (60) feet.
- 4. The minimum distance between any two abutting ends of townhouse buildings in the same general plane or row shall be thirty (30) feet.
- 5. A townhouse development shall not be permitted which by its design and/or location of structures could conflict with adjacent single-family residences.

E. Minimum Lot Requirements. For RPD developments and/or sections of RPD developments proposed for single and two-family dwellings, the following minimum lot and frontage requirements shall supersede those set forth in Section 17.20.110 of this title.

Zone District	Single-Family Dwellings Minimum Lot Area (sq. ft.)
A-80	20,000
A-20	10,000
A-12	6,000
A-8	4,000
A-6	4,000
B-1	4,000
B-2	4,000

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87

Allowance for these minimum lot sizes shall not confer to the applicant any right to exceed the number of lots which would be permitted in the zoning district(s) in which the tract lies if developed in a conventional manner.

F. Open Space. No less than twenty-five (25) percent of the total land area of a residential

2-14-01

88 planned district shall be open space. This figure shall be computed by multiplying the
 89 applicant's total adjacent undeveloped land acreage by a factor of .25, exclusive of area covered
 90 by existing water bodies and streams. This open space shall not include building lots, street
 91 rights-of-way, or land possessing other physical constraints causing it to be unsuitable for
 92 residential development.

93 1. At least one-half of the open space of twelve and one-half (12.5) percent of the total
 94 land area shall possess no significant constraints to development for active recreation.

95 2. Provisions shall be made to insure that no more than twenty (20) percent of the open
 96 space shall be devoted to paved areas and permitted recreation related structures.

97 3. Use of open space shall be subject to site plan review. All physical improvements
 98 proposed for the open space area of the project shall be included in the final subdivision
 99 plans.

100 4. Minor alterations may be authorized by the planning director after planning
 101 commission approval, prior to recording of the plat. Minor alterations include:

102 a. Slight changes in location of physical improvements including accessory
 103 buildings, recreation facilities and walkways.

104 b. Slight changes in landscaping and lighting of common areas.

105 5. All other alterations to the open space area of a final subdivision plan shall be
 106 considered major alterations and require approval of the planning commission. Major
 107 alterations include:

108 a. Relocation of roadways and drainage facilities.

109 b. Addition of new physical facilities.

110 c. Alterations to the natural features or systems.

111 After conveyance of fifty-one (51) percent of lots, major alterations may be
 112 permitted by the planning commission with written concurrence of at least two-thirds
 113 of the homeowners association membership. No structure on the open space may be
 114 located within fifty (50) feet of a residence.

115 6. Access areas to public open space shall be clearly marked.

116 7. Open space may be in one or more parcels.

117 8. Open space may be used for active recreation, passive recreation, buffers,
 118 conservation, agriculture, forestry, utilities and drainage facilities. Where utilities and
 119 drainage facilities are to be sited in the open space area, adequate access shall be

2-14-01

120 provided so that they may be serviced by city maintenance vehicles, whether or not said
121 facilities are intended to be dedicated to the city.

122 9. Land which has been environmentally damaged prior to final approval shall not be
123 accepted as common open space unless and until the land is returned to reasonable and
124 appropriate condition, to effect the purpose of this chapter.

125 10. Impact Fee Credit. Open space dedication, as required under this chapter, shall not
126 be applied as a credit to the capital facilities development impact fee requirement of
127 Section 15.04.020 of the code with the following exception:

128 a. Where by virtue of its location and size, the planning commission
129 determines a particular parcel to possess significant public value, and the
130 developer is willing to dedicate all or a significant portion of the open space
131 acreage for public access and use, the planning commission may at its
132 discretion waive all or part of the capital facilities development impact fee in
133 return for said dedication.

134 G. Streets. All streets in the RPD which are intended for dedication to the city shall be
135 improved in accordance with specifications outlined in the "Subdivision and Development
136 Regulations, 1989", as amended. Private roads intended for internal circulation and access shall
137 be designed and constructed to support the weight and allow passage of city fire and rescue
138 vehicles. Such roads shall be maintained to control overgrowth of vegetation and periodically
139 resurfaced to maintain a safe and uniform driving surface.

140 *(Prior code § 30-35(b))*

141 **17.104.030 Administration.**

142 The granting of approval of a residential planned district shall take place in the same
143 manner as conventional subdivision approval subject to the specific requirements of this
144 chapter.

145 A. Subdivision Approval. No part of the construction of an RPD shall begin until the
146 plan of such development has been submitted to and granted final approval by the
147 planning commission in accordance with the "Subdivision and Development
148 Regulations, 1989" as amended. The developer shall submit an alternate plan for
149 developing the site as a conventional subdivision at the pre-application and
150 preliminary stages of the subdivision process which shall adhere to all
151 subdivision requirements. This plan shall determine the maximum number of
152 dwelling units allowable in the RPD unless further restricted by the requirements
153 of subsections 17.104.020(C) and (E) of this section. In addition to those outlined
154 herein, the planning commission may establish additional rules and regulations to
155 govern residential planned districts (RPDs).

156 B. Preapplication Conference. The applicant shall request that the city planning

2-14-01

157 department arrange a preapplication conference with the representatives of the
 158 planning department, building inspections office and city engineers office prior to
 159 submission of the preliminary subdivision. This conference shall be conducted as
 160 a working session for the purpose of reviewing the options presented by the
 161 applicant and to aid the applicant in refining the plan. Within twenty-one (21)
 162 days after the conference the city planning department shall provide the applicant
 163 with a written summary of the meeting, including recommendations designed to
 164 inform and assist the applicant in preparation of the preliminary subdivision plat.

165

166 C. Preliminary Submission. In addition to the requirements delineated in the city's
 167 subdivision regulations, the applicant shall submit to the planning commission
 168 the following:

- 169 1. Site plan indicating the location and orientation of all structures and their
 170 proposed uses. Residential structures shall be identified by the number of
 171 dwelling units proposed for each one.
- 172 2. Proposed location and treatment of any public or private common open
 173 areas including open spaces, recreation areas, buffers, pedestrian and
 174 automobile access and circulation ways.
- 175 3. The general treatment proposed for the periphery of the site, including
 176 the approximate amount, location and type of buffering and/or
 177 landscaping and lighting proposed.
- 178 4. The boundaries of each proposed construction phase or section, if
 179 appropriate.

180 D. Final Submission. In addition to the items listed above and the general
 181 requirements of the city's subdivision regulations, the applicant shall submit the
 182 following:

- 183 1. A statement of purpose detailing how the intent of this chapter will be
 184 achieved by the proposed RPD, possibly including additional graphics,
 185 descriptions and analyses of the proposed development's impact on
 186 surrounding land uses and on existing public facilities and services.
- 187 2. A narrative outline of proposed RPD stating the land use allocation by
 188 type including the acreage of land for single-family, two-family and
 189 multi-family housing, total number of lots, total dwelling units, total
 190 open space and linear footage of public and private roadway. The
 191 applicant shall also identify how necessary services will be provided and
 192 whether said services will be publicly or privately owned and operated.

2-14-01

193 The applicant shall also submit an explanation of the beneficial aspects
194 of the proposed site layout.

195 3. A narrative explanation and description of all alterations made in the
196 RPD plan since the preliminary submission and the reason(s) for such
197 alterations.

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E. Ownership of Common Open Space. The required open space shall be owned in common by all landowners in the RPD, with the exception of any land accepted by the planning commission as public open space, park or recreational land. The deed to each lot shall include a fractional interest in the common open space in an amount proportionate to the number of lots in the RPD. The deed shall also include any covenants, restrictions or easements attached to the RPD, each lot, or the common open space and any homeowner's association agreements pertaining thereto.

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1. Open Space Easement. Open space shall be protected against building development and environmental damage by conveying to the city an open space easement restricting all common open areas against future building and against removal of soil, trees and other natural features, except as is consistent with conservation, recreation, agricultural uses or uses accessory to permitted uses.

216

F. Homeowner's Association.

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1. The applicant or developer shall provide for and establish a homeowner's association as a nonprofit organization or other legal entity under the laws of Rhode Island for the use, care and maintenance of all such lands and improvements. Membership in the association shall be mandatory for all landowners within the RPD, and each owner shall be entitled to equal representation. The association shall be formed prior to conveyance of the first lot.

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2. Such organization shall be created by covenants and restrictions running with the land and shall be responsible for the perpetuation, maintenance and function of all common lands, uses and facilities. These covenants shall become part of the deed to each lot or parcel within the development.

THE CITY OF CRANSTON

RESOLUTION OF THE CITY COUNCIL

**REQUESTING THE MEMBERS OF THE GENERAL ASSEMBLY FROM CRANSTON
TO INTRODUCE AND URGE PASSAGE OF LEGISLATION AUTHORIZING A \$11.8
MILLION DOLLAR REPAIR AND RENOVATION BOND FOR THE CITY'S
SCHOOLS**

No.

Passed:

John E. Lanni, Jr., Council President

Resolved that,

WHEREAS, The Cranston City Council hereby requests the Members of the General Assembly from Cranston to introduce and urge passage of legislation authorizing a bond in the amount of \$11,800,000 for general capital building improvements to the Cranston Public School system.

WHEREAS, The Cranston City Council hereby urge passage to authorize a referendum to be submitted to the electors of the City of Cranston on November 4, 2014.

NOW THEREFORE BE IT RESOLVED, This resolution shall take effect upon its final adoption.

Sponsored by: Council President Lanni

Referred to Finance Committee March 13, 2014

-FEBRUARY 24, 2014-

Council Majority Leader Archetto stated that his experience with the General Assembly is that there is time, there is no urgency. A Representative from the School Department should have been present this evening to explain this Resolution and advocate for this. **Council President Lanni** stated that he was asked to introduce this Resolution and he did, that does not mean he will vote for it.

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

On motion by Councilman Botts, seconded by Councilman Santamaria, it was voted to refer the above Resolution to the Finance Committee and at that time, a representative from the School Department be present. 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

Sewer Connection Agreement between LFG Genco, LLC and City of Cranston [[click to view](#)] Waiting for Executed Copy

Solicitor Kirshenbaum stated that we are still waiting for executed copy.

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). Failed in Safety Services Committee 2/3/2014. [[click to view](#)]

No action.

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). Denied in Safety Services Committee 2/3/2014. [[click to view](#)]

No action.

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). Failed in Ordinance Committee 2/13/2014. [[click to view](#)]

No action.

Mayor's Response to Resolution 2014-2 Requesting the RI State Police Investigate the Alleged Cranston Ticketing Scandal [[click to view Mayor's Response](#)]

No action.

The meeting adjourned at 9:30 P.M.


Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist)