

(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

-APRIL 27, 2015-

Regular meeting of the City Council was held on Monday, April 27, 2015 in the Council Chambers, City Hall, Cranston, Rhode Island.

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

Roll call showed the following members present: Councilmen Stycos, Botts, Council Majority Leader Archetto (appeared at 7:40 P.M.), Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

Absent: Councilman Farina and Council Vice-President Santamaria -2.

Also Present: Robert Coupe, Director of Administration; Carlos Lopez, Chief of Staff; Jeffrey Barone, Constituent Affairs; Evan Kirshenbaum, Assistant, City Solicitor; Robert Strom, Finance Director; Anthony Moretti, City Council Internal Auditor; Patrick Quinlan, City Council Legal Counsel.

On motion by Councilman Aceto seconded by Councilman Botts, 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 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

Council President Lanni stated that Council Vice-President Santamaria had a death in the family and Councilman Farina is out of town on business and they will not be attending this evening.

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATION

CRANSTON POLICE OFFICER BRENTON MEDEIROS

Council President Lanni presented Proclamation to Officer Medeiros.

II. PUBLIC HEARINGS

(limited to docketed matters)

John Mancini, Esq., appeared to represent applicant for proposed Zone Change for 950 Phenix Ave., and stated that the main part of this project is storage. The proposal is for one building with two floors. First floor would be for a storefront retail with a drive-thru bank. The second floor would be for offices. Another building would be for automobile storage facility. There will also be a community center. The goal is to keep the vegetation as it is. Auto body work and mechanic work is prohibited by Ordinance. After discussion with the Planning Department and Planning Commission, pile-on signage was withdrawn. There will be a monument sign at the entrance of the project. This project will not be a cost to the City. There is no sewer connection and there will be no school children in this development. This is something positive to the City. It will not be an impact on traffic.

Fred Joslyn, 23 Gaglione Ct., appeared to speak and ask questions.

Roland Coutu, 25 Lee St., appeared to speak and questioned how the wetlands is going to be affected by this project.

III. RESOLUTIONS

RESOLUTION REQUESTING THAT THE GOVERNOR AND THE GENERAL ASSEMBLY RESTORE THE STATE'S PILOT FUNDING TO THE CITY OF CRANSTON AND NOT PROCEED WITH THE PROPOSED SLASHING OF \$1,102,438 IN CRANSTON'S PILOT FUNDING ALLOCATION. Sponsored by Council President Lanni, Council Vice President Santamaria, Councilman Farina, Councilman Stycos, Councilman Botts, Councilman Archetto, Councilman Aceto, Councilman Paplauskas, and Councilman Favicchio.

On motion by Councilman Aceto, seconded by Council Minority Leader Favicchio, it was voted to suspend Rule 34 in order to vote on the above Resolution. Motion passed on a vote of 6-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -6. Council Majority Leader Archetto was not present for roll call vote.

On motion by Councilman Botts, seconded by Council Minority Leader Favicchio, the above Resolution was adopted on a vote of 6-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -6. Council Majority Leader Archetto was not present for roll call vote.

RESOLUTION PROCLAIMING APRIL 24, 2015 AS 'RHODE ISLAND DAY OF REMEMBRANCE OF THE ARMENIAN GENOCIDE' IN COMMEMORATION OF THE 100TH ANNIVERSARY OF THE ARMENIAN GENOCIDE. Sponsored by Council President Lanni, Council Vice President Santamaria, Councilman Farina, Councilman Stycos, Councilman Botts, Councilman Archetto, Councilman Aceto, Councilman Paplauskas, and Councilman Favicchio.

On motion by Councilman Aceto, seconded by Council Majority Leader Archetto, it was voted to suspend Rule 34 in order to vote on the above Resolution. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

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

Under Discussion:

Councilman Botts stated that this country should recognize this and suggested amending this Resolution to list "U.S." on line #43.

Council Minority Leader Favicchio stated that this is long overdue on National level.

Council President Lanni asked that the adopted Resolution be forwarded to the White House.

Roll call was taken on motion to adopt the above Resolution and motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

IV. REPORT OF COMMITTEES

SAFETY SERVICES & LICENSES COMMITTEE
(Council Vice-President Richard D. Santamaria, Jr., Chair)

3-15-01 ORDINANCE IN AMENDMENT OF TITLE 5 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'BUSINESS LICENSES AND REGULATIONS' (Massage Body Works License). As amended in Committee 4/6/2015.

On motion by Council Minority Leader Favicchio, seconded by Councilman Aceto, it was voted to appoint Council President Lanni as temporary Vice-Chair, since the Vice-Chair of Safety Services and Licenses Committee is not present this evening. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

On motion by Councilman Aceto, seconded by Council Minority Leader Favicchio, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

PUBLIC WORKS COMMITTEE
(Councilman Mario Aceto, Chair)

3-15-03 ORDINANCE IN AMENDMENT OF TITLE 12 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'STREETS, SIDEWALKS AND PUBLIC PLACES' (Sidewalk Reconstruction Cost Share Program II). As amended in Committee 4/6/2015.

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

On motion by Councilman Stycos, seconded by Councilman Aceto, it was voted to amend the above Ordinance as follows: line #56, after "eligible", add "upon delivery to the Director of Public Works or his or her designee documentations sufficient to demonstrate said low income determination,". Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

On motion by Councilman Aceto, seconded by Councilman Botts, the above Ordinance was adopted as amended on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

RESOLUTION INSTITUTING PROCEEDINGS FOR THE ABANDONMENT OF A PORTION OF MALVERN ST.

Withdrawn.

ORDINANCE COMMITTEE
(Councilman Paul H. Archetto, Chair)

1-15-01 ORDINANCE IN AMENDMENT OF CH. 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Change of Zone – 950 Phenix Ave.). Petition filed by DelBonis Sand & Gravel Co and Bluedog Capital Partners.

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

Under Discussion:

Council Minority Leader Favicchio asked if a traffic report was done. Attorney Mancini stated that a preliminary traffic study was done. A full traffic count was also done and revealed that a full traffic study was not needed.

Council Minority Leader Favicchio asked what the hours would be for the storage units. Attorney Mancini stated, 7:00 A.M. to 10:00 P.M. Council Minority Leader Favicchio asked if the vehicles being stored would have to be registered. Attorney Mancini stated that all the stored vehicles would be registered in-house. There would be a lease similar to a storage facility or a storefront. He also indicated that this type of facility is something new to Rhode Island.

Councilman Aceto asked how many vehicles this storage will store. Attorney Mancini stated that the building will be 20,500 sq. ft. and each bed will hold two vehicles and there will be twenty beds and it will accommodate approximately forty vehicles.

Solicitor Kirshenbaum stated that he and Mr. Quinlan spoke to Attorney Mancini earlier and agreed that this Ordinance does not need to be amended. It just needs to carry over the language in the Code, Section 17-04-030, which defines restaurants with drive-in.

On motion by Council Majority Leader Archetto, seconded by Councilman Aceto, it was voted to amend the above Ordinance as follows: pg. 7 of Exhibit "C", further define the language referred to definitions of drive-in restaurant as follows: "Restaurant without drive-thru facility". Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

Roll call was taken on motion to adopt the above Ordinance as amended and motion passed on a vote of 6-1. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas and Council President Lanni -6. The following being recorded as voting "nay": Council Minority Leader Favicchio -1.

3-15-02 ORDINANCE IN AMENDMENT OF TITLE 10, CH. 32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC' (Lakeview Rd. – One Way Traffic Between 2:00 – 3:00 P.M. Mon.-Fri.). [Withdrawn by Sponsor – no action]

Withdrawn.

FINANCE COMMITTEE
(Councilman Steven A. Stycos, Chair)

RESOLUTION AUTHORIZING REAL ESTATE TAX ABATEMENTS

On motion by Councilman Botts, seconded by Councilman Aceto, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS

On motion by Councilman Aceto, seconded by Councilman Botts, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

TAX INTEREST WAIVER APPROVALS

On motion by Councilman Aceto, seconded by Councilman Paplauskas, it was voted to approve the above list of Tax Interest Waiver Approvals. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

AUDIT COMMITTEE
(Councilman Steven A. Stycos, Chair)

INDEPENDENT AUDITOR RECOMMENDATION OF BID AWARD: MARCUM FOR FY 2015-2016.

On motion by Council Minority Leader Favicchio, seconded by Councilman Botts, it was voted to approve the hiring of Marcum as the Independent Auditor for FY 2015-2016.
Under Discussion:

Councilman Aceto questioned whether the Mayor picks the firm and then it goes out to bid. Mr. Strom stated that we went out to bid through BOCAP and there were four firms who bid. An Evaluation Committee did an evaluation and came up with Marcum, who the Committee felt was best qualified. The recommendation went to the Audit Committee and they recommended Marcum on a vote of 3-1. Councilman Aceto asked what other cities and towns this firm does Audits for. Mr. Strom stated that they do Pawtucket, Providence, Johnston, East Providence and they had Warwick. They have the bulk of the cities and towns in the State of Rhode Island. Councilman Aceto asked if there is a conflict, since the prior company that owns this firm did our Audit in the past. Mr. Quinlan stated that based on the Charter and the City Solicitor, this is appropriate and the Auditor General did not have an issue with this firm being hired. They have a different corporate identity.

Mr. Moretti reported the following bids from the firms who filed bids:

- Marcum – up to \$130,000 per year
- Blum Shapiro - \$136,000 per year
- McGladrey - \$103,000 per year
- Parmalee Poirier - \$96,000 per year

Mr. Strom indicated that the decision was not based on just price.

Roll call was taken on motion to hire Marcum as the Independent Auditor for FY 2015-2016 and motion passed on a vote of 4-2. The following being recorded as voting "aye": Councilmen Stycos, Botts, Paplauskas and Council Minority Leader Favicchio -4. The following being recorded as voting "nay": Councilman Aceto and Council President Lanni - 2. Council Majority Leader Archetto was not present for roll call vote.

Councilman Stycos announced that there is one more Budget hearing tomorrow regarding the School Department and next week, there will be a meeting regarding the Amendments and final Adoption will be on May 11th. He met with Mr. Moretti this afternoon to discuss major topics. He asked that if Council members have any proposed amendments they would like to make, they be forwarded to him and Mr. Moretti so a complete list can be forwarded to Mr. Strom in order to give him time to address them prior to the Amendment meeting.

-APRIL 27, 2015-

1-15-01 ORDINANCE IN AMENDMENT OF CH. 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Change of Zone – 950 Phenix Ave.). Petition filed by DelBonis Sand & Gravel Co and Bluedog Capital Partners.

On motion by Council Majority Leader Archetto, seconded by Council Minority Leader Favicchio, it was voted to reconsider the vote taken on proposed Ordinance 1-15-01. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

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

Under Discussion:

Council Minority Leader Favicchio stated that he is concerned that there was no numbers for traffic study and no specifics. He just does not believe that there is not going to be any traffic impact. He thinks there could be better use for this property and there will be noise created by this project.

Councilman Aceto stated that during the Planning Commission, it did not deem it necessary. The Traffic Engineer hired by this applicant was the same Traffic Engineer which did the traffic study for the previous proposal, The Lodge. Most of the people that attended the Planning Commission meeting were happy with this proposal.

Council Majority Leader Archetto asked what the Administration's position is regarding this project. Mr. Coupe stated that the Administration is relying on the report of the Planning Commission and given the favorable recommendation, the Administration is not opposed to this proposed project.

Council Majority Leader Archetto asked what the tax revenue from this property is at it is now. Attorney Mancini stated that the property is assessed at \$231,000. Council Majority Leader Archetto asked if the assessment for this property will increase with this project. Attorney Mancini stated that just one building alone, will have a tax assessment of over \$600,000. Once the project is completed, it will be well over \$1 million.

Council President Lanni stated that there is no neighborhood opposition to this particular project and this is why he is voting in favor of it. He urged everyone to get this project done and approve it.

Roll call was taken on motion to adopt the above Ordinance as amended and motion passed on a vote of 6-1. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas and Council President Lanni -6. The following being recorded as voting "nay": Council Minority Leader Favicchio -1.

CLAIMS COMMITTEE
(Councilman Michael W. Favicchio, Chair)

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

Report of settled claims (*Informational purposes only*): John & Paula Montanaro \$50.00 property damage; William Rougas \$50.00 property damage; Leonard Upham \$50.00 property damage; Leonard Pezza \$159.01 vehicle damage; Steven & Natalia Kidd \$50.00 property damage; Alice Allen \$50.00 property damage; Alexander Caserta \$50.00 property damage; Joseph Mee \$50.00 property damage; David A. Ferreira \$50.00 property damage; Amanda Beaudoin \$139.15 vehicle damage; John J. Spagnolo \$153.94 vehicle damage; Brian P. Corcoran \$50.00 property damage; Joseph & Karen Sylvia \$50.00 property damage; Lawrence E. Caron, Jr. \$442.53 vehicle damage; Amica Mutual Insurance for Michael Thaler \$8,160.99 vehicle damage; Kathy Paolo \$164.70 vehicle damage; Matthew & Ann Bastardi \$50.00 property damage; Richard Carmone \$126.72 vehicle damage; Artie Pacheco Auto for Kelly Amaral \$1,795.45 vehicle damage; Steven R. Charves \$100.00 vehicle damage; Anthony J. Zinanni \$102.89 vehicle damage; Nancy A. Moretti \$50.00 property damage; Bethanie Parenteau \$50.00 property damage; John M. Dunne, Jr. \$72.82 vehicle damage; Joseph Marocco \$156.97 vehicle damage; Violet M. Krikorian \$114.49 vehicle damage; Marc Morley \$50.00 property damage; Howard A. Wolfe \$210.94 vehicle damage; Michael A. Traficante \$86.05 vehicle damage; Lesley S. Smith \$106.48 vehicle damage; Andrew & Stacy Levin \$50.00 property damage; Alexander B. Terry \$92.58 vehicle damage; Vivian Mendonsa \$133.64 vehicle damage; John A. MacDonald \$25.00 vehicle damage; David C. Robbins \$184.12 vehicle damage; Michael D. Aaronson \$300.00 vehicle damage; Anthony A. Lucca \$44.39 vehicle damage; Ania W. Cardarelli \$174.30 vehicle damage.

No action needed.

V. PUBLIC HEARINGS
(open to any matters)

None.

VI. ELECTION OF CITY OFFICIALS

AUDIT COMMITTEE:

MARK PERROTTI, Member Reappointment [term end 1/28/2017]

On motion by Councilman Aceto, seconded by Councilman Botts, it was voted to re-appoint Mark Perrotti as a member of the Audit Committee. Motion passed on a vote of 6-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -6. Council Majority Leader Archetto was not present for roll call vote.

SHERRI FERDINANDI, Member Reappointment [term end 1/28/2017]

On motion by Councilman Botts, seconded by Council Majority Leader Archetto, it was voted to re-appoint Sherri Ferdinandi as a member of the Audit Committee. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

TAX ASSESSMENT BOARD OF REVIEW:

GARRY REILLY, Member Reappointment [term end 01/07/2018]

On motion by Council Minority Leader Favicchio, seconded by Councilman Aceto, it was voted to re-appoint Garry Reilly as a member of the Tax Assessment Board of Review. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

ZONING BOARD OF REVIEW:

STEVEN MINICUCCI, ESQ., Member Reappointment [term end 5/23/2020]

On motion by Councilman Aceto, seconded by Council Minority Leader Favicchio, it was voted to re-appoint Steven Minicucci, Esq. as a member of the Zoning Board of Review. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

VII. REPORT OF CITY OFFICERS

STANDING MONTHLY REPORT OF CITED PROPERTIES IN THE CITY

(Councilman Botts)

No discussion.

VIII. EXECUTIVE COMMUNICATIONS

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

No discussion.

CONSERVATION COMMISSION:

- **Advice and Consent of appointment of John W. Wiggins as a member term ending 10/22/2015 [un-expired terms of Chad Brown Terah Sprague]**

On motion by Councilman Aceto, seconded by Councilman Botts, it was voted to approve the Mayor's Advice and Consent of the appointment of John W. Wiggins as a member of the Conservation Commission for the unexpired term of Chad Brown Terah Sprague. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

- **Advice and Consent of appointment of Carl A. Santucci as a member term ending 6/25/2015 [un-expired terms of Barry Fontaine]**

On motion by Councilman Aceto, seconded by Councilman Botts, it was voted to approve the Mayor's Advice and Consent of the appointment of Carl A. Santucci as a member of the Conservation Commission for the unexpired term of Barry Fontaine. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

- **Advice and Consent of re-appointment of Matthew T. Jerzyk as a member term ending 6/25/2018.**

On motion by Councilman Aceto, seconded by Councilman Botts, it was voted to approve the Mayor's Advice and Consent of the appointment of Matthew T. Jerzyk as a member of the Conservation Commission. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

CRANSTON FIRE DEPARTMENT REQUESTS TO BE CONTINUED IN SERVICE FOR ONE YEAR:

- ***Private Stephen Croft, Cranston Fire Dept.***

On motion by Councilman Aceto, seconded by Council Minority Leader Favicchio, it was voted to approve the above request. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

- ***Captain Ronald Florio, Cranston Fire Dept.***

On motion by Council Minority Leader Favicchio, seconded by Councilman Aceto, it was voted to approve the above request. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

- ***Lt. John Boyer, Cranston Fire Dept.***

On motion by Council Minority Leader Favicchio, seconded by Councilman Aceto, it was voted to approve the above request. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

- ***Deputy Chief David DiMaio, Cranston Fire Dept.***

On motion by Council Minority Leader Favicchio, seconded by Councilman Paplauskas, it was voted to approve the above request. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

PERSONNEL APPEAL BOARD: RE-APPOINTMENT OF GARY VIERA (Minority Appt. - info. only)

No action needed.

CLAIMS SETTLED BY SOLICITOR: Marie Sanon & Attorney Robert Russo \$6,000.00 personal injury.

No discussion.

IX. COUNCIL PRESIDENT COMMUNICATIONS

Council President Lanni stated that budgeted cuts being proposed during this Budget process will be sufficient cuts making Cranston affordable community to live in. He is also looking forward to receiving the State Police Report, which should be made available within the next two weeks.

X. COUNCIL MEMBER COMMUNICATIONS

COUNCIL VICE-PRESIDENT SANTAMARIA:

- *List of building and sign permits taken out from LAMAR and RIPTA for bush shelters*

Mr. Barone stated that, per Council Vice-President Santamaria's request, he researched and found that there are no permits pulled to erect bus shelters. When shelters are on sidewalks, they do not need permits. They would need permits if they were to be built on private property.

Councilman Aceto asked if LAMAR or RIPTA pays property taxes on the billboards in the City. Mr. Barone stated that he does not know. Councilman Aceto asked if this could be researched further to see if there is a State statute that governs bus shelters.

Mr. Quinlan stated that he does not believe there is specific State Law, but he will research this. The State does not have to take permits out or pay fees. The question that needs to be researched is, does RIPTA fall under the umbrella of the State. He also stated that Council Vice-President Santamaria has an Ordinance that is being proposed for new business this evening addressing bus shelters.

COUNCILMAN BOTTS:

- *Traffic Calming*

Councilman Botts asked if the City has been experimenting any traffic calming measures, such as bump outs, in the City. Mr. Barone stated that a plan was drawn up at 30% and submitted to the State and it was rejected by the State. What the Traffic Engineers are looking at is illuminated stop signs. Bump outs are not something that is being considered. This is being discussed by the Traffic Safety Commission. He also stated that Majors Patalano and Quirk have been very receptive with concerns they receive from the Council and constituents with regards to stop signs and speeding and they have been addressing all these issues.

- *School Budget Hearing*

Councilman Botts stated that he received an email from Superintendent Lundsten regarding tomorrow evening's Budget hearing and she is encouraging support and lobbying the City Council to fully fund the School Budget. He also stated that it should be pointed out that they will be receiving \$3.5 million additional State Aid and they do not have to pay back the money for the debt service.

XI. OLD BUSINESS

None.

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XII. INTRODUCTION OF NEW BUSINESS*

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

- 4-15-01 ORDINANCE IN AMENDMENT OF TITLE 12, OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'STREETS, SIDEWALKS AND PUBLIC PLACES' (Snow Removal Residential Age Exemption). Sponsored by Councilman Stycos.**
- 4-15-02 ORDINANCE IN AMENDMENT OF TITLE 10, CH. 32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC' (Stop, Park Ave. westbound at Gansett Ave.). Sponsored by Councilman Archetto. [**
- 4-15-03 ORDINANCE IN AMENDMENT OF TITLE 5.64 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'BUSINESS LICENSES AND REGULATIONS' (Public Entertainment License Fee). Sponsored by Councilmen Farina and Aceto.**
- 4-15-04 ORDINANCE IN AMENDMENT OF TITLE 5 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'BUSINESS LICENSES AND REGULATIONS' (Bus Shelter Permit Fees). Sponsored by Council Vice-President Santamaria.**
- 4-15-05 ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF 2010 (Cumberland Farms –Intersection Park and Warwick Ave). Petition filed by Park Associates, LLC, Phala Long, Cumberland Farms.**
- 4-15-06 ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Warwick and Park Intersection). Petition filed by Park Associates, LLC, Phala Long, Cumberland Farms.**

RESOLUTION REQUESTING THAT THE MAYOR DIRECT THE RECREATION DEPARTMENT TO FOCUS ON RECREATION PROPERTIES AND REFRAIN FROM SERVICING THE LIBRARY SYSTEM DURING THE SUMMER MONTHS. Sponsored by Councilman Archetto.

RESOLUTION LOAN ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CRANSTON IN THE AMOUNT OF \$46,180,000. Sponsored by Council Minority Leader Favicchio.

RESOLUTION IN SUPPORT OF H-5594 AND S-0741 MUNICIPAL STREETLIGHT INVESTMENT ACT. Sponsored by Councilman Aceto.

RESOLUTION REQUESTING THAT THE MAYOR DEMOTE PROBATIONARY CAPTAIN STEVEN ANTONUCCI TO RANK OF LIEUTENANT. Sponsored by Councilman Archetto.

PETITION FROM NATIONAL GRID FOR POLE LOCATION AT WHISPERING PINES.

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Claims:

- Personal injury claim of Molly Anderson from alleged incident on 1/16/2015.
- Personal injury claim of Kristen Neri from alleged incident on 2/23/2015.
- Personal injury claim of Alicia Manansala from alleged incident on 3/5/2015.
- Property damage claim of Christopher Sutherland from alleged incident on 7/2013.
- Property damage claim of Nathan Popinski from alleged incident on 1/24/2015.
- Property damage claim of Lyudmila & Robert Bagdasaryan from alleged incident on 1/27/2015.
- Property damage claim of Carla Mattia from alleged incident on 1/29/2015.
- Property damage claim of Christopher Mariotti from alleged incident on 1/31/2015.
- Property damage claim of Anna Marie Bacon from alleged incident on 2/2/2015.
- Property damage claim of James Arvanites from alleged incident on 2/9/2015.
- Property damage claim of Matt Ricci from alleged multiple incidents on 2/15/2015.
- Property damage claim of Gail Manzi from alleged incident on 2/20/2015.
- Property damage claim of Janet Ward from alleged incident on 3/2/2015.
- Property damage claim of Janeen Danenberg from alleged incident on 3/4/2015.
- Property damage claim of Meghan Kayata from alleged incident on 3/4/2015.
- Property damage claim of Paula Giocastro from alleged incident on 3/5/2015.
- Property damage claim of Town of Barrington from alleged incident on 3/5/2015.
- Property damage claim of Eileen Cook from alleged incident on 3/6/2015.
- Property damage claim of Anthony Fuzek from alleged incident on 3/6/2015.
- Property damage claim of Paige Plumb from alleged incident on 3/6/2015.
- Property damage claim of Jean-Ann Sherry from alleged incident on 3/6/2015.
- Property damage claim of Paula Lynch from alleged incident on 3/7/2015.
- Property damage claim of Kathleen Mouradjian from alleged incident on 3/7/2015.
- Property damage claim of Kristina Cannon Smith from alleged incident on 3/7/2015.
- Property damage claim of Jerry Lafontant from alleged incident on 3/9/2015.
- Property damage claim of Ron Karp from alleged incident on 3/10/2015.
- Property damage claim of Fook Chiu Chin from alleged incident on 3/10/2015.
- Property damage claim of Robert DeReamer from alleged incident on 3/10/2015.
- Property damage claim of Pauline Traficante from alleged incident on 3/11/2015.
- Property damage claim of Robert Toppa from alleged incident on 3/12/2015.
- Property damage claim of Walter Stewart from alleged incident on 3/13/2015.
- Property damage claim of Helene Burghardt from alleged incident on 3/13/2015.
- Property damage claim of Nicole Crossley from alleged incident on 3/13/2015.
- Property damage claim of John Keogh from alleged incident on 3/15/2015.
- Property damage claim of Joseph McFadden from alleged incident on 3/15/2015.
- Property damage claim of Hope Patton from alleged incident on 3/16/2015.
- Property damage claim of Stephen Picano from alleged incident on 3/16/2015.
- Property damage claim of Lea Slaughter from alleged incident on 3/17/2015.
- Property damage claim of Brendan Bilodeau from alleged incident on 3/19/2015.
- Property damage claim of Henry Lau from alleged incident on 3/19/2015.
- Property damage claim of Steven Piscopiello from alleged incident on 3/21/2015.
- Property damage claim of Marie White from alleged incident on 3/22/2015.
- Property damage claim of Aaron Nadich from alleged incident on 3/27/2015.
- Property damage claim of Sivakumar Bhaskarapanditha from alleged incident on 3/27/2015.
- Property damage claim of Steven Pirri from alleged incident on 3/27/2015.
- Property damage claim of Donna D'Andrea from alleged incident on 3/27/2015 and 4/1/2015.

- Property damage claim of Shawna Loisel from alleged incident on 3/29/2015.
- Property damage claim of John Rowe from alleged incident on 3/29/2015.
- Property damage claim of Frances Kearns from alleged incident on 3/30/2015.
- Property damage claim of Janet M. Bolduc from alleged incident on 4/4/2015.
- Property damage claim of Junior Garcia from alleged incident on 4/5/2015.
- Property damage claim of Larry Meyerson from alleged incident on 4/7/2015.
- Property damage claim of Brian Terry from alleged incident on 4/7/2015.
- Property damage claim of Brian R. Terry from alleged incident on 4/7/2015.
- Property damage claim of Kerrie Dilone from alleged incident on 4/8/2015.
- Property damage claim of Tara N. Florio from alleged incident on 4/9/2015.
- Property damage claim of Delmer R. Levesque from alleged incident on 4/13/2015.
- Property damage claim of Thomas M. Glaser from alleged incident on 5/5/2015.

On motion by Council Majority Leader Archetto, seconded by Councilman Aceto, it was voted to refer the above new business to the respective Committees. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio and Council President Lanni -7.

XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK

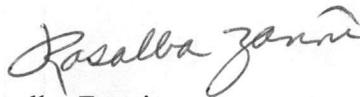
1-15-03 Ordinance in amendment of Title 10 of the Code of the City of Cranston, 2005, entitled "Traffic Regulations for Specific Streets" (Crosswalk on Pontiac Ave. at Hersey Rd.). Councilman Botts. [\[click to view\]](#) [\[click to view traffic report\]](#) Denied in Committee 4/16/2015. *(Informational only)*.

No discussion.

The meeting adjourned at 9:15 P.M.



Maria Medeiros Wall, JD
City Clerk



Rosalba Zanni
Assistant City Clerk/Clerk of Committees

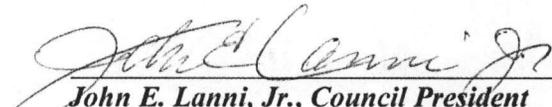
(See Stenographic Notes of Ron Ronzio, Stenotypist)

THE CITY OF CRANSTON

**RESOLUTION OF THE CITY COUNCIL
REQUESTING THAT THE GOVERNOR AND THE GENERAL ASSEMBLY
RESTORE THE STATE'S PILOT FUNDING TO THE CITY OF CRANSTON AND NOT
PROCEED WITH THE PROPOSED SLASHING OF \$1,102,438 IN CRANSTON'S
PILOT FUNDING ALLOCATION**

NO. 2015-8

Passed:
April 27, 2015


John E. Lanni, Jr., Council President

WHEREAS, the City of Cranston, like other municipalities, is suffering from economic hardships including but not limited to high unemployment rates, property values that are still struggling to recover from prior decreases, and dramatic state aid cuts in the past few years; and

WHEREAS, the City of Cranston has just learned that Governor Raimondo intends to severely cut the State's payment in lieu of taxes (PILOT) funds by One Million One Hundred Two Thousand Four Hundred Thirty Eight Dollars (\$1,102,438.00) in the upcoming fiscal year; and

WHEREAS, the City of Cranston endures a particularly heavy burden as the host community to multiple state facilities, including the prisons, the State mental health institutions, Traffic Court, and Registry of Motor Vehicles; and

WHEREAS, the City of Cranston is burdened by having to provide uncompensated police, fire, and rescue services to residents of these State properties, particularly the Adult Correctional Institution and the State mental health institutions;

WHEREAS, the City of Cranston is entitled to its full share of PILOT monies to avoid imposing upon Cranston's citizens and taxpayers the cost of providing these key essential safety services;

WHEREAS, the Governor has proposed to unfairly cut an enormous share of the PILOT funds to Cranston and by so doing is shifting the State's financial obligations to the taxpayers of Cranston;

NOW, THEREFORE BE IT RESOLVED, that the Cranston City Council hereby requests that the Governor restore to the State budget the proposed cut in the State's payment in lieu of taxes (PILOT) funds of One Million One Hundred Two Thousand Four Hundred Thirty Eight Dollars (\$1,102,438.00) in the upcoming fiscal year;

50 **BE IT FURTHER RESOLVED**, that the Cranston City Council hereby requests that the
51 General Assembly take steps to insure that the Governor does not shift the cost of providing essential
52 services to the State's residents at its Cranston facilities to the taxpayers of the City and that the
53 General Assembly take all necessary steps restore to the State budget the funds proposed to be cut by
54 Governor Raimondo in her proposed cuts in the State's payment in lieu of taxes (PILOT) funds of
55 One Million One Hundred Two Thousand Four Hundred Thirty Eight Dollars
56 (\$1,102,438.00) in the upcoming fiscal year;

57
58 **BE IT FURTHER RESOLVED**, that the Cranston City Council hereby directs that the City
59 Clerk to transmit forthwith a copy of this Resolution to the Governor and to the members of
60 Cranston's legislative delegation in the Rhode Island General Assembly.

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62

63 Sponsored by: Council President Lanni, Council Vice President Santamaria,
64 Councilman Farina, Councilman Stycos, Councilman Botts, Councilman Archetto,
65 Councilman Aceto, Councilman Paplauskas; and Councilman Favicchio

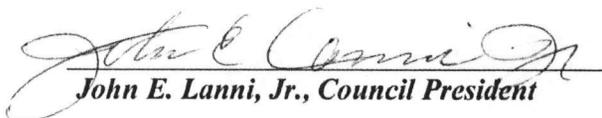
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THE CITY OF CRANSTON

RESOLUTION OF THE CITY COUNCIL
PROCLAIMING APRIL 24, 2015 AS "RHODE ISLAND DAY OF
REMEMBRANCE OF THE ARMENIAN GENOCIDE" IN COMMEMORATION
OF THE 100th ANNIVERSARY OF THE ARMENIAN GENOCIDE
DURING 1915 -1923

No. 2015-9

Passed:
April 27, 2015


John E. Lanni, Jr., Council President

Resolved, That,

WHEREAS, one and one half million men, women and children of Armenian descent were victims of the genocide perpetrated by the Ottoman Empire in 1915 and thereafter, and

WHEREAS, the United States Ambassador to the Ottoman Empire, Henry Morgenthau, Sr., stated, "Whatever crimes the most perverted instincts of the human mind can devise, and whatever refinements of persecutions and injustice the most debased imagination can conceive, became the daily misfortunes of these devoted people". The killing of the Armenian people was accomplished by the systematic destruction of churches, schools, libraries, treasures of art, and cultural monuments in an attempt to eliminate all traces of a noble civilization with a history of more than three thousand years; and

WHEREAS, contemporary newspapers, such as the New York Times, carried headlines including "Tales of Armenian Horrors Confirmed" and "Million Armenians Killed or in Exile"; and

WHEREAS, the Armenian genocide has been acknowledged by countries and international bodies such as Argentina, Belgium, Canada, the Council of Europe, Cyprus, the European Parliament, France, Great Britain, Greece, Lebanon, Russia, the United Nations and Uruguay; and

WHEREAS, each year Armenians throughout the world honor those who perished from 1915 to 1923, and all the world's people should commemorate the Armenian genocide because it stands as an ugly testament to man's inhumanity to man; and

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WHEREAS, we must all do our best to raise awareness about the Armenian genocide not only because it is an undeniable chapter of world history, but also because learning more about this unconscionable tragedy will help better understand the necessity of eliminating hatred from our own communities; and

WHEREAS, residents of Rhode Island are highly sensitive to the need for consistently remembering and openly condemning the crimes committed against any culture or people in order to prevent similar atrocities in the future; and

WHEREAS, Armenian-Americans living in Rhode Island have greatly enriched our state through their leadership in business, agriculture, academia, government, and the arts;

NOW, THEREFORE BE IT RESOLVED, that the Cranston City Council, hereby proclaims April 24, 2015 as “Rhode Island Day of Remembrance of the Armenian Genocide”.

Sponsored by: Council President Lanni, Council Vice President Santamaria, Councilman Farina, Councilman Stycos, Councilman Botts, Councilman Archetto, Councilman Aceto, Councilman Paplauskas; and Councilman Favicchio

3-15-01

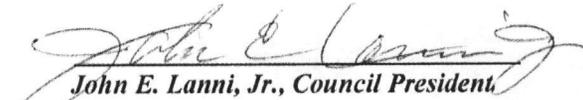
THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL
IN AMENDMENT OF TITLE 5 OF THE CODE OF THE CITY OF CRANSTON, 2005,
ENTITLED "BUSINESS LICENSES AND REGULATIONS"
(Massage Bodyworks License)

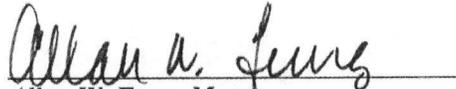
**As Amended Safety Services Committee 4/6/2015*

No. 2015-9

Passed:
April 27, 2015


John E. Lanni, Jr., Council President

Approved:
May 6, 2015


Allan W. Fung, Mayor

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

Section 1. Title 5 entitled Business Licenses and Regulations is hereby amended by adding thereto the following Chapter:

Chapter 5.26 - Licensing for Body Works Establishments

5.26.010 – License Required

- a) Body Works Personnel License – All personnel must obtain a Body Works Personnel License issued by the Licensing Agency before performing or offering to perform any Body Works Services for hire, compensation, or reward; before being compensated for any services or work in any Establishment; and before conducting any type of business for reward, hire or compensation with any Establishment.
- b) Body Works Establishment License – All persons, corporations or other entities who own, operate, conduct or manage a location used to provide Body Works Services or that hold themselves out as being engaged in the practice of Body Works Services at any location in the City of Cranston must obtain a Body Works Establishment license for that location from the Licensing Agency before offering, engaging in, providing or allowing Body Works Services for hire, reward or compensation in that location.

5.26.020 – Authority to promulgate rules

The City Council for the City of Cranston and the Licensing Agency is hereby authorized to formulate rules and regulations governing Body Work Personnel and Body Work Establishments and to establish fees for the issuance of licenses thereunder.

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5.26.030 – License required and fee; non-transferability

- a) Body Works Personnel License – The fee to obtain a Body Works Personnel License and any renewal thereof shall be \$60.00. Said license is not transferable.
- b) Body Works Establishment License – The fee to obtain a Body Works Establishment License and any renewal thereof shall be \$100.00. Said license is not transferable.
- *c) A photo identification badge must be worn and clearly visible at all times when working.

5.26-040 – Expiration date of license

Body Works Personnel Licenses and Body Works Establishment Licenses shall automatically expire on the first day of July of each year. Applications for renewal must be submitted at least thirty (30) days prior to expiration date.

5.26.050 – Definitions

- a) *Applicant* shall mean any person who applies for a license as required by this chapter. In the event the applicant is a non-natural person (e.g. a corporation), the term applicant shall also include a natural person legally authorized to act on behalf of the applicant and the person submitting the application to the Licensing Agency pursuant to this chapter.
- b) *Approved* shall mean approved by the Licensing Agency in accordance with acceptable standards.
- c) *City* shall mean the City of Cranston.
- d) *Licensing Agency* shall mean the Safety Services and Licensing Committee of the Cranston City Council.
- e) *Body Rubs and Body Stimulations* shall mean the manipulation or conditioning of part or parts of the body by any means not regulated by Chapter 23-20.8 of the Rhode Island General Laws.
- f) *Body Works and Body Works Services* shall encompass Body Rubs, Body Stimulations, Spa Services and Spa Treatments.
- g) *Body Works Establishment License and Establishment License* shall mean the license required by 5.26.010(b) of this Title.
- h) *Body Works Personnel License and Personnel License* shall mean the license required by 5.26.010(a) of this Title.

- 93 i) *Establishment* shall mean the office, place of business, premise or location where Body
94 Works are offered or provided for hire, reward or compensation.
95
- 96 j) *Personnel* shall mean any person who performs Body Works Services for hire,
97 compensation or reward or any person who is employed by or otherwise compensated by
98 any Establishment as defined herein or any person who is permitted by an Establishment
99 to conduct any type of business or reward, hire or compensation within said
100 Establishment.
101
- 102 k) *City Inspector* shall mean but is not limited to agents of the Licensing Agency,
103 employees of the Cranston Police Department and employees of any fire protection
104 district or jurisdiction.
105
- 106 l) *Spa Services and Spa Treatments* shall mean any service or treatment not regulated by
107 Chapter 23-20.8 of the Rhode Island General Laws provided to treat the skin or body for
108 remedial, hygienic, relaxation, or other purposes including but not limited to, vapor, pool,
109 baths, saunas, dry saunas, towel treatment, showers, body scrubs, and body showers.
110
- 111 m) *Specified Anatomical Areas* shall mean human genitals, pubic regions, buttocks or female
112 breasts below a point immediately above the top of the areola.
113
- 114 n) *Supervisor* shall mean the person or persons designated by an Establishment to ensure
115 compliance with this chapter.
116

117 5.26.060 – Exceptions and Exclusions
118

- 119 a) Persons excepted: Physicians, nurses, physical therapists, school athletic trainers,
120 chiropodists, chiropractors, massage therapists, barbers, hair dressers, manicurists, and
121 estheticians duly licensed by the State of Rhode Island are exempt from the license
122 requirements of 5.26.010(a) of this chapter.
123
- 124 b) Establishment exceptions: Hospitals, nursing and convalescent homes and other similar
125 licensed institutions where massage and baths may be given are exempt from the license
126 requirements of 5.26.010(b) of this chapter. Also, any facility conducting services of a
127 hospital, nursing and convalescent home, or other similar institutions as determined by
128 the Licensing Agency, but due to some limiting factor is not subject to licensing, shall be
129 similarly exempt from the license requirements of 5.26.010(b) of this chapter.
130

131 5.26.070 – Display of Licenses
132

- 133 a) Body Works Personnel License – Every licensee shall carry his or her original Personnel
134 License at all times when on the premises of an Establishment during the hours of
135 operation. Additionally, every licensee shall display his or her original Personnel License
136 in a conspicuous manner whenever practicing or providing Body Works for hire, reward
137 or compensation.
138

- 139 b) Body Works Establishment License – The Body Works Establishment License shall be
140 conspicuously displayed in a public area of the Body Works Establishment at all times.
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145 5.26.080 – Advertisement
146

- 147 a) No person, firm, partnership or corporation shall advertise any Body Works Services
148 unless such services are to be performed by a licensed Body Works and said
149 advertisement includes the Body Works Personnel license number of the person or
150 persons offering to provide the Body Works Services.
151
152 b) No person, firm, partnership or corporation shall advertise any Body Works
153 Establishment unless the advertisement includes the Body Works Establishment license
154 number.
155

156 5.26.090 – Required Records
157

158 Each Body Works Establishment shall maintain records on the premises of all Personnel. Said
159 records shall be subject to inspection upon request of any City Inspector. The records shall
160 include the following:
161

- 162 a) Each Personnel's full legal name, date of birth, home address and telephone number,
163 employment position, date first employed and, if applicable, date terminated.
164
165 b) Each Personnel's Body Works Personnel License number and the expiration date of said
166 license.
167
168 c) All current Personnel records or records of all Personnel associated with the
169 Establishment for the previous one year.
170

171 5.26.100 – Supervisor
172

173 Each Body Works Establishment shall designate at least one Supervisor who is responsible for
174 the Body Work Establishment's compliance with this chapter. Said Supervisor shall agree to be
175 on the premises of any Body Works Establishment whenever the Establishment is open to the
176 public and shall agree to be responsible for cooperating with inspections or investigations
177 conducted by the Licensing Agency, its agents, or any other person or persons authorized to
178 inspect the Establishment pursuant to this chapter or any other applicable section or chapter of
179 the Cranston Code of Ordinances or the Rhode Island General Laws. Upon the request of any
180 authorized City Inspector, the Supervisor shall immediately provide Personnel Records that are
181 required by this Chapter to be maintained on the premise.
182

183 5.26.110 – Requirements for Body Works Personnel Licensure
184

185 Before performing or offering to perform Body Works Services for hire, compensation or reward
 186 or conducting any type of business for hire, compensation or reward within any Establishment,
 187 all Personnel shall submit an Application to the Licensing Agency that includes the following
 188 information:

- 189
 190 a) The full legal name and any other names used by the applicant.
 191
 192 b) The current residential address and telephone number of the applicant, and the two
 193 previous residential addresses and business addresses, if any.
 194
 195 c) The applicant's height, weight, eye color, and hair color.
 196
 197 d) Written proof to the satisfaction of the Licensing Agency that the applicant is at least 18
 198 years of age.
 199
 200 e) The applicant's business, occupation, or employment history for the five years
 201 immediately preceding the date of the application.
 202
 203 f) The Body Works Personnel or similar license history of the applicant; including whether
 204 such person, in previously operating in this city or another city, county or state under a
 205 license or permit; has had such license or permit revoked or suspended; the reasons and
 206 dates for any revocation or suspension.
 207
 208 g) All criminal convictions, except minor traffic violations.
 209
 210 h) The name(s) of the Establishment at which the applicant plans to be employed or whether
 211 the applicant intends to provide Body Works Services off-site. If the applicant intends to
 212 work at multiple businesses, he or she shall designate a primary address for receiving all
 213 correspondence related to his or her permit renewal.
 214
 215 i) Such other identification and information as may be required by the Licensing Agency to
 216 verify the truth of the matters specified in this section, or any additional information
 217 required to show that the applicant has met the minimum qualifications to be licensed
 218 pursuant to this chapter.
 219
 220 j) An application is deemed complete and validly filed when the Licensing Agency has
 221 received all information required by this Code, the results of the Department of Justice
 222 criminal background check, and any fees associated with the application.
 223

224 5.26.120 – Requirements for Body Works Establishment licensure

225
 226 Before conducting any type of business for reward, hire or compensation within any
 227 Establishment, all persons, firms, corporations, or other entities who own, operate or conduct
 228 said Establishment shall first submit applications to the Licensing Agency that includes the
 229 following information:

- 230
 231 a) The full legal name and any other names used by the application. If the application is:

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- i. An individual, the individual shall state his/her full legal name;
 - ii. A partnership, the name of the partnership shall be set forth exactly as shown in its partnership agreement, and the information required by this section shall be furnished for the responsible person;
 - iii. A corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation and the information required by this section shall be furnished for the responsible person.
- b) The current residential address and the telephone number of the applicant, and the two previous residential addresses and business addresses, if any.
 - c) Written proof to the satisfaction of the Licensing Agency that the applicant is at least 18 years of age.
 - d) The applicant's occupation or employment history for the five years immediately preceding the date of the application.
 - e) If the applicant intends to practice Body Works at the proposed Establishment, a copy of his or her Body Works Personnel license.
 - f) The Body Works Establishment or similar business license history of the applicant; including whether such person, in previously operating in this city or another city, county or state under a license or permit, has had such license or permit revoked or suspended; the reasons and dates for any such revocation or suspension.
 - g) All criminal convictions, except minor traffic violations.
 - h) A statement of how many Personnel the applicant intends to employ at the Establishment.
 - i) The full name, address, telephone number of every Personnel who will be associated with the proposed Establishment and a copy of every proposed Personnel's Body Works Personnel license.
 - j) The full name, address, telephone number of each Personnel who will be designated as the Supervisor for the proposed Establishment and a copy of each proposed Supervisor's Body Works Personnel license.
 - k) A statement as to whether the applicant intends to provide Body Works Services off-site.
 - l) Information demonstrating that the proposed Establishment is consistent with the applicable land use designation and City zoning code.

- 277 m) Written proof that the proposed Establishment is compliant with all applicable health,
278 safety, building, fire safety and sanitary standards under the Cranston Code of Ordinances
279 and the Rhode Island General Laws.
280
- 281 n) Where a building permit is necessary as a prerequisite to occupancy of a building, the
282 Body Works Establishment license application is not completed and validly filed until
283 proof of submittal of the building permit application is provided.
284
- 285 o) Such other identification and information as may be required by the Licensing Agency to
286 verify the truth of the matter specified in this section, or any additional information
287 required to show that the applicant has met the minimum qualifications to be licensed
288 pursuant to this chapter.
289
- 290 p) An application is deemed complete and validly filed when the Licensing Agency has
291 received all information required by this code, the results of the Department of Justice
292 criminal background check, and any fees associated with the application.
293

294 5.26.130 – Employee and Independent Contractor Restrictions

295
296 It is a violation of this chapter for any person, partnership, corporation, Establishment, Owner or
297 other entity to employ any person not holding a Personnel License for the purpose of providing
298 Body Works; to employ any person not holding a Personnel License to work in an Establishment
299 in any capacity; or to allow any person not holding a Personnel License to work in an
300 Establishment in any capacity; or to allow any person not holding a Personnel License to provide
301 or offer to provide Body Works Services or otherwise conduct business in the Establishment.
302

303 5.26.140 – Sanitation and Decency Code

- 304
305 a) All Personnel who are engaged in the practice of Body Works shall wear garments
306 which cover the entire body, exclusive of the head, neck, arms, legs, hands and feet. All
307 Personnel must be fully covered from a point not more than four inches above the center
308 of the kneecap to the base of the neck, excluding the arms. Such garments shall not be
309 transparent and must be maintained in cleaning and sanitary condition.
310
- 311 b) It is unlawful for any Personnel to directly or indirectly touch or offer to touch a
312 customer's Specified Anatomical Areas.
313
- 314 c) All Customer's Specified Anatomical Areas must be fully draped at all times while any
315 Personnel is in the same cubicle or room.
316
- 317 d) No instruments or devices designed or used for direct application to the skin shall be
318 applied directly to the skin unless sterilized. The part of the body being treated shall be
319 covered with a clean towel or else the instrument shall be covered in a similar manner.
320
- 321 e) Cleaning of hands: All Personnel shall thoroughly cleanse his or her hands by washing
322 with soap and hot water immediately before providing Body Works Services.
323

- 324 f) Working hours: No Establishment shall offer or provide Body Works Services between
325 the hours of 10:00 p.m. and 8:00 a.m.
326
- 327 g) Designation of name: No licensed person shall operate under any name or conduct his or
328 her business under any designation not specified in his or her license.
329
- 330 h) It is a violation of this chapter for any person, partnership, corporation, Establishment,
331 Owner or any other entity to conduct, cause to be conducted or allow to be conducted
332 any activity prohibited by Title 11, Chapters 11-1, et seq. of the Rhode Island General
333 Laws in any Establishment.
334
- 335 i) Change of address: Every licensee shall notify the Licensing Agency not longer than ten
336 (10) days after any change of address, home or business, or name. Any new license or
337 amendment to an existing license required because of the foregoing shall be issued with
338 a set fee charge at the discretion of the Licensing Agency.
339
- 340 j) Inspections: City Investigators may at any time with or without prior notice inspect an
341 Establishment and investigate the manner of the operation of the Establishment to insure
342 that it is operating in compliance with this chapter.
343
- 344 k) Devices which can be utilized as an early warning system to alert Personnel,
345 Supervisors, Owners, or any other persons to the presence of law enforcement or local
346 authorities on the premises are prohibited in Establishments. Such prohibited devices
347 include, but are not limited to, light or music dimmers, electronic detection devices,
348 external or internal video equipment and alarm systems other than those used for fire
349 alarms.
350
- 351 l) Invalidation: If any section, paragraph, sentence, clause or phrase of these rules and
352 regulations shall be decided invalid for any reason whatsoever, such decisions shall not
353 affect the remaining portions of these regulations which shall remain in full force and
354 effect, and to this end the provisions of these regulations are hereby declared severable.
355

356 5.26.150 – Facilities

357
358 Every Establishment shall meet the following standards:

- 359
- 360 a) It shall be connected to the public sewerage system, or an approved private sanitary
361 sewage system in the event public sewerage is not available.
362
- 363 b) It shall be well lighted, well ventilated and properly heated when seasonally indicated.
364
- 365 c) No room used by Personnel or an Establishment to provide Body Works may be used as a
366 residence or sleeping quarters.
367
- 368 d) There shall be an adequate supply of hot and cold running water at all times.
369

- 370 e) There shall be approved toilet and washing facilities within the premises, readily
371 available to the patrons and affording sufficient privacy.
372
- 373 f) Adequate dressing rooms, toilets and washing facilities shall be provided.
374
- 375 g) All rooms and furniture and equipment therein shall be kept clean at all times.
376
- 377 h) There shall be installed a heat and smoke detecting system approved by the fire marshal
378 of the fire department of Cranston.
379
- 380 i) There shall be adequate facilities for the cleaning and sterilizing to prevent infectious
381 organisms.
382
- 383 j) All rooms shall be arranged so as to afford adequate fire protection and shall have
384 satisfactory means of egress in case of fire as approved by the building inspector and fire
385 marshal.
386
- 387 k) All equipment, instruments, devices, robes, sheets, blankets, pillow cases, wearing
388 apparel, towels and other materials which may come in direct contact with the body shall
389 be properly cleaned and sterilized.
390

391 5.26.160 – Enforcement
392

- 393 a) Revocation of License – Every license issued under the provisions of this chapter shall be
394 subject to suspension or revocation by the Licensing Agency for the breach by the holder
395 thereof of any provision of this chapter, any rules and regulations pertaining thereto
396 which have been established by the Licensing Agency, or for any violation of any other
397 provisions of this Code of Ordinances, of the Rhode Island General Laws, or of any other
398 applicable municipal, state, or federal rule or regulation. Revocation shall be in addition
399 to any other penalty which may be imposed as a result of a violation.
400
- 401 b) Separate offense for each day – Any person, firm, corporation, or other entity who
402 violates any provision of this chapter shall be guilty of a separate offense for each and
403 every day during any portion of which any such entity commits, continues, permits or
404 causes a violation thereof.
405
- 406 c) Public Nuisance – Any use or condition caused or permitted to exist in violation of any of
407 the provisions in this chapter shall be and is hereby declared a public nuisance and shall,
408 at the discretion of the City, be a cause of action pursuant to Section 10-1-1, et seq. of the
409 Rhode Island General Laws.
410
- 411 *d) ~~Criminal~~ Penalties – In addition to any applicable provisions of this chapter or of the
412 Rhode Island General Laws, any violation of this chapter may be ~~*prosecuted as a misdemeanor~~
413 ~~and punishable as follows: upon a first *conviction violation-, by a fine not exceeding *\$100.00~~
414 ~~\$500.00; upon the second *conviction violation within one year of a prior *conviction violation-,~~
415 ~~by a fine not exceeding *\$200.00 \$750.00 *and by imprisonment not exceeding 30 consecutive~~
416 ~~days; and upon any subsequent *conviction violation within one year of two prior *convictions~~

3-15-03

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THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL
IN AMENDMENT OF TITLE 12 OF THE CODE OF THE CITY OF CRANSTON,
2005, ENTITLED "STREETS, SIDEWALKS AND PUBLIC PLACES"
(Sidewalk Reconstruction Cost Share Program II)

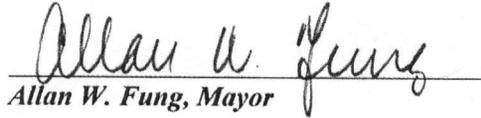
No. 2015-10

**As amended in Committee 4/6/2015*
***As amended by City Council 4/27/2015*

Passed:
April 27, 2015


John E. Lanni, Jr., Council President

Approved:
May 6, 2015


Allan W. Fung, Mayor

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

Section 1. Title 12 , Chapter 12.08 entitled SIDEWALK, CURB AND DRIVEWAY CONSTRUCTION, is hereby amended as follows:

12.080.080 Cost Share Program for Sidewalk Reconstruction.

A. A cost share program is hereby established pursuant to which homeowners in the City will be eligible, subject to availability of capital and general operating funds, to have their sidewalks repaired under a cost sharing program subject to the following procedures, restrictions, and conditions. Priority shall be given to ~~routes to schools and sidewalks heavily used by pedestrians.~~ Sidewalks within 3/4 mile of an elementary school. ~~*and sidewalks on the following streets:~~

- ~~*Broad Street~~
- ~~Narragansett Boulevard~~
- ~~Park Avenue~~
- ~~Pontiac Avenue~~
- ~~Warwick Avenue~~

B. This cost share program shall be limited to residential units of four units or less.

C. No commercial properties shall be eligible for participation in this cost share program.

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D This cost share program will only be for the replacement of existing sidewalks in the City. No new sidewalks shall be eligible for approval under this program. The existing sidewalks that are eligible for this program shall only be for sidewalks running parallel to the roadway in the public right-of-way. Sidewalks running from the front door of the property are not eligible under this program.

E. The property owner will be responsible for the entire cost of the sidewalk with the city reimbursing the property owner on a set unit based fee per square foot subject to fiscal limitations.

The reimbursement rates will be \$3/square foot for concrete sidewalks and \$2/square foot for asphalt sidewalks. Property owners who are determined to be low income by the Comprehensive Community Action Program shall be eligible **, upon delivery to the Director of Public Works, or his or her designee documentation sufficient to demonstrate said low income determination, for a reimbursement rate of \$4/square foot for concrete sidewalks and \$3/square foot for asphalt sidewalks. In no case shall reimbursement exceed the cost of construction.

F. The property owner shall be responsible for hiring a contractor who is licensed by the State of Rhode Island Contractors Registration and Licensing Board. The contractor shall also be required to show proof of liability insurance as well as proof of workers compensation insurance.

G. The contractor selected by the property owner to perform the sidewalk repairs shall be required to obtain a Right of Way Permit from the Cranston Department of Public Works. All fees for this Right-of-Way Permit shall be waived under this program. The contractor shall be required to provide proof of registration with the Rhode Island Contractors Registration and Licensing Board and shall be required to provide proof of the required insurances. This proof of registration with the Rhode Island Contractors Registration and Licensing Board and proof of the required insurances shall be presented to the Department of Public Works during the application process for the Cost Share Program for Sidewalk Reconstruction. The Right of Way Permit shall be issued with a requirement that the contractor install the replacement sidewalk in accordance with the specifications of the City of Cranston. Sidewalks replaced under this program shall be replaced to match the materials of the existing sidewalk.

H. Upon completion of the sidewalk reconstruction work, the property owner shall submit to the Department of Public Works a Completion Statement and Request for Reimbursement on the forms provided by the Department of Public Works. A city staff member shall visit the site of the reconstructed sidewalk to inspect the work for conformance to the City specifications and shall verify the total square feet of sidewalk replaced. Upon approval by the Department of Public Works that the sidewalk conforms with the conditions of this program as well as to the City of Cranston sidewalk specifications, the Department of Public Works shall submit a payment application to the Director of Finance for direct payment to the property owner.

3-15-03

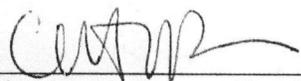
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I. The reimbursement rates to be paid to the owner under the Cost Share Program for Sidewalk Reconstruction shall be set by the Cranston City Council at different rates for concrete sidewalks and asphalt sidewalks based upon the recommendations of the Director of the Department of Public Works and the Finance Director.

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

Positive Endorsement

Negative Endorsement (attach reasons)

 5/1/15
Christopher Rawson, City Solicitor / Date

Christopher Rawson, City Solicitor Date

Sponsored by: Councilman Stycos

Referred to Public Works April 6, 2015

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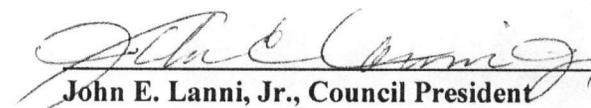
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THE CITY OF CRANSTON

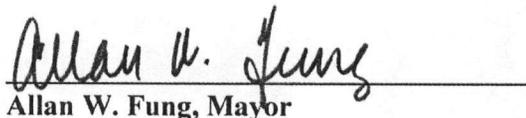
ORDINANCE OF THE CITY COUNCIL
IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF
CRANSTON, 2005, ENTITLED "ZONING"
(950 Phenix Avenue)

No. 2015-11

Passed:
April 27, 2015


John E. Lanni, Jr., Council President

Approved:
May 6, 2015


Allan W. Fung, Mayor

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

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

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

By deleting from an A-12 District, Lot 3 located on Zoning Plat 19/1, located on the southeasterly side of Natick Avenue and the southeasterly side of Phenix Avenue, Cranston, Rhode Island, between R.I. Route 37 and Interstate Route 295. (See Metes and Bounds description attached hereto as Exhibit "A" and made a part hereof).

And by adding thereto the following:

Mixed Use Planned District (MPD), Lot 3 located on Zoning Plat 19/1, located on the southeasterly side of Natick Avenue and the southeasterly side of Phenix Avenue, Cranston, Rhode Island, between R.I. Route 37 and Interstate Route 295. (See Metes and Bounds description attached hereto as Exhibit "A" and made a part hereof).

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1
2 **Section 2.** That the Zoning Map accompanying and made a part of Chapter 17 of the Code
3 of the City of Cranston, Rhode Island, 2005, entitled, Zoning, as adopted January 24, 1966, as
4 amended, is hereby further amended as follows:
5

6 By deleting from an A-12 District, a portion of Lot 1 located on Zoning Plat 17/1, located on
7 the southeasterly side of Natick Avenue and the southeasterly side of Phenix Avenue, Cranston,
8 Rhode Island, between R.I. Route 37 and Interstate Route 295. (See Metes and Bounds description
9 attached hereto as Exhibit "A" and made a part hereof).
10

11 And by adding thereto the following:
12

13 Mixed Use Planned District (MPD), a portion of Lot 1 located on Zoning Plat 17/1, located
14 on the southeasterly side of Natick Avenue and the southeasterly side of Phenix Avenue, Cranston,
15 Rhode Island, between R.I. Route 37 and Interstate Route 295. (See Metes and Bounds description
16 attached hereto as Exhibit "A" and made a part hereof).
17

18 **Section 3.** The overall District Plan, (attached hereto as Exhibit "B"), and the Narrative
19 Outline and Statement of Purpose (attached hereto as Exhibit "C") are incorporated herein and made
20 a part hereof.
21

22 **Section 4.** This ordinance shall take effect upon its final adoption.
23

24 Positive Endorsement:

Negative Endorsement: (Attach reasons)

25
26 Christopher M. Rawson 5/1/15
27 Christopher M. Rawson, City Solicitor / Date Christopher M. Rawson, City Solicitor Date
28
29
30

31 Petition filed by: Del Bonis Sand & Gravel Co.
32 Referred to: Ordinance March 12, 2015
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**CITY OF CRANSTON
DEPARTMENT OF RECORDS - CITY CLERK'S OFFICE**

APPLICATION FOR CHANGE OF ZONE

Name(s) and address(es) of owner(s) of property David T. Riedel and Anthony F. Delbonis
1 Citizens Plaza, 8th Floor
Providence, RI 02903

Zoning Plat Number 19/1 **Lot No.(s)*** 3
Street Address or Location on Street 17/1 portion of Lot 1
950 Phenix Avenue

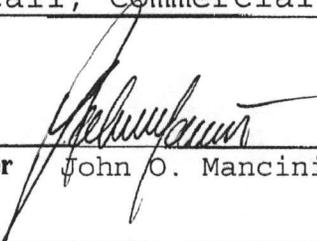
***If only a portion of a lot, attach a full metes and bounds description.**

Present Zoning: A12

Zoning Requested: MPD

Property to be used for: Retail, Commercial Storage

Date: 12/5/14

Owner 
John O. Mancini, as attorney

Owner _____

Applicant _____

Applicant _____



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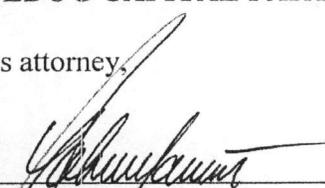
PETITION FOR CHANGE OF ZONING DESIGNATION FROM A-12
TO A MPD ZONING DESIGNATION

NOW COMES the Petitioner, Del Bonis Sand & Gravel Co. and Bluedog Capital Partners, (hereinafter referred to as the "Petitioner") and respectfully requests the Cranston City Council amend the Zoning Ordinances for the City of Cranston and the Zoning Map of the City of Cranston, as set forth herein. The property to be affected by this amendment is located on Phenix Avenue and is more particularly described and designated as Assessor's Plat 19/1, Lot 3 (hereinafter referred to as the "Property"). The Petitioner requests that the City Council change the zoning designation of the Property from Residential A-12 to MPD Mixed Use Planned District, thereby permitting use or uses allowed in the MPD Zoning District. Accordingly, the Petitioner respectfully requests that the City Council amend the Zoning Ordinance as well as the Zoning Map as set forth herein.

Petitioner,

**DEL BONIS SAND & GRAVEL CO. and
BLUEDOG CAPITAL PARTNERS**

By its attorney,



John O. Mancini, Esq. (#6061)
Kelly & Mancini, P.C.
128 Dorrance Street; Suite 300
Providence, Rhode Island 02903
Tel# (401) 490-7334
Fax# (401) 490-7874

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4 Exhibit A
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6 Proposed MPD Parcel description
7 incorporating Zoning Plat 19/1, Lot 3
8 and a portion of Zoning Plat 17/1, Lot 1
9

10 A.P. 19-1 Lot 3 Parcel Description
11

12 That parcel of land situated in the City of Cranston and State of Rhode Island bounded and described as
13 follows:
14

15 Beginning at a point in the easterly line of Natick Avenue as shown on State Highway Plat No. 956 at the
16 northwesterly corner of land now of formerly of Michael Vicedomini, Estate;
17

18 Thence N10°21'40"W a distance of three hundred eighty five and 43/100 feet (385.43') to a point;
19

20 Thence along the arc of a curve having a length of 580.37 feet; a radius of 655.30 feet, a delta angle of
21 50°44'40"; and a chord of 561.59 feet bearing N15°00'40"E to a point;
22

23 Thence N40°23'00"E a distance of seventy six and 45/100 feet (76.45') to a point;
24

25 Thence N53°38'42"E a distance of sixty nine and 58/100 feet (69.58') to a point, the last four courses bounded
26 westerly by Natick Avenue as shown on said Highway Plat No. 956;
27

28 Thence S54°03'23"E a distance of six hundred ninety nine and 47/100 feet (699.47') to a point;
29

30 Thence N28°33'44"E a distance of fifty and 51/100 feet (50.51') to a point;
31

32 Thence S47°40'43"E a distance of sixty and 90/100 feet (60.90') to a point, the last three courses bounded
33 northerly and westerly by land now or formerly of the City of Cranston;
34

35 Thence S29°16'13"W bounded southeasterly by a State Highway Line as shown on State Freeway Plat No.
36 1406 a distance of five hundred one and 00/100 feet (501.00') to a point;
37

38 Thence S26°26'08"E bounded northeasterly by a State Highway Line as shown on State Freeway Plat No.
39 1406 a distance of eighty six and 25/100 feet (86.25') to a point;
40

41 Thence bounded southeasterly by a State Freeway Line as shown on State Freeway Plat No. 1406 along the
42 arc of a curve having a length of 246.17 feet; a radius of 1102.00 feet, a delta angle of 12°47'56"; and a chord of
43 245.66 feet bearing S14°37'02"W to a point;
44

45 Thence bounded by said Vicedomini land running northwesterly, southwesterly, northeasterly, and
46 northerly along the middle of a brook a distance of a four hundred fifty two feet more or less (452±) to a
47 point;
48



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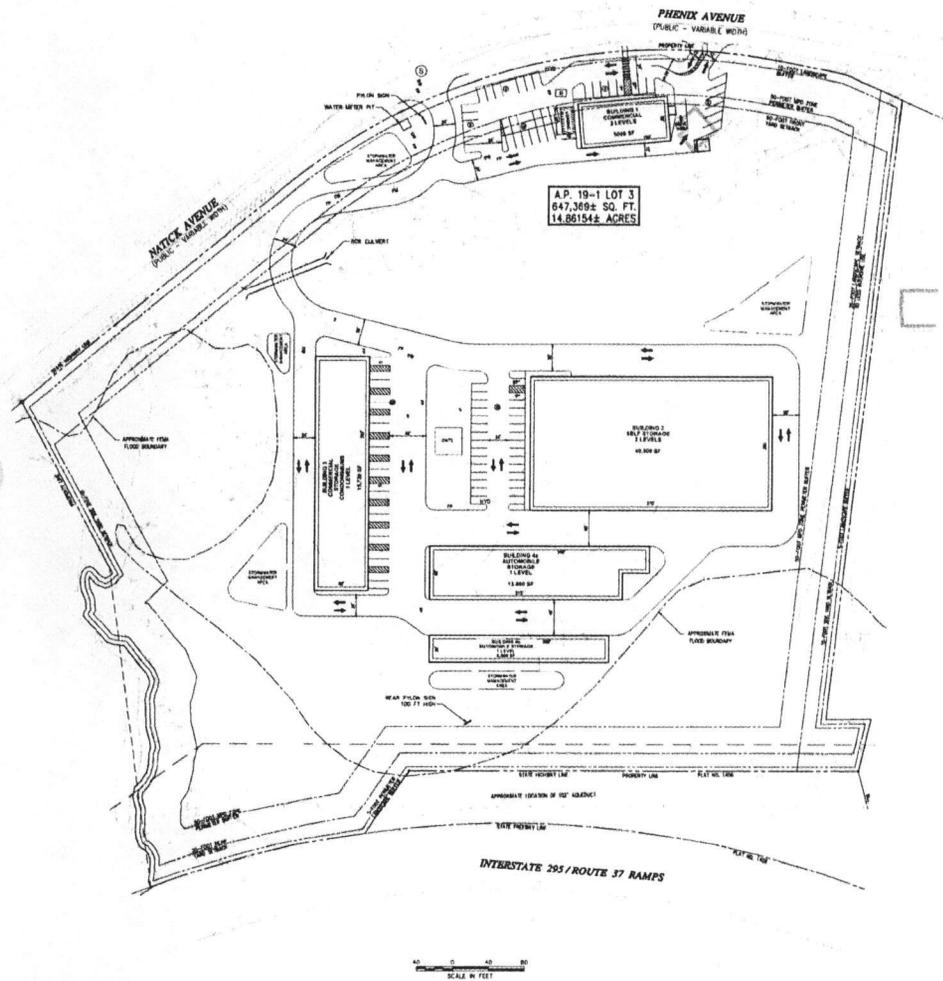
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- 1 Thence northwesterly bounded southerly by said Vicedomini land a distance of two hundred seventeen feet
- 2 more or less (217'±) to the point of beginning.
- 3
- 4 Parcel contains 14.86154 acres or 647,369 square feet more or less.
- 5



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EXHIBIT "B"



Zoning Summary Chart

Zoning Classification	Proposed (1)	Proposed (2)	Proposed (3)	Proposed (4)
Min. Lot Area	10,000 SF	10,000 SF	10,000 SF	10,000 SF
Min. Lot Width	30 FT	30 FT	30 FT	30 FT
Min. Lot Depth	30 FT	30 FT	30 FT	30 FT
Min. Building Height	35 FT	35 FT	35 FT	35 FT
Min. Lot Coverage	20%	20%	20%	20%
Max. Building Percentage	40%	40%	40%	40%
Min. Setback	10 FT	10 FT	10 FT	10 FT
Min. Side Yard Setback	5 FT	5 FT	5 FT	5 FT

Parking Summary Chart

Category	Proposed	Approved	Phase 1	Phase 2
Surface	100	100	100	100
Structure	0	0	0	0
Total	100	100	100	100

NOTES:

1. ACCORDING TO THE LATEST FEDERAL GOVERNMENT SURVEYORS ADJUSTED TOWN PLAT RECORDS ARE SHOWN FOR THE CITY OF CRANSTON, RI. THESE RECORDS SHOW THAT THE AREA IS A ZONED AS A MIXED USE ZONE. THE ZONING BOARD HAS REVIEWED THE RECORDS AND HAS DETERMINED THAT THE AREA IS A MIXED USE ZONE. THE ZONING BOARD HAS REVIEWED THE RECORDS AND HAS DETERMINED THAT THE AREA IS A MIXED USE ZONE.

PROJECT SUMMARY:

PHASE 1: BUILDING 1 (300,000 SQ. FT. OFFICE AND RETAIL SPACE)

PHASE 2: BUILDING 2 (300,000 SQ. FT. OFFICE AND RETAIL SPACE)

NO.	DATE	BY	REVISION

Proposed Mixed Use Development

AP. 19-1 LOT 3
 647,369± SQ. FT.
 14.86154± ACRES

Master Plan Review



SCALE IN FEET



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EXHIBIT 'C'

**Pandora Storage
Mixed Use Development**

NARRATIVE OUTLINE

**To Accompany Application for Change of Zone
From A-12—Residential to MPD—Mixed Use Planned District
Assessor's Plat 19/1, Lot 3
Easterly Side of Phenix Avenue Opposite the Intersection of
Phenix Avenue and Natick Avenue**

Applicant

**BCP Properties, LLC
One Custom House Street, Suite 4
Providence, Rhode Island 02903**

Submission Date

March 23, 2015



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8

4. Architectural Design and Building Materials

9

5. Additional Required Approvals from the City Council

10



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2 **1. Development Team**

3
4 Owner

5 Del Bonis Sand and Gravel Company

6
7 Applicant & Developer

8 BCP Properties, LLC

9 *Sean Marchionte*

10
11 Legal Counsel

12 Kelly & Mancini, PC

13 *John O. Mancini, Esq.*

14
15 Engineering

16 Vanasse Hangen Brustlin, Inc.

17 *David Taglianetti, P.E. (Project Manager)*

18
19 Architecture

20 Lacuna Design

21 *Kristopher Lawson*

22 *Melissa Lawson*

23
24 Landscape Architecture

25 Vanasse Hangen Brustlin, Inc.

26 *Stephen Derdarian, R.L.A.*



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2 **2. Project Summary**

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4 The applicant and developer, BCP Properties, LLC (“Applicant”), proposes the Pandora Storage
5 Mixed Use Development (“Pandora Storage” or the “Project”) as a Mixed Use Planned District
6 (“MPD”) development consisting of one (1) commercial retail building, three (3) separate storage
7 buildings and one (1) commercial storage building . The proposed project site (“Site”) is located at
8 950 Phenix Avenue; more specifically identified as Plat 19, Section 1, Lot 3, in Cranston, Rhode
9 Island. Encompassing approximately 16.67+/- acres, the Site is bounded by vacant land to the south,
10 Phenix Avenue and Natick Avenue to the west, a municipal skating rink and animal shelter to the
11 north, and I-295/Route 37 ramps to the east. Zoning for the Site is defined as “Residential A-12.” In
12 addition to the A-12 Zoning, portions of the site are within a Special Flood Hazard Area and are
13 subject to Chapter.17.16.010 of the City Code .

14
15 The storage component shall consist of one (1) two-level self-storage building, two (2) one-level
16 automobile storage buildings, and one (1) one-level commercial storage building, with associated
17 parking, landscaping, and stormwater management areas.

18
19 Additionally, a retail/commercial building that will front on Phenix Avenue may comprise of a number
20 of small-scale uses such as dry-cleaning, coffee shop, legal and/or realty offices, salon, bank, and a
21 convenience store. An inclusive listing of target tenant types is included within this Narrative

22
23 The proposed MPD includes the following land use allocations:

- 24
25 a) Retail/Commercial: One (1) retail/commercial building may be located along the Site’s border
26 with Phenix Avenue. The building is proposed as a two-level building with an architectural
27 style consistent with the balance of the development. The building, as proposed, shall not
28 exceed twelve thousand (12,000) square feet gross floor area. Applicant intends for a mix of
29 commercial uses as specified in Section 3 of this Narrative.
30
31 b) Storage: Pandora Storage may consist of three (3) separate storage buildings, including one (1)
32 building for self-storage and two (2) for automobile storage.

33
34 Commercial Storage Building: The Project may also consist of one (1) commercial building
35 divided into several garage bays used for commercial storage and associated activities as
36 defined in Section 3 of this Narrative.
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Square Footage

The proposed Project, at its build out, shall be allowed the following maximum square footage:

Building	Use	Area (sf)
1	Commercial / Retail	12,000
2	Self-Storage	81,000
3	Commercial Storage	16,500
4	Automobile Storage	14,500
5	Automobile Storage	6,000
Total		130,000

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Access

Access and egress to the Site is provided at two separate points.

The main entrance is directly opposite of the intersection of Phenix and Natick Avenues, which shall be a controlled entrance, maintained by a signal modified in accordance with, a Physical Alteration Permit to be issued by the Rhode Island Department of Transportation. Traffic approaching the main entrance from the north will have a left-turn-only-lane for controlled access to the site.

A secondary point of access and egress is directly opposite of the Department of Public Works building and provides access to the commercial/retail building.

Visibility

The approaches to the Site from Phenix and Natick Avenues are generally flat. The current high level of visibility will not be impacted by the Project.



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2 **3. Project Uses**

3
4 By function, Pandora Storage is segregated into four (4) uses: Commercial/Retail, Self-Storage,
5 Automobile Storage, and Commercial Storage.

6
7 Commercial/Retail

8 The Commercial/Retail element is a free-standing, two-level building that shall not exceed twelve
9 thousand (12,000) square feet of gross floor area. Applicant envisions "neighborhood retail" with
10 boutique office and service tenants as applicable tenant types. In the event of a bank or other user
11 needing a drive-thru, Applicant plans for such allowances with the exception of a drive-thru
12 restaurant. An inclusive listing of target tenant types is included within this section of the Narrative.

13
14 Self-Storage

15 The self-storage element is a free-standing, two-level building that shall not exceed eighty one
16 thousand (81,000) square feet.

17
18 Automobile Storage

19 The automobile storage element is comprised of two free-standing, one-level buildings that shall not
20 exceed fourteen thousand, five hundred (14,500) square feet and six thousand (6,000) square feet,
21 which shall not permit mechanic or auto body work to take place therein.

22
23 Commercial Storage Building

24 The commercial storage building is a free-standing, one-level building that shall not exceed sixteen
25 thousand, five hundred (16,500) square feet.

26
27 Definition of Commercial/Retail Uses

28 Applicant envisions light types of retail, commercial, and/or service uses at the site. Applicant will
29 specifically target uses with minimal parking requirements to minimize the overall traffic impact.

30
31 The following uses shall be permitted for the Commercial / Retail Building:

- 32
33 Antiques, Second Hand Shop, Consignment Shop
34 Artisan's Workshop (Studio)
35 Bakery, Retail
36 Bank, Financial Institution
37 Barber Shop, Beauty Salon
38 Book, Stationary, Gift Shop
39 Business, Professional Office
40 Convenience Store
Day Spa



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- 1 Florist Shop
- 2 Funeral Home
- 3 Garden Center (*not big box*)
- 4 Hardware Store (*not big box*)
- 5 Health, Fitness Club (not to exceed 6,000 square feet)
- 6 Data Processing
- 7 Medical or Dental Clinic
- 8 Medical / Diagnostic Laboratory
- 9 Music & Dance Studio
- 10 Personal Services Establishment
- 11 Print Shop
- 12 Restaurant without Drive-In Facility
- 13 ***Restaurant without Drive-Thru Facility**
- 14 Retail Sales, Small-Scale
- 15 Retail Laundromat & Dry-cleaning Facility
- 16 Urgent Care Facility
- 17 Veterinarian Hospital or Clinic

18
 19 Uses not listed above shall be deemed prohibited for the commercial/retail building.

20
 21 The following uses shall be permitted for the Commercial Storage building:

22
 23 For purposes of this Narrative, "Commercial Storage" shall include the storage of any uses
 24 authorized by right in the Business category of the use table set forth under the Zoning Ordinance
 25 along with the ability to operate an accessory office use and contractor's storage.

26
 27 **4. Architectural Design and Building Materials**

28
 29 The applicant envisions multiple architectural solutions to address each building's particular use and
 30 location on the site.

31
 32 Building 1 will be commercial use and is situated on Phenix Ave. A visible location such as this
 33 demands contextual language materials and styles. Sloped roofs, clapboards, trim boards, columns,
 34 stone accents, and mulled windows will all contribute to a building that demonstrates this language.
 35 The use of grays, whites, and muted accent colors will complete the palate. Even with the use of
 36 composite and non-traditional building materials, the design and style will be appropriate to this site.
 37 The other element situated directly on Phenix Ave is the proposed signage. This element would also
 38 be constructed in a style that fits contextually and makes use of materials that evoke a visual
 39 connection to the commercial building, using trim, clapboard, stone, and gooseneck lighting.



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2 Buildings 2 and 3 are larger storage buildings. Their size precludes the use of certain design elements,
3 but through a color palette style that corresponds to the other buildings, a cohesive feel will be
4 achieved. Their site location on the site makes use of existing and planned vegetative screening to
5 mask their substantial size. The facades of the Buildings 2 and 3 interact directly with the public
6 parking lot and will incorporate design elements and language helping to break down the scale of the
7 buildings.

8

9 Buildings 4 and 4a are the automotive storage facilities. Simple lines using materials and colors
10 carried from the other buildings on the site will make these smaller, simpler buildings blend into the
11 fabric of the development. Their location towards the least public portion of the site will allow a more
12 pragmatic aesthetic screened from the public way both by vegetative and built environment elements.

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5. Additional Required Approvals from the City Council

- 2 Existing Zoning District(s): Residential A-12
- 3 Existing overlay District(s): Special Flood Hazard Area
- 4 Proposed Zoning District(s): Mixed Use Plan District ("MPD")

6 The follow dimension and density regulations and landscape requirements shall apply to MPD:

Zoning Regulation Requirements	Required A-12	Proposed MPD Standards	Provided
Min. Lot Area	12,000 SF	N/A	647,370 SF
Frontage	100 FT	N/A	1,112 FT
Front Yard Setback	60 FT*	50 FT*	51+/- FT
Side Yard Setback	10 FT	N/A	88+/- FT
Rear Yard Setback	20 FT	N/A	192+/- FT
Min. Lot Width	100 FT	N/A	940+/- FT
Max. Building Height	35 FT**	45 FT**	<45 FT
Max. Building Lot Coverage	30%	N/A	31.4%+/- (imp. Cover) 12.5+/-% (bld. Cover)
Parking Lot Shading Percentage	20%	N/A	20%
Interior Parking Lot Landscape Area	10 SF per parking space	N/A	10 SF per Parking space
Min. Site Landscape Percentage	15%	N/A	15%
Min. Landscape Buffer at Street	10 FT	5 FT	5 FT***
*Per City Zoning Code Section 17.20.090(L), front yard setback is not established per zone, but per specific requirement for properties fronting Phenix Avenue, west of Route 295 and fronting Phenix Avenue.			
**The height of proposed structures is not to exceed two levels. The 45 building height shall not apply to the Commercial/Retail Building.			
***A modification of Section 17.84.140C.6.b.i of the City Zoning Code is requested.			

- 7
- 8 As reflected on the above chart, Applicant seeks modification of §17.20.090.I, §17.20.120 and
- 9 §17.84.140C.6.b.i. of the City's Zoning Ordinance.
- 10 Where indicated "N/A", Applicant is not seeking additional relief from the City Council.



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2 Parking
3

Parking Summary Chart				
Description	Size		Spaces Proposed for Approval	
	Required	Proposed	Phase 1 Commercial/Retail Building	Phase 2 Remaining Buildings
Standard Spaces	9'W x 18'L	9'W x 18'L	39	48
Accessible Spaces*	13'W x 18'L	13'W x 18'L	2	2
Total Spaces			41	50
Loading Bays**	450SF	-	1	-
*ADA/State/Local Requirements				
**Loading Bays: One (1) bay per nonresidential use > 1,000 SF				

4

Parking Requirements	
Storage	1 space for every 50 storage units (Proposed number of units is 388 = 8 spaces)
Retail	6,000 SF x 1 Space / 200 SF = 30 spaces
Office	6,000 SF x 4 Spaces / 1,000 SF = 24 spaces
	Total Parking Required = 62 spaces
Total Parking Provided	92 spaces

5
6 **Pandora Storage meets or exceeds the parking requirements as set forth above.**

7
8 Drive-Thru Uses
9

10 Applicant seeks to populate the commercial/retail building with a mix of neighborhood-type services. Among
11 these may be a banking institution or similar business which requires a drive-thru to be competitive,
12 accordingly will be permitted, however, a drive-thru restaurant shall not be permitted.
13
14



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Signage

The Applicant will seek signage consistent with the C-3 Zoning Designation and seeks a sign at the entrance, which will be a monument sign. The monument sign is 12 x 8 feet construction with actual signage of 8 x 6 feet totaling 96 square feet.

Development Plan Review.

The proposed Project will be subject to Chapter 17.84 "Development Plan Review" of the City's Zoning Ordinance.

THE CITY OF CRANSTON

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

No. 2015-10

Passed:

April 27, 2015



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

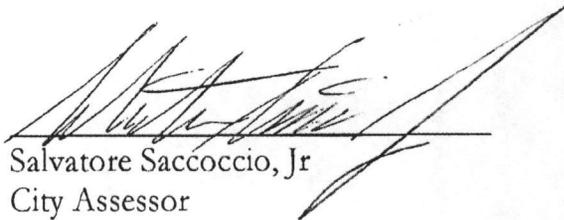
DAVID COLE
DEPUTY ASSESSOR

MEMO

DATE: April 6, 2015
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	51,409	1,761.27
December 31, 2013	<u>69,336</u>	<u>2,170.72</u>
Totals:	120,745	3,934.99


Salvatore Saccoccio, Jr
City Assessor

City of Cranston
2013 Abatement List

1	1431992501 991-4319-925	0000000000	0000000000
	Location 125 NIAANTIC AV	Location	Location
	MONTAN AUTO REPAIR		
	FELIX MONTAN		
	125 NIAANTIC AVE		
	CRANSTON RI 02907		

	Value	Tax		Value	Tax		Value	Tax
Original	:	70000	2398.20	Original	:			
LISTING ERROR	:	51409	1761.27		:			
Adjusted	:	18591	636.93	Adjusted	:			

	Value	Tax	
Original	70000	2398.20	
Abatements	51409	1761.27	on 1 Accounts
Adjusted	18591	636.93	

City of Cranston
2014 Abatement List

<p>1 1313597501 011-1380 Location 171 SELMA ST LAPATI DOMENIC TRUSTEE 30 CREST CIRCLE SMITHFIELD RI 02917</p>	<p>2 1431992501 991-4319-925 Location 125 NIANTIC AV MONTAN AUTO REPAIR FELIX MONTAN 125 NIANTIC AVE CRANSTON RI 02907</p>	<p>0000000000 Location</p>
--	---	--------------------------------

<p>Original : Value Tax Exemption Omit : 17927 409.45 Adjusted : 175973 4019.22</p>	<p>Original : Value Tax LISTING ERROR : 51409 1761.27 Adjusted : 18591 636.93</p>	<p>Original : Value Tax Adjusted : </p>
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	Value	Tax			
Original	263900	6826.87			
Abatements	69336	2170.72	on 2	Accounts	
Adjusted	194564	4656.15			

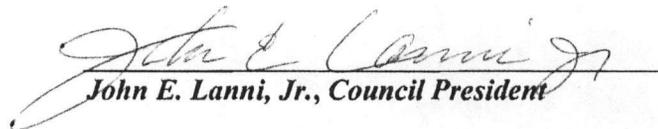
THE CITY OF CRANSTON

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

No. 2015-11

Passed:

April 27, 2015


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

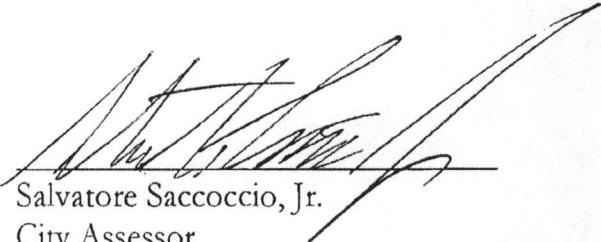
DAVID COLE
DEPUTY ASSESSOR

MEMO

DATE: April 6, 2015
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, 2008	2,099	89.08
December 31, 2011	16,612	705.00
December 31, 2012	10,971	465.63
December 31, 2013	<u>46,095</u>	<u>1,956.27</u>
Totals:	75,777	3,215.98


Salvatore Saccoccio, Jr.
City Assessor

City of Cranston
2009 Motor Vehicle
Abatement List

1	40006790	0000077152		00000000	0000000000		00000000	0000000000
	Vehicle 2004	MIT5	HJ 33	Vehicle 0000	ID		Vehicle 0000	ID
	ID 4A3AB46F34E117885			ID				
	JORDAN HEIDI A							
	9 ARROW GLEN							
	Cranston RI 02921							

Original :	Value	Tax	Original :	Value	Tax	Original :	Value	Tax
OUT OF STATE REG	8,099	89.08						
Adjusted Tax:		89.08	Adjusted Tax:			Adjusted Tax:		

For Tax Year: 2009

Original :	Value	Tax	
Adjusted Tax :	8099	89.08	89.08 on 1 Accounts

City of Cranston
2012 Motor Vehicle
Abatement List

1	49001730	0000128579		2	52010520	0000151542		00000000	0000000000
	Vehicle 2005	INFI	XA 433		Vehicle 2008	VOLK	867957	Vehicle 0000	ID
	ID 5N3AA08C75N809928				ID WVWAK73C38P099817				
	SALAS CESAR M				VW CREDIT LEASING LTD				
	12 GLENWOOD AVE				1401 FRANKLIN BOULEVARD				
	Cranston RI 02910				Libertyville IL 60				
	Original :	Value	Tax	Original :	Value	Tax	Original :	Value	Tax
	STOLEN/SOLD/JUNK/TOT	13,902	572.39	STOLEN/SOLD/JUNK/TOTA	14871	160994.24			
	Adjusted Tax:		464.71	Adjusted Tax:		240.29	Adjusted Tax:		
			107.68			160753.95			

For Tax Year: 2012

Original :	Value	Tax	
Adjusted Tax :	28773	161566.63	Accounts
		705.00	on 2
		160861.63	

City of Cranston
2013 Motor Vehicle
Abatement List

1	32009570	0000010535		2	46005260	0000110392		3	50012050	0000145730	
	Vehicle 2009	SUBAR	OK 237		Vehicle 2010	MERZ	QM 655		Vehicle 2011	TOYO	642023
	ID 4S3BL616397221151				ID 4JGBB8GB6AA589894				ID JTLZE4FEXB1122174		
	BELL DAVID J				PAOLISSI STEPHANIE M				TOYOTA MOTOR CREDIT CORPORATI		
	1185 NARAGANSETT BLVD				717 ATWOOD AVE				19001 SOUTH WESTERN AVE		
	Cranston RI 02905				Cranston RI 02920				Torrance CA 90501		
	Original :	Value	Tax	Original :	Value	Tax		Original :	Value	Tax	
	OUT OF COMMUNITY	14,875	610.08	STOLEN/SOLD/JUNK/TOTA	9582	1043.34		STOLEN/SOLD/JUNK/TO	15775	355836.23	
	Adjusted Tax:		293.26	Adjusted Tax:		166.61		Adjusted Tax:		5.76	
			316.82			876.73				355830.47	

For Tax Year: 2013

	Original	:	Value	Tax	
		:	40232	357489.65	
	Adjusted Tax	:		465.63	on 3 Accounts
		:		357024.02	

City of Cranston
2014 Motor Vehicle
Abatement List

1	31007730	0000003695		2	32009250	0000010930		3	33000220	0000019947	
	Vehicle 2004	CHEV	547009		Vehicle 2009	SUBAR	OK 237		Vehicle 2000	KENWO	028537
	ID 2G1WF52E349298238				ID 4S3BL616397221151				ID 1XKWD69X4YJ837264		
	ALONZO ANGELICA				BELL DAVID J				CABALLERO OMAR		
	70 WHIPPLE AVE				1185 NARAGANSETT BLVD				8 MAPLE ST		
	Cranston RI 02920				Cranston RI 02905				CRANSTON RI 02910		
		Value	Tax		Value	Tax			Value	Tax	
	Original :	2,955	160.72		Original :	12326	501.90		Original :	1636	228.24
	STOLEN/SOLD/JUNK/TOT		93.72		OUT OF COMMUNITY		241.25		EXEMPTION OMITTED		61.75
	Adjusted Tax:		67.00		Adjusted Tax:		260.65		Adjusted Tax:		166.49
4	33030930	0000030093		5	37017980	0000061552		6	46002120	0000110202	
	Vehicle 1997	FORD	000490		Vehicle 2009	HYUND	925520		Vehicle 1999	SAA	925636
	ID 1FTCR15X2VTA52167				ID 5NPET46C49H568838				ID YS3DD78N3X7002186		
	COLE THOMAS E				GRADY BETH A				PALAZZO DIANE M		
	145 OAKLAWN AVE				129 ALLEN AVE				467 NATICK AVE		
	CRANSTON RI 02920				Cranston RI 02910				Cranston RI 02921		
		Value	Tax		Value	Tax			Value	Tax	
	Original :	1,283	33.23		Original :	9429	378.95		Original :	1530	43.71
	EXEMPTION OMITTED		33.23		OUT OF STATE REG		11.42		STOLEN/SOLD/JUNK/TO		13.71
	Adjusted Tax:				Adjusted Tax:		367.53		Adjusted Tax:		30.00
7	46005230	000011244		8	50011940	0000146851			00000000	0000000000	
	Vehicle 2010	MERZ	QM 655		Vehicle 2011	TOYO	642023		Vehicle 0000		
	ID 4JGBB8GB6AA589894				ID JTLZE4FEXB1122174				ID		
	PAOLISSI STEPHANIE M				TOYOTA MOTOR CREDIT CORPORATI						
	717 ATWOOD AVE				19001 SOUTH WESTERN AVE						
	Cranston RI 02920				Torrance CA 90501						
		Value	Tax		Value	Tax			Value	Tax	
	Original :	22,095	921.88		Original :	14150	210712.68		Original :		
	STOLEN/SOLD/JUNK/TOT		921.88		STOLEN/SOLD/JUNK/TOTA		579.31		Adjusted Tax:		
	Adjusted Tax:				Adjusted Tax:		210133.37				

For Tax Year: 2014

	Value	Tax	
Original :	65414	212981.31	
		1956.27	on 8 Accounts
Adjusted Tax :		211025.04	

Apr-15 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>
Abbate Frank	154 Lake Garden Dr	\$989.68	\$118.77	illness
Catania, Laura	28 Marion Ave	949.95	\$ 140.28	illness
Dydo, Carol	154 Midvale Ave	2,646.63	\$211.70	death
Fidas, Arthur	461 Cornstock Pkwy	3,399.73	\$305.98	illness
Iozzi, Josephine	91 Amanda St	3,480.31	\$278.43	illness
Lapin, Mark	15 Swan Ct	412.60	\$57.86	lostcheck
Nuey, Daniel	35 Jay Ct	6,818.98	\$545.32	illness
Ventetuolo, Anthony	50 Surrey Dr	1,862.03	\$335.16	lostcheck

Recommend to Deny

4-15-01

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF TITLE 12, OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "STREETS, SIDEWALKS AND PUBLIC PLACES"

(Snow Removal – Residential Exemption)

No.

Passed:

John E. Lanni, Jr., Council President

Approved:

Allan W. Fung, Mayor

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

Section 1. Title 12, Chapter 16, entitled "Snow and Ice-Removal of snow-Penalty" is hereby amended as follows:

12.16.010 - Snow and ice—Removal of snow—Penalty.

A. The owner, occupant or an building or lot of land bordering on any street, highway, square or public place where there is a sidewalk supported by curbing, shall, within the first twenty-four (24) hours after any snow has ceased to fall, cause the snow to be removed from the sidewalk adjoining such building or lot of land.

B. If said owner or occupant is [~~fifty-five (55)~~] sixty-two (62) years of age or older or is physically disabled and unable to shovel snow, no fine shall be imposed for failing to remove snow if said owner or occupant provides the police officer with a letter from his or her doctor attesting to the fact that the person is physically unable to shovel snow.

C. In case of neglect so to do, the person chargeable with such duty shall pay a fine not exceeding twenty dollars (\$20.00) and for each and every hour after the expiration of such twenty-four (24) hours that the snow shall remain on the sidewalk, such owner, occupant or other person shall pay a fine of not less than one nor more than two dollars.

Section 2. This Ordinance shall take effect on final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

Christopher Rawson, City Solicitor Date

Christopher Rawson, City Solicitor Date

Sponsored by: Councilman Stycos
Referred to Public Works Committee May 4, 2015

4-15-03

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THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF TITLE 5.64, OF THE CODE OF THE CITY OF
CRANSTON, 2005, ENTITLED "BUSINESS LICENSES AND REGULATIONS"
(Public Entertainment license fee 2015)

No.

Passed:

John E. Lanni, Jr., Council President

Approved:

Allan W. Fung, Mayor

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

Section 1. Title 5.64 entitled "Theatrical Performances, Shows and Exhibitions."
is hereby amended by adding the following:

5.64.065 Permit Applicaton and Renewal fee

A separate fee shall be paid at the time of filing of each application for a permit.
The annual fee shall be [~~set by resolution of the City Council~~] based on capacity as
determined by the Cranston Fire Department:

All Class B alcoholic licensed establishments and non alcoholic establishments:

<u>1 - 99</u>	<u>No fee</u>
<u>100 and over</u>	<u>\$300.00</u>

All Class J licensed establishment \$500.00

An entertainment license may be issued on a daily basis at a fee of fifteen dollars
(\$15.00) per diem.

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

Positive Endorsement

Negative Endorsement (attach reasons)

Christopher Rawson, Solicitor Date _____
Christopher Rawson, Solicitor Date

Sponsored by: Councilman Farina and Councilman Aceto

Referred to Safety Services May 4, 2015

4-15-04

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF TITLE 5 OF THE CODE OF THE CITY OF CRANSTON, 2015,
ENTITLED "BUSINESS LICENSES AND REGULATIONS"
(Bus Shelter Permit Fees)

No.

Passed:

John E. Lanni, Jr., Council President

Approved:

Allan W. Fung, Mayor

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

Section 1: Chapter 5.52 entitled Outdoor Advertising is hereby amended by adding thereto the following new section:

5.52.130 – Permit fees

- a) Bus Shelter/Advertising Permit – All persons, corporations or other entities who construct, own, lease, operate, maintain or manage a bus shelter including advertising space on City-owned property, shall pay to the City of Cranston an annual permit fee for each such site in the amount of two hundred fifty dollars (\$250.00).

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

Positive Endorsement

Negative Endorsement (attach reasons)

Christopher Rawson, City Solicitor Date

Christopher Rawson, City Solicitor Date

Sponsored by: Councilman Santamaria

Referred to Finance Committee May 14, 2015

04-15-05

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THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL
AMENDING THE COMPREHENSIVE PLAN OF 2010
(Cumberland Farms -Intersection Park and Warwick Ave)

No.

Passed:

John E. Lanni, Jr., Council President

Approved:

Allan W. Fung, Mayor

Whereas, the City Council adopted a comprehensive Plan on September 24, 2012, pursuant to the City Plan Commission adoption, subject to conditions contained in Section 45-22.2-8(c) of the General Laws of Rhode Island, after public hearing thereon, and subsequently amended on December 5, 2012; and

Whereas, Phala Long and Park Associates LLC are the owners of real property located at 135 Warwick Avenue and 161 Park Avenue, Cranston, shown as Lots 1343 and 3669 on Tax Assessor's Plat 2-5, and have filed an application requesting an amendment of the 2010 Comprehensive Plan for said properties;

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

Section 1. Element 2 of the 2010 Comprehensive Plan entitled "Land Use Plan" is hereby amended at the subsection entitled "Land Use Plan Map", by deleting therefrom the designation "Single/Two Family Residential Less Than 10.89 Units per Acre." on plan entitled "City of Cranston Future Land Use", for the real properties located at 135 Warwick Avenue, Lot 1343 and 161 Park Avenue, Lot 3669, Cranston, on Tax Assessor's Plat 2-5, designated Single/Two Family Residential Less Than 10.89 Units per Acre." And adding thereto:

The designation "Neighborhood Commercial/Services" to said properties.

Section 2. This Ordinance shall take effect as an element of the City's primary land use policy upon its final adoption. For the purposes of the State of Rhode Island, this Ordinance shall become effective upon its approval as a revision which bring the Comprehensive Plan into substantial conformance with, or which does not conflict with Section 45-22.2-8(c) of the General Laws of Rhode Island.

Positive Endorsement: _____ Negative Endorsement: (Attach reasons)

Christopher Rawson, City Solicitor Date Christopher Rawson, City Solicitor Date

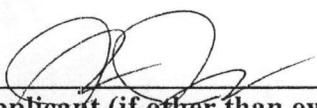
Referred to: Ordinance Committee, May 14, 2015
Petition filed by Park Ave. Associates LLC, Phala Long and Cumberland Farms Inc



Owner
Phala Long
Executed by John J. Bolton, Esquire,
on behalf of Owner



Owner
Park Associates LLC
Executed by John J. Bolton, Esquire,
on behalf of Owner



Applicant (if other than owner)
Cumberland Farms, Inc.
Executed by John J. Bolton, Esquire,
Attorney for Applicant

Applicant (if other than owner)

Application filed by: Thomas W. Moran, Jr. Date: 4/2/15

Applicant contact: Phone 401-274-2000 E-mail jbolton@hinckleyallen.com

4-15-06

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL
IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON,
2005, ENTITLED 'ZONING'
(CHANGE OF ZONE -Warwick and Park Intersection)

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

By deleting from a C-2 Zoning District, Lot No. 1962, Zoning Plat No. 2-5, located at 145 Warwick Avenue at the northwest corner of Warwick Avenue and Park Avenue.

By deleting from a C-2 Zoning District, Lot No. 1342, Zoning Plat No. 2-5, located at 149 Park Avenue at the northwest corner of Warwick Avenue and Park Avenue.

By deleting from a C-2 Zoning District, Lot No. 1343, Zoning Plat No. 2-5, located at 135 Warwick Avenue at the northwest corner of Warwick Avenue and Park Avenue.

By deleting from a B-1 Zoning District, Lot No. 3669, Zoning Plat No. 2-5, located at 161 Park Avenue at the northwest corner of Warwick Avenue and Park Avenue.

And by adding thereto the following:

C-3 Zoning District, Lot No. 1962, Zoning Plat No. 2-5, located at 145 Warwick Avenue at the northwest corner of Warwick Avenue and Park Avenue.

C-3 Zoning District, Lot No. 1342, Zoning Plat No. 2-5, located at 149 Park Avenue at the northwest corner of Warwick Avenue and Park Avenue.

C-3 Zoning District, Lot No. 1343, Zoning Plat No. 2-5, located at 135 Warwick Avenue at the northwest corner of Warwick Avenue and Park Avenue.

4-15-06

48 C-3 Zoning District, Lot No. 3669, Zoning Plat No. 2-5, located at 161 Park Avenue at the
49 northwest corner of Warwick Avenue and Park Avenue.

50
51 **Section 2.** This ordinance shall take effect upon its final adoption.

52
53 Positive Endorsement: Negative Endorsement: (Attach reasons)

54
55
56
57 _____
58 Christopher Rawson, City Solicitor Date Christopher Rawson, City Solicitor Date

59
60 Referred to: Ordinance Committee, May 14, 2015

61
62 Petition filed by Park Associates LLC, Phala Long and Cumberland Farms Inc

OK 27
4/1/15

CITY OF CRANSTON
DEPARTMENT OF RECORDS – CITY CLERK’S OFFICE

APPLICATION FOR CHANGE OF ZONE

Name(s) and address(es) of owner(s) of property Park Associates LLC* *With respect to
155 Park Avenue Plat 2-5, Lots 1962,
Cranston, RI 02905 1342 & 3669

Phala Long** **With respect to
135 Warwick Avenue Plat 2-5, Lot 1343
Cranston, RI 02905

Zoning Plat Number/Lot No.(s)* 2-5/1962
2-5/1342
2-5/3669
2-5/1343

Street Address or Location on Street 145 Warwick Avenue (Plat 2-5, Lot 1962)
149 Park Avenue (Plat 2-5, Lot 1342)
161 Park Avenue (Plat 2-5, Lot 3669)
135 Warwick Avenue (Plat 2-5, Lot 1343)

*If only a portion of a lot, attach a full metes and bounds description. N/A

Present Zoning: ✓ C-2 = 145 Warwick Avenue (Plat 2-5, Lot 1962)
✓ C-2 = 149 Park Avenue (Plat 2-5, Lot 1342)
✓ B-1 = 161 Park Avenue (Plat 2-5, Lot 3669)
C-2 = 135 Warwick Avenue (Plat 2-5, Lot 1343)

Zoning Requested: C-3 for all four (4) parcels.

Property to be used for: Fuel station, minimart.

RECEIVED
15 APR -2 AM 9:54
CRANSTON
CITY CLERK

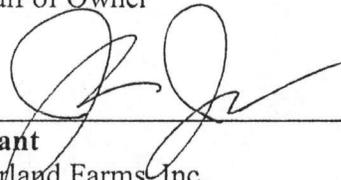
Date: 4/2/15



Owner
Park Associates LLC
Executed by John J. Bolton, Esquire,
on behalf of Owner



Owner
Phala Long
Executed by John J. Bolton, Esquire,
on behalf of Owner



Applicant
Cumberland Farms, Inc.
Executed by John J. Bolton, Esquire,
Attorney for Applicant

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THE CITY OF CRANSTON

RESOLUTION OF THE CITY COUNCIL

REQUESTING THAT THE MAYOR DIRECT THE RECREATION DEPARTMENT TO
FOCUS ON RECREATION PROPERTIES AND REFRAIN FROM SERVICING THE
LIBRARY SYSTEM DURING THE SUMMER MONTHS

No.

Passed:

John E. Lanni, Jr., Council President

WHEREAS, currently, the Recreation Department has been assisting the library system by cutting the grass and performing the landscaping maintenance; and

WHEREAS, the Recreation Department during the summer months is overextended in handling its own responsibilities as well as those of the library system; and

WHEREAS, the City of Cranston needs the Recreation Department to focus on its responsibilities as its primary task and therefore cannot continue to perform landscaping responsibilities for the library system; and

WHEREAS, the Mayor can redirect the staff of the Recreation Department to focus on its responsibilities with both the city recreational property as well as certain responsibilities relating to the school system; and

WHEREAS, the Recreation Department is willing to assist the library system during the winter months with snow removal and other maintenance responsibilities.

NOW THEREFORE, BE IT RESOLVED, that the City Council is requesting Mayor Fung direct the Recreation Department to refrain from servicing the library properties between Memorial Day and November 1 of each year so that the Recreation Department can focus on maintaining recreational properties of the City.

Sponsored by Councilman Archetto

Referred to Public Works Committee May 4, 2015

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THE CITY OF CRANSTON

RESOLUTION OF THE CITY COUNCIL
LOAN ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION
REFUNDING BONDS OF THE CITY OF CRANSTON IN THE AMOUNT OF
\$46,180,000

No.

Passed:

John E. Lanni, Jr., Council President

WHEREAS, the City of Cranston (the "City") has previously issued its \$22,280,000 General Obligation Refunding Bonds dated May 26, 2005 (the "2005 Bonds") and its \$23,900,000 General Obligation Bonds dated June 20, 2006 (the "2006 Bonds", and together with the 2005 Bonds, collectively, the "Prior Bonds"); and

WHEREAS, the City desires to issue general obligation refunding bonds (the "Refunding Bonds") to refund all or a portion of the Prior Bonds in order to take advantage of the lower interest rates which currently are prevailing;

NOW THEREFORE, BE IT RESOLVED,

SECTION 1. Pursuant to Rhode Island General Laws Section 45-12-5.2 the City is authorized to issue Refunding Bonds of the City in an amount necessary to refund all or a portion of the Prior Bonds and to provide for any principal of, redemption premium, and interest on the Prior Bonds coming due on or prior to the date on which the Prior Bonds are to be redeemed, and costs of issuance of the Refunding Bonds.

SECTION 2. The issuance of the Refunding Bonds will result in a financial benefit to the City.

SECTION 3. In accordance with the provisions of Title 45, Chapter 12 of the Rhode Island General Laws, as amended, the manner of sale, amount, denominations, maturities, conversion or registration privileges, interest rates, medium of payment, and other terms, conditions and details of the Refunding Bonds authorized herein may be fixed by the officers authorized to sign the Refunding Bonds.

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SECTION 4. The City Council hereby authorizes the Director of Finance and the Mayor acting on behalf of the City, to issue the Refunding Bonds for the purposes set forth in this loan order and to take all actions as they deem necessary to effect the issuance of the Refunding Bonds. The Refunding Bonds shall be issued by the City under its corporate name and seal or facsimile of such seal. The Refunding Bonds shall be signed by the manual or facsimile signature of the Director of Finance and the Mayor.

SECTION 5. The Director of Finance and the Mayor are also authorized, empowered and directed, on behalf of the City, to: (i) execute, acknowledge and deliver any and all other documents, certificates or instruments necessary to effectuate such borrowing, including, without limitation, a Preliminary Official Statement, a final Official Statement, all in such form and with such provisions as such officers shall deem advisable; (ii) amend, modify or supplement the bonds or notes any and all other documents, certificates or instruments at any time and from time to time, in such manner and for such purposes as officers shall deem necessary, desirable or advisable; (iii) do and perform all such other acts and things deemed by such officers to be necessary, desirable or advisable with respect to any matters contemplated by this loan order in order to effectuate said borrowing and the intent hereof.

SECTION 6. The Director of Finance and the Mayor are hereby authorized to take all lawful action necessary under the Internal Revenue Code of 1986, as amended (the "Code") to insure that the interest on the Refunding Bonds will be and continue to be excluded from gross income for federal income tax purposes to the extent provided in Section 103 of the Code, and to refrain from taking any action which will cause interest on the Refunding Bonds to lose the benefit of exclusion from gross income provided by Section 103(a) of the Code. The Director of Finance and the Mayor are further authorized to take all lawful action necessary or desirable to designate the Refunding Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code.

SECTION 7. The Director of Finance and the Mayor are authorized to take all actions necessary to comply with federal tax and securities laws including Rule 15c2-12 of the Securities and Exchange Commission (the "SEC Rule") and to execute and deliver a Continuing Disclosure Certificate in connection with the Refunding Bonds in the form as shall be deemed advisable by the Director of Finance and the Mayor in order to comply with the SEC Rule. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, as it may be amended from time to time. Notwithstanding any other provision of this loan order or the Refunding Bonds, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered an event of default; however, any bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section and under the Continuing Disclosure Certificate.

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SECTION 8. The proceeds arising from the sale of such Refunding Bonds, exclusive of any premium, accrued interest and costs of issuance, shall, upon the receipt be paid immediately to the paying agent or paying agents for the Prior Bonds, and such paying agents shall hold the proceeds in trust until they are applied to pay or refund the Prior Bonds. While such proceeds are held in trust, they may be invested as permitted by Chapter 12 of Title 45 of the General Laws of Rhode Island, as amended.

SECTION 9. The Refunding Bonds may be issued either alone or consolidated with other issues of notes or bonds of the City.

SECTION 10. This loan order shall take effect upon its approval by the Mayor after its passage.

Sponsored by Council Minority Leader Favicchio
Referred to Finance Committee May 14, 2015

1
2 THE CITY OF CRANSTON
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5 RESOLUTION OF THE CITY COUNCIL
6 REQUESTING THAT THE MAYOR DEMOTE PROBATIONARY CAPTAIN STEVEN
7 ANTONUCCI TO RANK OF LIEUTENANT

8
9 No.

10
11 *Approved:*

12
13 John E. Lanni, Jr., Council President
14
15

16 WHEREAS, currently, Probationary Captain Steven Antonucci has been put on
17 Administrative Leave with full salary and benefits which costs the City and Cranston taxpayers
18 \$81,000.00 in salary plus \$12,000. in benefits; and
19

20 WHEREAS, Officer Steven Antonucci was promoted to Probationary Captain by Mayor
21 Alan Fung based upon the executive decision of the Mayor to retire Captain Dodd for medical
22 reasons. The concept of probationary captain is a temporary period of appointment. The
23 individual serves for a duration of time in order to be observed and evaluated by his superiors for
24 job performance and effectiveness. Webster's Dictionary defines probation as: "subjection of an
25 individual to a period of time to testing and trial to ascertain fitness for a job"; and
26

27 WHEREAS, The City of Cranston is well aware that Officer Antonucci failed to pass the
28 performance standard while performing in his capacity as Probationary Captain. By Officer
29 Steven Antonucci openly admitting that he ordered the ticket blitz targeting Wards 1 and 3 after
30 both of these Councilmen voted against a Cranston Police contract that incorporated hefty raises;
31 and
32

33 WHEREAS, the orchestration and command by Officer Steven Antonucci of "ticket
34 gate" meant to intimidate City Council members, is an insult to this Council and to the people of
35 Cranston; and
36

37 WHEREAS, this act casts serious doubt on Officer Steven Antonucci's ability to
38 perform at the rank of Captain; and
39

40 WHEREAS, the City Council does not offer an opinion on whether Officer Steven
41 Antonucci should be retained on the police force, this resolution is only intended to address his
42 status on an interim basis until his L.E.O.B.O.R. hearing is concluded.
43
44

45 **NOW THEREFORE, BE IT RESOLVED**, that the City Council is requesting Mayor
46 Fung to demote Probationary Captain Steven Antonucci back to rank of Lieutenant and continue
47 him on Administrative Leave with full salary and benefits at the rank of Lieutenant while waiting
48 for the Police Officer's Bill of Rights Hearing Board to render a decision.

49
50 Sponsored by Councilman Archetto

51
52 Referred to Finance Committee May 14, 2015

RECEIVED
15 APR -9 PM 1:15
CRANSTON
CITY CLERK
City Copy

nationalgrid

PETITION OF THE NATIONAL GRID FOR JOINT OR IDENTICAL POLE LOCATION

TO THE HONORABLE _____ TOWN COUNCIL _____
OF _____ CRANSTON _____ RHODE ISLAND
THE NATIONAL GRID

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

WHISPERING PINES- PROPOSE JO POLE LOCATION

Therefore your petitioners pray that they be granted joint of identical location for existing poles and permission to erect and maintain poles and wires together with such sustaining and protecting fixtures as the may find necessary, said poles erected or to erected substantially in accordance with the plan filed herewith marked: 207297

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

THE NATIONAL GRID

BY: Chris Montalto *CB*
Chris Montalto, Engineering

THE VERIZON

BY: Daryl Crossman *ds*
ORDER

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

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

A true copy of the vote at the _____

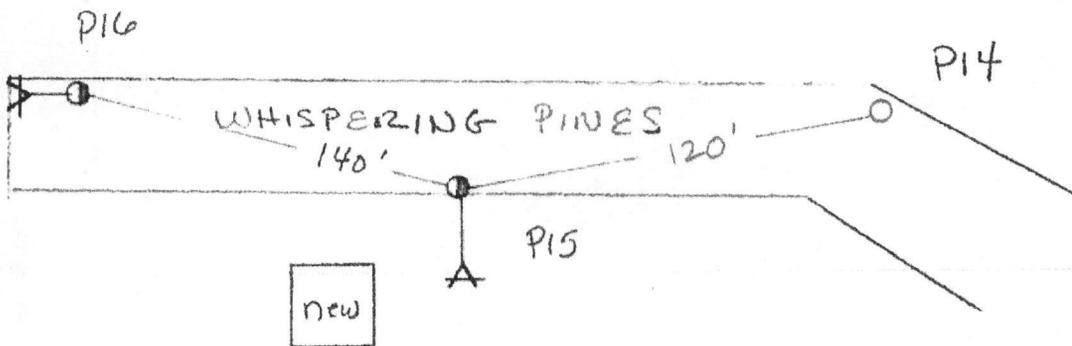
Adopted _____ and recorded in Records Book# _____ Page#

CLERK



new

new



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

	APPROVED
	APPROVED AS CORRECTED
	RESUBMIT FOR FINAL APPROVAL
	DISAPPROVED - RESUBMIT
Date <u>4/10/2015</u>	By <u>[Signature]</u>

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

POLE PETITION	nationalgrid
<input checked="" type="checkbox"/> Proposed NGRID Pole Locations	Date: ... <u>3-21-15</u>
<input type="checkbox"/> Existing NGRID Pole Locations	Plan Number: ... <u>207297</u>
<input type="checkbox"/> Proposed J.O. Pole Locations	To Accompany Petition Dated: ..
<input type="checkbox"/> Existing J.O. Pole Locations	To The: <u>CITY</u> Of .. <u>CRANSTON</u>
<input type="checkbox"/> Existing Telephone Co. Pole Locations	For Proposed: .. Pole: .. Location: ..
<input type="checkbox"/> Existing NGRID Pole Location To Be Made J.O.	Date Of Original Grant: ...
<input checked="" type="checkbox"/> Existing Pole Locations To Be Removed	
DISTANCES ARE APPROXIMATE	