

*(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**

**-MAY 26, 2015-**

Regular meeting of the City Council was held on Tuesday, May 26, 2015 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:30 P.M. by the Council President.

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

Also Present: Robert Coupe, Director of Administration; Jeffrey Barone, Constituent Affairs; Christopher Rawson, City Solicitor; Robert Strom, Finance Director; Anthony Moretti, City Council Internal Auditor; Patrick Quinlan, City Council Legal Counsel.

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

On motion by Councilman Aceto, seconded by Council Vice-President Santamaria, it was voted to suspend Rule 36 changing the time of this meeting from 7:00 P.M. to 7:30 P.M. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

### **I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATION**

**BOY SCOUTS OF AMERICA, NARRAGANSETT COUNCIL, CRANSTON TROOP  
6 EAGLE SCOUT AWARD: STEVEN E. JOHNSON, ERIC D. HALVARSON,  
ZACHARY W. CHASE AND SCOTT G. DUPONT**

**Councilman Botts** read Citations and stated that since these individuals are not present, they be mailed to them.

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

None.

-MAY 26, 2015-

### III. RESOLUTIONS

**RESOLUTION IN SUPPORT OF THE USE OF "COMPLETE STREETS" CONCEPTS WITHIN THE CITY OF CRANSTON. Sponsored by Council Vice-President Santamaria. [\[click to view\]](#)**

On motion by Council Vice-President Santamaria, seconded by Councilman Aceto, it was voted to suspend Rule 34 in order to take immediate action on the above Resolution.

Under Discussion:

**Council Vice-President Santamaria** asked that this Resolution be acted on this evening and bypass Committee, to be referred to D.O.T., who is doing an audit of hot spot streets in the City. He also indicated that there is no money involved.

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

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

Under Discussion:

**Councilman Aceto** stated that D.O.T. will be doing an audit and this is free money and is really good for City to get troubled spots in the City looked into. He urged everyone to support this.

**Council Minority Leader Favicchio** asked if there is a timetable to have this Resolution passed by. Council Vice-President Santamaria stated that the State is doing the audit now without the Resolution being passed, but they have indicated that the sooner it is passed, the better.

**Council President Lanni** stated that there is a pool of money waiting to be tapped and the State is already working on an audit for the City of Cranston.

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

### IV. REPORT OF COMMITTEES

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

**3-15-4 ORDINANCE IN AMENDMENT OF TITLE 2, CHAPTER 24, SECTION 090 OF THE CODE OF THE CITY OF CRANSTON ENTITLED "CONNECTION OF FIRE ALARMS TO MUNICIPAL SYSTEMS"**

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

Under Discussion:

**Councilman Stycos** asked if this covers every business. Captain MacIntosh stated, no, only existing buildings that have municipal connections to the City.

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

**-MAY 26, 2015-**

**4-15-03 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)**

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

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

**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)**

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

On motion by Councilman Stycos, seconded by Councilman Farina, it was voted to amend the above Ordinance as follows: line #29, after "disabled", delete "or has" and add "with"; line #30, after "snow", delete "and unable to shovel snow". Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Council Majority Leader Archetto, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -9.

On motion by Councilman Farina, seconded by Council Vice-President Santamaria, it was voted to adopt the above Ordinance as amended. Motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Councilmen Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -8. The following being recorded as voting "nay": Council Majority Leader Archetto -1.

**RESOLUTION IN SUPPORT OF H-5594 AND S-0741 MUNICIPAL STREETLIGHT INVESTMENT ACT**

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

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

**RESOLUTION AUTHORIZING REAL ESTATE TAX ABATEMENTS**

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

**-MAY 26, 2015-**

**RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS**

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

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

On motion by Councilman Farina, seconded by Council Minority Leader Favicchio, it was voted to adopt the above Resolution.

Under Discussion:

**Mr. Strom** stated that the original bond was for \$46,180,000. What is existing now is two bonds totaling approximately \$23 million.

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

**CLAIMS COMMITTEE**

**(Councilman Michael W. Favicchio, Chair)**

**REPORT OF SETTLED CLAIMS (*Informational purposes only*):** Richard E. Hunsinger \$50.00 property damage; Gregory S. Long \$225.49 vehicle damage; John E. Plouffe \$300.00 vehicle damage; Lindsay Ann Raposa \$92.30 vehicle damage; Kelly Gauthier \$206.15 vehicle damage; Edward DiPrete, Jr. \$50.72 vehicle damage; Douglas H. Sherman, Jr. \$127.22 vehicle damage; Joseph H. Pearson \$60.69 vehicle damage; William J. Emby, Jr. \$57.05 vehicle damage; Brian J. Kenny \$278.15 vehicle damage; Susan A. Zalomski \$225.00 vehicle damage; Deborah J. Connolly \$90.30 vehicle damage; Donald A. Colapietro, Jr. \$121.94 vehicle damage; Adrienne A. Jones \$198.98 vehicle damage; Kristin Sheridan \$262.75 vehicle damage; Christa Infantolino \$111.20 vehicle damage; Elena Kwetkowski \$50.00 property damage; Thomas E. Maltais \$144.92 vehicle damage; William A. Wallace, III \$111.39 vehicle damage; Michaella Ruggieri \$104.00 vehicle damage; Denise Moretti-Foggo \$710.95 property damage; Demo's Auto Sales, LLC \$72.75 vehicle damage; Corey Capirchio \$50.00 property damage; Fook Chiu Chin \$798.53 vehicle damage.

No action needed.

**V. PUBLIC HEARINGS**

(open to any matters)

**Roland Coutu**, 25 Lee St., appeared to speak and stated that people have stated to him that they have been ticketed for going four to five miles over the speed limit. He questioned if this is being excessive and is this how Revenues is being raised in the City. Solicitor Rawson stated that it is his understanding that high traffic areas where signs are posted stating "strictly enforced", according to the Police Chief, it is strictly enforced. He indicated that the Officer issues the ticket, but the person can appeal it. Mr. Coutu stated that according to State Law, anything over 6-7 miles over the speed limit is a violation. He also stated that he knows of people who have received tickets for going one or two miles over the speed limit.

**VI. ELECTION OF CITY OFFICIALS**

None.

**-MAY 26, 2015-**

**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.**

**Councilman Aceto** asked if there is any way the Council can be provided with more details in the report other than "legal matters". Solicitor Rawson stated that he can meet with Anna Marino, who compiles the report, to see if she can be more specific, but he indicated that there are a lot of line items. He will try to have Ms. Marino provide a more detailed report for the next Council meeting.

**CRANSTON FIRE DEPARTMENT:**

- **LT. JEFFREY STERNBERG – CONTINUATION IN SERVICE REQUEST**

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

- **DEPUTY CHIEF PAUL L. VALLETTA, JR. – CONTINUATION IN SERVICE REQUEST**

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

**SETTLED BY SOLICITOR: Liberty Mutual Insurance as Subrogee for Tony Kinsella \$3,635.91 vehicle damage.**

No discussion.

**IX. COUNCIL PRESIDENT COMMUNICATIONS**

**Council President Lanni** referred to an article in today's Providence Journal regarding State Police Report of the Police Department investigation and indicated that Solicitor Kirshenbaum stated in the article that the Mayor would like to have the report for himself. He also stated that he always thought the Mayor believed in transparencies. Transparency means the material is to be shared by everyone and not just the Mayor. Having the Mayor having the report and him redacting it and then provide that to the Council is like putting the fox in the chicken coop. This City Council will not be left in the dark again.

**X. COUNCIL MEMBER COMMUNICATIONS**

**COUNCILMAN STYCOS:**

- *Utilization of tax letter by Mayor to promote recycling in the City*

**Councilman Stycos** asked that this be placed on the docket next month for the Administration to remember when sending out the tax bills.

- *State Police Report*

**Councilman Stycos** stated that he agrees with the statements made by Council President Lanni as to the State Police Report.

- *Street Opening Fee*

**Councilman Stycos** asked that the following be placed on the upcoming Public Works Committee meeting or upcoming Finance Committee meeting: report on the estimated costs of street opening fee.

**Mr. Coupe** addressed the tax letter issue in regards to recycling and stated that the first draft of the tax letter has been prepared and does include recycling information.

**Mr. Coupe** addressed the report for the street opening fee and stated that the Public Works Director has just returned from vacation today and he spoke to him and hopes to have a report for the Public Works Committee meeting.

**Councilman Aceto** asked if the City Council can review the tax letter prior to it being sent out. Mr. Strom stated that it does not need the Council's approval. There is a paragraph in the tax letter addressing the recycling. He also indicated that this information is also on the City's website.

**COUNCILMAN ACETO:**

- *LAMAR or RIPTA question payment of property taxes on billboards in the City (Report from Atty. Quinlan)*

**Mr. Quinlan** stated that he researched this and found that in 2014, there was an amendment to the contract that RIPTA would pay LAMAR to remove snow from specific shelters. The only one in Cranston was the one near the former Sanford Browns School on Garfield Ave. and a permit was pulled in 2010-2012 for that shelter. This is the only one that a permit was pulled for. He is waiting for a list from RIPTA of all the bus shelters in the City. He is looking to meet with RIPTA first and then with LAMAR and RIPTA. RIPTA is going out to bid for advertising in December, 2016 and his suggestion is we come up with some interim agreement. He did not find any agreement between RIPTA and the City.

**Council Vice-President Santamaria** stated that this is not a money grab, it is a safety issue. We are trying to keep people safe at these shelters when it snows.

**COUNCIL MAJORITY LEADER ARCHETTO:**

- *State Police Report*

Council Majority Leader Archetto agreed with Council President Lanni regarding the State Police Report and also stated that he feels every member of the City Council, Republican and Democrat, should get a copy of the unedited version of that report.

- *Street Sweepers Schedule*

**Council Majority Leader Archetto** asked that he be provided with a chart of the streets that have been swept so far because Ward 3 has not been touched. Mr. Coupe stated that the main roads have been done in the City and they are now working on the secondary streets starting from East to West. He will find out where they are at and advise Council Majority Leader Archetto.

**COUNCIL VICE-PRESIDENT SANTAMARIA:**

- *Repair of Roads by Utility Companies at Garden Hills*

**Council Vice-President Santamaria** stated that constituents have questioned the work that National Grid did at Garden Hills and they paved have the street. The constituents are questioned whether the whole street is going to be done. Mr. Coupe stated that if he can be provided with the actual streets, he can check with the Public Works Director and let Council Vice-President know.

- *Extra Trash Bags Program*

**Council Vice-President Santamaria** stated that constituents have been calling him questioning the Waste Zero Program. Mr. Coupe stated that the Public Works Director is preparing a mailing to go out and he the Public Works Director to give an update at the Public Works Committee meeting.

- *Empty Lots in the City*

**Council Vice-President Santamaria** stated that empty lots in the City have started to look like they are being used for advertising. There is a food truck parked at the lot on Atwood and Phenix and Wal-Mart has trucks overnight parked in the parking lot again. This does not look nice. He asked that the Administration to enforce the Ordinance that was passed in 2012 regarding overnight parking of trucks. Mr. Coupe stated that he will check with the Solicitor to see if this Ordinance can be applied.

**XI. OLD BUSINESS**

None.

**XI. OLD BUSINESS**

None.

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

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

**5-15-01 ORDINANCE IN AMENDMENT OF TITLE 10, CHAPTER 32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC' (Stop Horizon Drive at Comstock Parkway). Councilman Aceto**[\[click to view\]](#)

**5-15-02 ORDINANCE IN AMENDMENT OF TITLE 3 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'REVENUE AND FINANCE' (Tax Exemption Elderly and Disabled). Councilman Stycos.** [\[click to view\]](#)

**RESOLUTION IN SUPPORT OF THE USE OF "COMPLETE STREETS" CONCEPTS WITHIN THE CITY OF CRANSTON. Sponsored by Council Vice-President Santamaria.** [\[click to view\]](#)

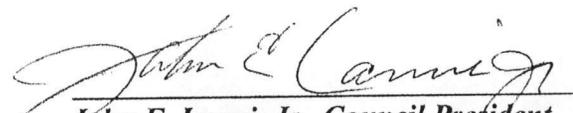
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THE CITY OF CRANSTON

**RESOLUTION OF THE CITY COUNCIL**  
IN SUPPORT OF THE USE OF "COMPLETE STREETS" CONCEPTS WITHIN THE  
CITY OF CRANSTON

No. 2015-14

*Passed: May 26, 2015*

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

**WHEREAS,** Streets constitute a large and valuable portion of the public space,  
and;

**WHEREAS,** Streets need to be accessible, convenient and connected corridors  
for all transportation modes and users that complement and support adjoining land uses,  
buildings and community character, and

**WHEREAS,** Streets that integrate and invite multiple transportation choices  
contribute to the public life of a community, sustainable economic development and  
efficient movement of people and goods; and

**WHEREAS,** Encouraging non-motorized transportation provides residents and  
mobility options, reduces transportation costs, enhances community connections, improves  
public health, advances environmental stewardship, reduces fuel consumption and  
maximizes the use roadway infrastructure, and

**WHEREAS,** "Complete Streets" are those that provide safe and convenient  
access for pedestrians, bicyclists, transit riders and motorists of all ages and abilities, and

**WHEREAS,** "Complete Streets" concepts are compatible with the circulation  
element of the existing City of Cranston's Comprehensive Plan.

**NOW THEREFORE WE THE CITY COUNCIL OF THE CITY OF**  
**CRANSTON** do hereby indicate our support and encouragement of the use of "complete  
streets" concepts in the planning and redevelopment of transportation related infrastructure  
improvements within the City of Cranston and the State of Rhode Island.

Sponsored by Council Vice-President Santamaria

3-15-04

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF TITLE 2, CHAPTER 24, SECTION 090 OF THE CODE OF THE CITY OF CRANSTON ENTITLED "CONNECTION OF FIRE ALARMS TO MUNICIPAL SYSTEMS"

4/16/2015 Finance referred to Safety Services

\*As amended in Committee 5/4/2015

No. 2015-15

Passed:

May 26, 2015

John E. Lanni, Jr., Council President

Approved:

June 2, 2015

Allan W. Fung, Mayor

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

Section 1. Title 2 Chapter 24, Section 090 entitled "Connection of Fire Alarms to Municipal Systems" is hereby amended by deleting the following:

(B. Purchase an approved local energy master fire alarm box.

C. Pay a connection fee of two hundred fifty dollars (\$250.00) plus an additional fifty cents (\$.50) a foot in locations where the building is located more than one hundred (100) feet from the existing municipal circuit. This fee is to cover the City's costs of labor, wire and pole hardware to connect the private system at a location to be approved by the superintendent of fire alarm.)

and substituting thereto the following:

B. Purchase an approved radio fire alarm box; and install per direction of the superintendent of fire alarm. Any and all existing connected systems must be transferred from wired connections to radio boxes by June 30, \*2016 \*2025.

C. Pay a connection fee of two hundred fifty dollars (\$250.00). This fee is to cover programming and acceptance testing to connect the private system at a location to be approved by the superintendent of fire alarm.

Section 2. The above fee shall be paid to the City (Treasurer) of Cranston prior to connections and will cover all .penses incurred by the City in making said installations.

Section 3. This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Christopher M. Rawson, Solicitor

Negative Endorsement (attach reasons)

Christopher M. Rawson, Solicitor

Sponsored by: Councilman Michael W Favicchio
Referred to Finance Committee April 16, 2015

4-15-03

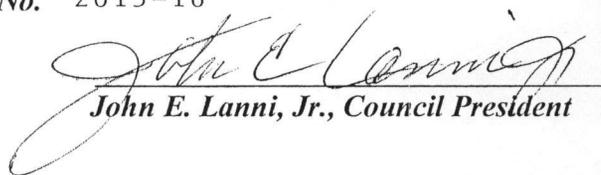
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THE CITY OF CRANSTON

**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. 2015-16

**Passed:**  
May 26, 2015

  
John E. Lanni, Jr., Council President

**Approved:**  
June 5, 2015 Pursuant to Sect. 3.14 of the City Charter.  
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 Application 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>

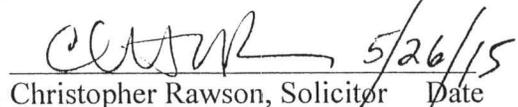
All Class J licensed establishment      \$500.00

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      5/26/15      Date

\_\_\_\_\_  
Christopher Rawson, Solicitor      Date

Sponsored by: Councilman Farina and Councilman Aceto

Referred to Safety Services May 4, 2015

4-15-01

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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"

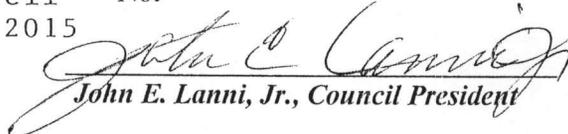
(Snow Removal – Residential Exemption)

*\*As amended in Committee 5/4/2015*

\*\*As amended by City Council No. 2015-17

**Passed:** 5/26/2015

May 26, 2016



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

**Approved:**

June 5, 2015 Pursuant to Sect. 3.14 of the City Charter.  
*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)]~~ <sup>\*\*with</sup> sixty-two (62) years of age or older or is physically disabled ~~\*or has a prior medical condition that would prevent him or her from shoveling snow 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

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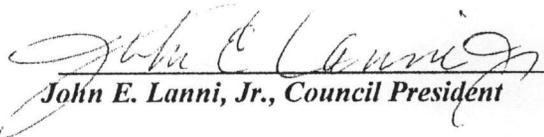
THE CITY OF CRANSTON

**RESOLUTION OF THE CITY COUNCIL**  
REQUESTING THAT THE MAYOR CONSIDER THE CITY'S PARTICIPATION IN  
THE MUNICIPAL STREETLIGHT INVESTMENT ACT

No. 2015-15

*\*As amended in Committee 5/4/2015*

**Passed:**  
May 26, 2015

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

**WHEREAS**, the Rhode Island Legislature in 2013 passed H5594 and S0743, the Municipal Streetlight Investment Act i (the "Act"); and

**WHEREAS**, the cities and towns in Rhode Island can save \$7 million by purchasing their streetlights; and

**WHEREAS**, the Act requires amendments, which are currently pending before the Legislature as H5594 and S074, to maximize the benefits provided to municipalities; and

**WHEREAS**, other entities, such as Fire Districts, who manage streetlights should be able to also enjoy the savings from purchasing their streetlights; and

**WHEREAS**, municipalities should be able to utilize their streetlights for lighting, or for any other purpose at the municipality's discretion, such as LED light controllers; and

**WHEREAS**, the Act provides for monthly charges for street and area lighting to be based on inventory of poles or includes a schedule of energy charges based on metering, should a municipality choose to install municipally owned controls that include metering chips; and

**WHEREAS**, the proposed amendments to the Act will provide that:

1. A new tariff to require the use of metering, if the municipality chooses to install municipally owned controls that include metering chips; and
2. The electric distribution company be required to produce an accurate inventory of lighting equipment to be purchased and purchase price calculation within thirty (30) days of the municipality's notice of intent to acquire; and
3. That the inventory and price shall be subject to negotiated agreement between the parties or subject to dispute resolution; and
4. To include all municipal and quasi municipal entities under the provisions of the Act.

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***NOW, THEREFORE, BE IT RESOLVED*** that the Cranston City Council respectfully requests that Mayor look into the opportunity for long term cost savings by taking advance of the opportunity afforded by the Act and energy efficiency and potential savings by purchasing LED and or solar alternative street lighting to improve the quality and safety of the lives of residents of Cranston.

***\*NOW, THEREFORE, BE IT FURTHER RESOLVED,*** that the Cranston City Council respectfully requests the General Assembly to pass H5594 and S074 and direct City Clerk to forward certified copy of this Resolution to members of the General Assembly.

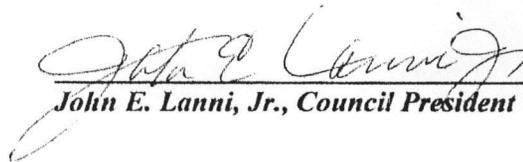
Sponsored by Councilman Aceto

Referred to Public Works Committee May 4, 2015

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

No. 2015-16

*Passed:*  
May 26, 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

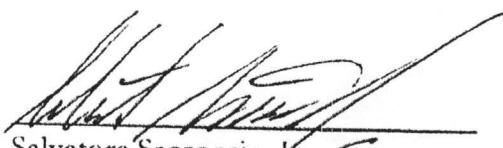
DAVID COLE  
DEPUTY ASSESSOR

MEMO

DATE: May 5, 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, 2013	2,368	81.12
December 31, 2011	<u>50,636</u>	<u>1,734.78</u>
Totals:	53,004	1,815.90

  
Salvatore Saccoccio, Jr.  
City Assessor

\*\*\* RECRIABT.REP \*\*\* Printed 05052015 at 12:01:34 by KARBUR

Page 1

City of Cranston  
2012 Abatement List

1 0505270501 990-5052-705  
Location 976 OAKLAHN AV  
EXXONMOBIL OIL CORP  
CORP-EMB-2305A  
P O BOX 53  
HOUSTON TX 77001

0000000000  
Location

0000000000  
Location

Original	:	Value	Tax	Original	:	Value	Tax	Original	:	Value	Tax
Duplicate Asses	:	50636	1734.78	:	:	:	:	:	:	:	:
Adjusted	:	:	.01	Adjusted	:	:	:	Adjusted	:	:	:

Original	Value	Tax		
Abatements	50636	1734.78	on 1	Accounts
Adjusted		.01		

\*\*\* RECRIABT.REP \*\*\* Printed 05052015 at 12:01:10 by KARBUR

Page 1

City of Cranston  
2014 Abatement List

1	0505207001	990-5052-970	0000000000	0000000000
	Location VARIOUS ST		Location	Location
	E CASH ATM SERVICES			
	PELLI ANTHONY			
	1365 NEW LONDON AVE REAR			
	CRANSTON RI 02920			

Original	:	Value	:	Tax	:	Original	:	Value	:	Tax
OUT OF BUSINES	:	2368	:	81.12	:		:		:	
Adjusted	:		:	81.13	:	Adjusted	:		:	
	:		:	-.01	:		:		:	

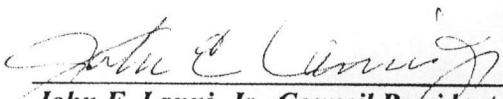
Original	Value	Tax	
Abatements	2368	81.12	
Adjusted	2368	81.13 on 1	Accounts
		-.01	

THE CITY OF CRANSTON

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

No. 2015-17

*Passed:*  
May 26, 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

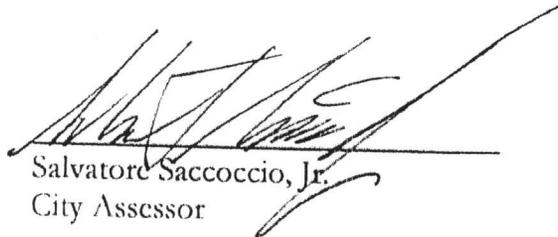
DAVID COLE  
DEPUTY ASSESSOR

**MEMO**

DATE: May 5, 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, 2013	4,975	211.14

  
Salvatore Saccoccio, Jr.  
City Assessor

\*\*\* MECRIABT\_CR.REP \*\*\* Printed 05052015 at 12:17:20 by KARBUR

Page 1

City of Cranston  
2014 Motor Vehicle  
Abatement List

1	34000340	0000035198	2	36014710	0000064557	00000000	0000000000
	Vehicle 2007	INFI	469915	Vehicle 2008	CHEV	CISCOS	Vehicle 0000
	ID JNKBV61F37M804942			ID 3GNFK16308G108502			ID
	DACOSTA COURTNEY E			FRANCISCO KEVIN J			
	104 KINGWOOD AVE			144 ORCHARD STREET			
	Cranston RI 02920			Cranston RI 02910			
	Value	Tax		Value	Tax	Original	Value
Original :	4,099	466.87	Original :	21252	880.71	:	
STOLEN/SOLD/JUNK/TOT		126.69	STOLEN/SOLD/JUNK/TOTA		84.45	Adjusted Tax:	
Adjusted Tax:		340.18	Adjusted Tax:		796.28		

For Tax Year: 2014

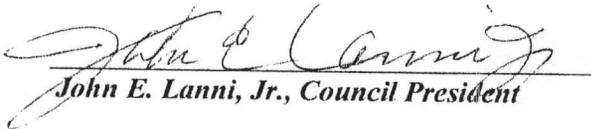
	Value	Tax	
Original :	25351	1347.58	
Adjusted Tax :		211.14 on 2	Accounts
		1136.44	

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. 2015-18

*Passed:*  
May 26, 2015

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

54  
55       SECTION 5. The Director of Finance and the Mayor are also authorized, empowered  
56 and directed, on behalf of the City, to: (i) execute, acknowledge and deliver any and all other  
57 documents, certificates or instruments necessary to effectuate such borrowing, including, without  
58 limitation, a Preliminary Official Statement, a final Official Statement, all in such form and with  
59 such provisions as such officers shall deem advisable; (ii) amend, modify or supplement the  
60 bonds or notes any and all other documents, certificates or instruments at any time and from time  
61 to time, in such manner and for such purposes as officers shall deem necessary, desirable or  
62 advisable; (iii) do and perform all such other acts and things deemed by such officers to be  
63 necessary, desirable or advisable with respect to any matters contemplated by this loan order in  
64 order to effectuate said borrowing and the intent hereof.

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

75  
76       SECTION 7. The Director of Finance and the Mayor are authorized to take all actions  
77 necessary to comply with federal tax and securities laws including Rule 15c2-12 of the Securities  
78 and Exchange Commission (the "SEC Rule") and to execute and deliver a Continuing Disclosure  
79 Certificate in connection with the Refunding Bonds in the form as shall be deemed advisable by  
80 the Director of Finance and the Mayor in order to comply with the SEC Rule. The City hereby  
81 covenants and agrees that it will comply with and carry out all of the provisions of the  
82 Continuing Disclosure Certificate, as it may be amended from time to time. Notwithstanding  
83 any other provision of this loan order or the Refunding Bonds, failure of the City to comply with  
84 the Continuing Disclosure Certificate shall not be considered an event of default; however, any  
85 bondholder may take such actions as may be necessary and appropriate, including seeking  
86 mandate or specific performance by court order, to cause the City to comply with its obligations  
87 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

## INSPECTIONS FOR APRIL 2015

## Inspector Doug Smith

24 ANGELA AVENUE	JUNK - DEBRIS
45 FRANKLIN AVENUE	FLOORING-WINDOW
241 KNOLLWOOD AVENUE	PAINT
231 MAIN STREET	JUNK - DEBRIS
31 PAVILION COURT	PAINT
75 RANDALL STREET	PAINT
1 REGAL WAY	PAINT

## Inspector Jim Holt

123 Bluff Ave	debris
1776 Broad St	litter
196 Calaman Rd	reinspect
198 Chestnut Ave	photos/debris
122 Chestnut Hill Ave	reinspect
125 East st	inspect
15 Elliot rd	debris
16 Flynn	water
56-58 Hathaway	illeg apt.
96 Lawnacre	unregistered veh
66 Lawnacre	unregistered veh
21 Lexington	reinspect
137 Lexington av	rats
46 Marden st	work w/o permits
114 Marion	debris
245 Narragansett st	reinspect
307 Narragansett st	debris
50 Oakland	work w/o permits
289 Orchard st	exterior paint
662 Park av	interior
934 Park ave	debris

133 Pawtuxet av  
 92 Perkins ave  
 1024 Pontiac  
 243 Poplar dr  
 35 Rolfe sq  
 88 Rolfe sq  
 328 Smith st  
 92 Third  
 101 Wentworth  
 92 Wentworth  
 134 Wheeler  
 229 Woodbine

unregistered veh  
 abandoned property  
 unregistered veh  
 monitor  
 debris  
 debris  
 reinspect  
 abandoned property  
 debris  
 reinspect  
 dog feces  
 reinspect

**Code Compliance Officer Sharon Cavalloro**

124 Chandler St  
 1251 Cranston St  
 1257 Cranston St  
 1261 Cranston St  
 66 Elmhurst  
 1650 Elmwood Ave  
 11 Forest Ave  
 88 Harris Ave  
 39 Hornbeam Dr  
 450 Laurel Hill Ave  
 21-23 McCabe St  
 690 Oaklawn Ave  
 811 Park Ave  
 540 Reservoir Ave  
 63 Tucker St

reinspection  
 debris reinspected  
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5-15-01

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THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 10, CHAPTER 32 OF THE CODE OF THE CITY  
OF CRANSTON, 2005, ENTITLED "MOTOR VEHICLES AND TRAFFIC"  
(Stop Horizon Drive at Comstock Parkway)

No.

*Passed:*

\_\_\_\_\_  
John E. Lanni, Jr., Council President

*Approved:*

\_\_\_\_\_  
Allan W. Fung, Mayor

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

**Section 1.** Chapter 10.32, Section .020 entitled " Stop Intersections-Enumerated"  
is hereby amended by adding thereto the following:

Horizon Drive at its intersection with Comstock Parkway

**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 Aceto  
Referred to Ordinance Committee June 11, 2015

5-15-02

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THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF TITLE 3 OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED "REVENUE AND FINANCE"  
(Tax Exemption Elderly and Disabled)

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 3, Chapter 3.20 entitled REAL PROPERTY TAX EXEMPTION FOR ELDERLY OR DISABLED, is hereby amended to read as follows:

**3.20.040 - Filing application—Proof of right of exemption.**

No person shall be entitled to any exemption herein authorized without first filing an application with the tax assessor on forms furnished by the assessor. Each application shall be sworn to by the applicant or applicants under penalty of perjury. Proof of age, ownership, occupancy and legal domicile shall be furnished in the following manner:

- A. Proof of Age. Age may be proven by furnishing to the assessor either a birth certificate, certificate of citizenship, baptismal certificate, affidavit of a third party or by such other means as may be approved by the assessor.
- B. Ownership. Ownership may be established by furnishing the tax assessor with the date of purchase and land record citation of same by the applicant of the residential property involved.

5-15-02

- 42 C. Occupancy. Occupancy of the residential property may be proven by
- 43 incorporating such fact in the sworn application for exemption.
- 44
- 45 D. Legal Domicile. Legal domicile may be established by the production of
- 46 a license to operate a motor vehicle or a registration certificate, or by
- 47 such other means as the assessor may reasonably require.
- 48
- 49 E. Other Forms of Proof. An applicant may provide proof of right to
- 50 exemption, if the above specified methods are not available to him or her
- 51 by furnishing military records, passports, certificate of citizenship or by
- 52 such other evidence of proof as may be required by the assessor. **Tax**
- 53 **assessor shall require upon initial application and annually**
- 54 **thereafter, sworn affidavits as age, ownership, occupancy, domicile,**
- 55 **and vehicle registration supported by such further evidence and**
- 56 **documents as he or she feels is necessary to evidence eligibility or**
- 57 **continued eligibility for the freeze.**
- 58
- 59 F. Proof of Vehicle Registration. Every applicant shall provide proof that
- 60 they have a motor vehicle registered at the Cranston address or shall
- 61 submit an affidavit stating that the elderly persons at the residence do not
- 62 own a car.

63  
64 Section 2. This Ordinance shall take effect upon its final adoption.

65	66 Positive Endorsement	66 Negative Endorsement (attach reasons)
----	-------------------------	--

67	68	69	69
70	_____ Christopher Rawson, City Solicitor	Date	_____ Christopher Rawson, City Solicitor
71			Date

72 Sponsored by: Councilman Stycos

73  
74 Referred to Finance Committee June 11, 2015

-MAY 26, 2015-

**Claims:**

- Property damage claim of Metaxia Capraro from alleged incident on 1/27/2015.
- Property damage claim of Carol Ann Greco from alleged incident on 3/2015.
- Property damage claim of Eileen Botelho from alleged incident on 3/3/2015.
- Property damage claim of Anthony Bucci from alleged incident on 3/10/2015.
- Property damage claim of Kerran Ascoli from alleged incident on 3/27/2015.
- Property damage claim of Kaitlyn T. Sevigny from alleged incident on 3/28/2015.
- Property damage claim of Daniel St. Pierre from alleged incident on 4/4/2015.
- Property damage claim of Alice H. Small from alleged incident on 4/5/2015.
- Property damage claim of Diane Mitrelis from alleged incident on 4/11/2015.
- Property damage claim of Simone Fargiorgio from alleged incident on 4/12/2015.
- Property damage claim of Rowland A. Hinds from alleged incident on 4/13/2015.
- Property damage claim of Frank Pettinato from alleged incident on 4/13/2015.
- Property damage claim of Giuseppina Petrella from alleged incident on 4/20/2015.
- Property damage claim of Carlos Shaljian from alleged incident on 4/25/2015.
- Property damage claim of Mark Ryan from alleged incident on 4/28/2015.
- Property damage claim of Lyn Smith from alleged incident on 4/29/2015.
- \*Property damage claim of Joseph Oakes from alleged incident on week of 4/1/2015.
- \*Property damage claim of Briana Kearns from alleged incident on 3/12/2015.
- \*Property damage claim of Robert E. Burns from alleged incident on 5/19/2015.

City Clerk indicated that the Resolution regarding "Complete Streets" was voted on and adopted earlier in the meeting.

On motion by Councilman Farina, seconded by Councilman Stycos, 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,

**XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK**

**RIDOT – Surplus State Land offer: Plat 1361/Parcel 5: Intersection Reservoir/Budlong**  
[\[click to view\]](#)

**Councilman Aceto** asked if the City has looked at this or is there an advantage for the City to buy this property.

**Council President Lanni** asked that this item be placed on the next Public Works Committee agenda.

The meeting adjourned at 8:50 P.M.



Maria Medeiros Wall, JD  
 City Clerk



Rosalba Zanni  
 Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist)



Department of Transportation  
Division of Highway and Bridge Maintenance  
360 Lincoln Avenue  
Warwick, RI 02888

RECEIVED  
MAY 20 AM 10:41  
CRANSTON  
CITY CLERK

May 15, 2015

Ms. Maria Wall  
City Clerk  
City of Cranston  
869 Park Avenue  
Cranston, Rhode Island 02910

**Certified Mail**  
91-7108-2133-3934-8163-3731

Subject: DISPOSITION OF SURPLUS STATE LAND  
Plat 1361/Parcel 5; Approximately 7,222± Square Feet  
Location: Adjacent to 1301 Reservoir Avenue, Cranston

Dear Ms. Wall:

On July 9, 1963, the Department of Transportation acquired land (State Condemnation Plat 1361, Parcel 5) in Cranston for State highway purposes. Upon completion of the project a parcel of land containing approximately 7,222 ± square feet became surplus to highway needs and is now available for sale. A request to purchase this excess land (see parcel indicated in red on enclosed map) has been received by this office.

Title 37, Chapter 7, Section 3 of the General Laws of Rhode Island, 1956, as amended, mandates that the City in which the parcel is located has second pre-emptive rights to repurchase that parcel if acquired by the State via condemnation and if former owners do not re-purchase the parcel.

Accordingly, said land is hereby offered to the City of Cranston, subject to the approval of the State Properties Committee, and subject to suitable restrictions, for a market value of \$12 (Twelve Dollars) per square foot or \$86,700 (Eighty-Six Thousand Seven Hundred Dollars) for approximately 7,222 (Seven Thousand Two Hundred Twenty-Two) square feet adjacent to 1301 Reservoir Avenue, Cranston.

The suitable restrictions mentioned above are as follow:

1. No billboard, sign, or other outdoor advertising devices shall be erected upon said parcel of land other than those indicating ownership and type of activity being conducted on premises and shall be subject to reasonable restrictions with respect to number, size location, and design by regulation of the Department of Transportation and/or Federal Highway Administration and subject to local zoning ordinances.
2. Any public utilities or municipalities having facilities under, over, or through the parcel of land herein conveyed as of the date of these presents shall have the right and easement to continue to maintain, operate, and renew their facilities within the premises herein described.

Ms. Wall  
May 15, 2015  
Page 2

3. The Grantee will indemnify, save harmless and defend the Grantor or Its Department of Transportation from any claims or claims arising from the discovery, uncovering, finding, transportation, storage, and disposal of any oil, hazardous material, hazardous waste or hazardous substance, as those terms are defined by any applicable law or regulation, including, without limitation, the Rhode Island Hazardous Waste Management Corporation Act, R.I.G.L. 23-19-1 et seq. the Rhode Island Hazardous Substance Act, R.I.G.L. 23-24-1 et seq., the Rhode Island Rules and Regulations for Hazardous Waste Generation, Transportation, Treatment, Storage and Disposal, the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. 9601 et seq. and the Resources Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., on beneath, above or under the parcel herein conveyed attributable to the Grantee subsequent to the date of this conveyance arising under Rhode Island General Laws, Sections 23-19-1 through 23-19-27, inclusive, as amended or otherwise.

Enclosed is a copy of the Purchase and Sales Agreement which, if this offer is accepted by the City of Cranston, must be executed by the City. In addition, enclosed is a copy of the Bargain and Sale Deed which will be delivered at the Closing.

Failure by the City of Cranston to accept this offer with thirty (30) days of the date of this letter will be deemed to be a waiver of any right it has to acquire said land.

It is the purchaser's responsibility to hire an engineer to prepare the conveyance plat map and a metes and bounds description which must meet RIDOT specifications. The City of Cranston will also be required to record the deed and the plat map at the Cranston City Hall. The City of Cranston will also be responsible for all subdivision requirements of the City of Cranston.

No use or enjoyment of the property by the City of Cranston until it is conveyed to the City of Cranston is hereby implied or authorized.

Should you have any questions, please do not hesitate to contact Eve Bernardo, of my staff, at 734-4884.

Thank you for your cooperation in this matter.

Sincerely,



Paul T. Carcieri, Ph.D.  
Chief Real Estate Specialist

Enclosure

PTC/eva

Cc: Joseph Baker, P.E., Ann Hollands, MAI, Eva Bernardo, File

