

*(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

**-DECEMBER 19, 2016-**

Regular meeting of the City Council was held on Monday, December 19, 2016 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:00 P.M. by the Council President.

Roll call showed the following members present: 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/Acting Personnel Director; Jeffrey Barone, Director of Constituent Affairs; J. Patrick O'Neill, Assistant City Solicitor; Robert Strom, Director of Finance; Anthony Moretti, City Council Internal Auditor; Patrick Quinlan, City Council Legal Counsel.

On motion by Councilman Aceto, seconded by Councilman Farina, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed on a vote of 9-0. The following being recorded as voting "aye": 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

None.

### II. PUBLIC HEARINGS

(limited to docketed matters)

**Senator Frank Lombardi**, 25 Briarbrook Lane, appeared to speak on behalf of the General Assembly to congratulate all members of the Council who were re-elected. He also recognized Councilmen Aceto and Santamaria for their service on the Council and presented Citations on behalf of the Senate and General Assembly. He also recognized Councilman Botts and stated that his Citation is being mailed to him.

**III. RESOLUTIONS**

**RESOLUTION URGING THE RHODE ISLAND GENERAL ASSEMBLY TO AMEND THE GENERAL LAWS ON HATE CRIMES TO INCLUDE HATE CRIMES COMMITTED AGAINST AN INDIVIDUAL BASED UPON POLITICAL AFFILIATION**

**Council Majority Leader Archetto** stated that he is withdrawing this Resolution for further studies and will be resubmitted in 2017.

**IV. REPORT OF COMMITTEE**

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

**RESOLUTION IN OPPOSITION TO CLEAR RIVER ENERGY CENTER POWER PLANT IN BURRILLVILLE**

On motion by Councilman Farina, seconded by Councilman Aceto, it was voted to amend this Resolution as follows: line 51, after "RI", add "the Cranston Conservation Commission". 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 Stycos, seconded by Councilman Aceto, it was voted to further amend this Resolution as follows: line 66, add another paragraph to state: "A copy of this Resolution to be sent to the Governor and members of the Energy Siting Board in Woonsocket and the Burrillville Town Council". 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 Stycos, seconded by Councilman Aceto, the above Resolution was adopted as amended 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.

***UPDATE FROM ADMINISTRATION REGARDING SIDEWALK GRINDING PROGRAM*** – Councilman Stycos.

**Mr. Barone** stated that he spoke to Mr. Mason, Public Works Director and Mr. Coupe, Director of Administration and at this point, it was decided to hold off on this program because the sidewalks in question would be very limited.

**Councilman Stycos** indicated that the City of Needham has this type of program and he asked that Cranston check into that. Mr. Barone stated that he will bring this to the attention of the Public Works Director.

**MONTHLY STATUS UPDATE ON SCHOOL PROJECTS** (Referred from 4/7/2016 Finance Budget Hearing)

**Councilman Aceto** stated that this Wednesday the solar panel was turned on at Cranston High School West.

**-DECEMBER 19, 2016-****11-16-02      ORDINANCE IN AMENDMENT OF TITLE 8.12 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'GARBAGE COLLECTION AND DISPOSAL' (Wastehauler Fines)**

On motion by Councilman Aceto, seconded by Councilman Paplauskas, 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.

**ORDINANCE COMMITTEE**  
(Councilman Paul H. Archetto, Chair)

**8-16-01      ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Change of Zone – 1353 Park Ave.)**

On motion by Councilman Stycos, 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.

**9-16-02      ORDINANCE AMENDING CHAPTER 10.12.270 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ONE-WAY TRAFFIC ON CERTAIN STREETS BETWEEN CERTAIN HOURS'**

On motion by Councilman Farina, seconded by Councilman Aceto, 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.

**11-16-03      ORDINANCE IN AMENDMENT OF CHAPTER 10.32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC' (Fordson Ave. & Greenway)**

On motion by Councilman Farina, seconded by Councilman Aceto, 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.

**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 8-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -8. Council Majority Leader Archetto was not present for roll call vote.

**-DECEMBER 19, 2016-****RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS**

On motion by Councilman Farina, seconded by Councilman Aceto, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting "aye": Councilmen Farina, Stycos, Botts, Aceto, Paplauskas, Council Minority Leader Favicchio, Council Vice-President Santamaria and Council President Lanni -8. Council Majority Leader Archetto was not present for roll call vote.

**TAX INTEREST WAIVER APPROVALS**

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

**TAX INTEREST WAIVER DENIALS**

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

**11-16-01      ORDINANCE RATIFYING SCHOOL COMMITTEE'S AMENDMENT  
OF THE COLLECTIVE BARGAINING AGREEMENT WITH THE  
NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES,  
LOCAL RI-153 (Custodians 2014-2017 CBA Amendment)**

On motion by Councilman Farina, seconded by Councilman Aceto, 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.

**ANNUAL CITY FISCAL AUDIT FYE 2016 FISCAL AUDIT BY MARCUM LLP**

On motion by Councilman Farina, seconded by Councilman Paplauskas, it was voted to approve the annual audit for fiscal year ending 2016. 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*): Anthony Lucca \$247.08 vehicle damage; Riverwood Health Services \$550.46 vehicle damage; Anne Mooradian \$202.58 vehicle damage; Kevin Santos \$300.00 vehicle damage.**

No action needed.

**V.      PUBLIC HEARINGS**

None.

**-DECEMBER 19, 2016-**

The meeting recessed at 7:30 p.m. in order to have Council photo taken.  
The meeting reconvened at 7:50 p.m.

**VI. ELECTION OF CITY OFFICIALS****ZONING BOARD OF REVIEW:**

- **APPOINTMENT OF JOSH CATONE AS 4<sup>TH</sup> ALTERNATE MEMBER**

On motion by Councilman Aceto, seconded by Council Vice-President Santamaria, it was voted to appoint Josh Catone as a member of the *Zoning Board of Review*. 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.

**Council President Lanni** presented plaque to Council Vice-President Santamaria and Councilman Aceto.

**Council Minority Leader Favicchio** presented plaque to Councilman Botts.

**Council Vice-President Santamaria** presented plaque to Council President Lanni as outgoing Council President.

**VII. REPORT OF CITY OFFICERS**

None.

**VIII. EXECUTIVE COMMUNICATIONS****REPORT ON HIRING OF SPECIAL COUNSEL, CONSULTANTS, ETC., PURSUANT TO CHARTER SECTION**

**Mr. Coupe** presented legal fees.

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

- **DEPUTY CHIEF JAMES BECKMAN**

**Mr. Coupe** appeared to speak.

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

- **CAPTAIN THOMAS FREDERICKS**

**Mr. Coupe** appeared to speak.

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.

**IX. COUNCIL PRESIDENT COMMUNICATIONS**

• **ADMINISTRATION REPORT ON SALE OF THE ICE RINK**

**Mr. Coupe** stated that discussions continue between the City and the bidders. There has been an appraisal done and it has been reviewed and recommendation was made to the Tax Assessor.

**X. COUNCIL MEMBER COMMUNICATIONS**

**COUNCILMAN STYCOS:**

- *Explanation from Administration regarding outside legal counsel fees from issue from Zoning Board of Review matter.*

No discussion.

- *Conversion of Beachmont Field tennis courts to dog park*

**Mr. Coupe** stated that he spoke to Mr. Liberatore, Parks and Recreation Director and Mr. Barone, Director of Constituent Affairs and it is possible to do this. There were questions if this is the right size and the right place to do it. He also stated that more information is needed and there is no money in the Parks and Recreation budget to do this so we would need a budget source to do this.

**Councilman Stycos** questioned if Public Works could do the asphalt work. Mr. Coupe stated that it is possible, but the problem is you would have to put a new fence up.

**Councilman Botts** stated that the east side of East Providence has a dog park. He suggested that the City look into their dog park. He also suggested looking at the property near where the concrete plant was going to go. There is a clearing for carving out paths. He urged the incoming Council to try to get a dog park in the City and he would be willing to help out any way he can.

- *Sidewalk grinding program*

Discussed earlier in the meeting.

**COUNCIL VICE-PRESIDENT SANTAMARIA:**

- *Administration report on Partridge, Snow and Hahn legal fees for ACLU Redistricting Plan lawsuit*

**Solicitor Rawson** stated that our last bill was in October and the matter is now closed.

**Council Majority Leader Archetto** thanked the Administration for a great job in plowing during the last snow storm. He thanked Council President Lanni for serving for the last sixteen years and stated that he looks forward to serving with him in the next two years. He also thanked Council Vice-President Santamaria, Councilmen Botts and Aceto for their service on the City Council. He also thanked Mr. Moretti for serving as Council Internal Auditor.

**Councilman Farina** thanked Councilmen Aceto, Botts and Council Vice-President Santamaria for serving on the City Council and wished them well in their future endeavors. He also thanked Council President Lanni for serving as Council President with honor and dedication and stated that he looks forward to 2017.

**-DECEMBER 19, 2016-**

**Council Vice-President Santamaria** thanked Councilman Botts and thanked him for serving on the Council and it was a pleasure working with him. He also thanked Councilman Aceto and wished him well. He thanked Councilmen Favicchio, Paplauskas, Archetto, Farina and Stycos for their service on the City Council and it was a pleasure working with them all.

**Council Minority Leader Favicchio** stated that he has received more complaints regarding parking on Poplar Drive. Mr. Barone asked Council Minority Leader Favicchio to email him the information and he will refer it to the Police Department.

**Council Minority Leader Favicchio** thanked all the outgoing Council members and returning members for serving on the City Council. He also thanked Mr. Moretti for his service.

**Councilman Paplauskas** thanked all the outgoing Council members and returning members for their service.

**Councilman Stycos** thanked all the outgoing Council members and returning members for their service.

**Council President Lanni** acknowledged Mr. Quinlan for all his work and dedication to the City of Cranston and the City Council and the Council Solicitor.

**XI. OLD BUSINESS**

None.

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

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

- 12-16-01      **ORDINANCE IN AMENDMENT OF CH. 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Establishing Garden City Center Development District). Referred to Ordinance Committee February 16, 2017.**
- 12-16-02      **ORDINANCE IN AMENDMENT OF CH. 10.40.070 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'SOLICITATION ON ROADWAYS PROHIBITED' (Prohibition against distribution to and receiving from occupants of motor vehicles). Referred to Ordinance Committee January 12, 2017.**

**CLAIMS:**

- **Property Damage Claim:**
  - **Claim of Lori Zulla from alleged incident on November 1, 2016.**
  - **Claim of Luis Dias from alleged incident on November 19, 2016.**
- **Personal Injury Claim:**
  - **Claim of David Lineham from alleged incident on July 7, 2014.**

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

**-DECEMBER 19, 2016-**

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

**MUNICIPAL COURT 2017 SCHEDULE FOR APPROVAL**

On motion by Councilman Farina, seconded by Councilman Paplauskas, it was voted to continue this item since we do not know who the Judges will be for the next two years.

Under Discussion:

**Solicitor Rawson** stated that this is just a docket of the Court sessions. There are no Judges assigned to each session.

Motion and second were withdrawn.

On motion by Councilman Farina, seconded by Councilman Paplauskas, it was voted to approve the above schedule. 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.

The meeting adjourned at 8:30 P.M.



Rosalba Zanni  
Assistant City Clerk/Clerk of Committee

(See Stenographic Notes of Ron Ronzio, Stenotypist)

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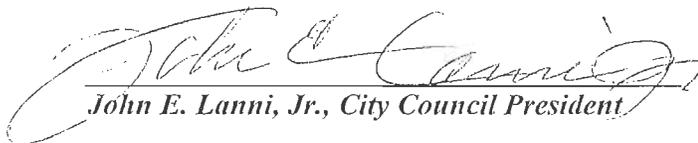
THE CITY OF CRANSTON

**RESOLUTION OF THE CITY COUNCIL  
IN OPPOSITION TO THE CLEAR ENERGY CENTER POWER  
PLANT IN BURRILLVILLE, RHODE ISLAND**

\*As amended by City Council 12/19/16 No. 2016-53

*Passed:*

December 19, 2016



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

*Resolved that,*

WHEREAS, on October 29, 2015 Invenergy Thermal Development LLC filed an application to construct the Clear River Energy Center Power Plant in Burrillville, RI with the Rhode Island Energy Facility Siting Board (EFSB); and

WHEREAS, the town of Burrillville filed 18 requests to Invenergy to identify a water source needed for cooling the plant (which could use up to one million gallons per day) and Invenergy has not yet named one; and

WHEREAS, John Marsland, President of the Blackstone River Watershed Council (BRWC) wrote that the "plant would threaten 25 years of restoration efforts and millions of dollars of investment by the state and nonprofits like the BRWC and Friends of the Blackstone;" and

WHEREAS, according to the Blackstone River Watershed Council "emissions from the power plant, in particular methane and carbon dioxide, would affect a 30-mile area in the northwest corner of Rhode Island;" and

WHEREAS, particulate matter would "diminish air quality, local rivers and watersheds would be stressed, additional deliveries of chemicals by large commercial vehicles would put residents at risk, noise pollution would increase and the biodiversity impacts and loss of wildlife habitats within the shared watershed would harm the regional environment" according to Burrillville Conservation Chairman Kevin Cleary; and

WHEREAS, the Burrillville power plant would prevent Rhode Island from meeting a reduction in greenhouse gas emissions set by the 2014 Resilient Rhode Island Act; and

46 WHEREAS, engineering firm Fuss & O'Neill advised that potential negative air  
47 quality and groundwater impacts are not worth any possible benefits from the power  
48 plant; and  
49

50 WHEREAS, numerous nonpartisan environmental groups, including the  
51 Environmental Council of RI, the Conservation Law Foundation, the Audubon Society of  
52 RI, the Nature Conservancy, **\*the Cranston Conservation Commission**, the Burrillville  
53 Land Trust, and the Blackstone River Watershed Council, along with the Blackstone  
54 Valley Tourism Council, the Town Council of Glocester, the Middletown Town Council,  
55 the North Smithfield Town Council, and most recently the Lincoln Town Council have  
56 opposed the proposed Burrillville Power Plant; and  
57

58 WHEREAS, the Cranston City Council has major concerns about the potentially  
59 catastrophic environmental, economic, and health impacts the Clear River Energy Center  
60 would have on Burrillville and the entire State of Rhode Island.  
61

62 NOW, THEREFORE, BE IT RESOLVED that we, the City Council of the City of  
63 Cranston, do hereby oppose the siting of the Clear River Energy Center in Burrillville,  
64 Rhode Island.  
65

66 **\*A copy of this Resolution to be sent to the Governor and members of the**  
67 **Energy Siting Board in Woonsocket and the Burrillville Town Council.**  
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71 Sponsored by Councilman Stycos

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73 Referred to Public Works Committee November 14, 2016

## **Cranston School Buildings Committee**

City of Cranston  
869 Park Avenue Cranston, Rhode Island 02910

MEETING PLACE: Briggs Building Conference Room  
MEETING DATE: Wednesday: November 16, 2016  
MEETING TIME: 5:15 PM

### **AGENDA**

1. Meeting call to order
2. Minutes of previous meeting
3. Public Comment

### **Old Business and Progress reports**

4. Renovation Bonds – Update
  - Projected 2017 Project Estimates
5. Edgewood HVAC  
Project Update
6. Stone Hill/Glenn Hills/Woodridge/Rhodes Fire System  
Project Update
7. Cranston High School West Roof  
Project Update

### **Other Business**

Next Meeting: December 7, 2016

Meeting Adjournment

11-16-02

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THE CITY OF CRANSTON

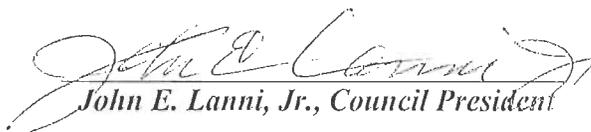
**ORDINANCE OF THE CITY COUNCIL**

IN AMENDMENT OF TITLE 8.12 OF THE CODE OF THE CITY OF CRANSTON,  
2005, ENTITLED "GARBAGE COLLECTION AND DISPOSAL"  
(Wastehauler Fines)

No. 2016-40

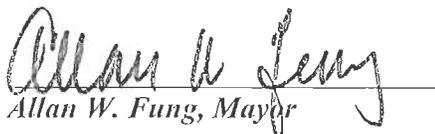
*Passed:*

December 19, 2016

  
John E. Lanni, Jr., Council President

*Approved:*

December 29, 2016

  
Allan W. Fung, Mayor

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

**Section 1.** Title 8 Chapter 8.12.020 entitled "Refuse Pickup hours", is hereby amended as follows:

**8.12.020 - Refuse pickup hours.**

A. No person shall pick up or remove, nor shall any person cause or allow to be picked up or removed, any refuse, rubbish or trash from any commercial or industrial establishment between the hours of 10:00 p.m. and 7:00 a.m.

B. Any person, partnership, or corporation who shall violate any of the provisions of this chapter or fails to comply with any of the requirements thereof, upon conviction thereof, shall be fined not more than [~~one hundred dollars (\$100.00)~~] two hundred dollars (\$200.00) for each such offense, and violation shall exist shall each day such be deemed a separate offense].

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: Councilmen Paplauskas, Botts, and Council Vice President Santamaria

Referred to Public Works Committee December 5, 2016



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08-16-01

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 -1353 Park Avenue)

\*Amended by City Council 12/19/2016 No. 2016-41

*Passed:*  
December 19, 2016

John E. Lanni, Jr., Council President

*Approved:*  
December 29, 2016

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 M-1 Zoning District, Lot No. 3559, Zoning Plat No. 11-1, and Lot No. 207 (Portion) Zoning Plat No. 8-2, located at 1353 Park Avenue located north of Park Avenue and west of Budlong Road.

And by adding thereto the following:

C-3 Zoning District, Lot No. 3559 on Zoning Plat No. 11-1, and Portion of Lot No. 207 Zoning Plat No. 8-2, see attached metes and bounds, located at 1353 Park Avenue located north of Park Avenue and west of Budlong Road **and to further grant relief from Section 17.48.010 (C) for this site by allowing minimum setback from the street right of way of fourteen (14) feet for the site's existing canopy and its extension ."**

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

Positive Endorsement:

Negative Endorsement: (Attach reasons)

Christopher Rawson, City Solicitor Date 12/19/16

Christopher Rawson, City Solicitor Date

Referred to: Ordinance Committee, September 15, 2016

Petition filed by Asad Ali LLC



201612300156200 Bk:LR5352 Pg: 249  
 RECORDED Cranston,RI 2/5  
 12/30/2016 08:56:27 AM ZONE CHG ORD

Page 1 of 1



**DiPrete Engineering**

7/26/2016

**Metes and Bounds Description**  
**1353 Park Avenue, A.P. 11-1, Lot 3559**  
**Cranston, Rhode Island**

That certain parcel of land, with all buildings and improvements, situated northerly of Park Avenue and westerly of Dyer Avenue in the City of Cranston, Providence County, the State of Rhode Island and shown as AP 11-1, Lot 3559 on that plan entitled *Existing Conditions Survey 1353 Park Avenue Cranston, Rhode Island, client Bestway Co, by DiPrete Engineering, Scale: 1"=20', Sheet 1 of 1, revised 1/14/16* and being more particularly described as follows:

Beginning at a point on the northerly street line of Park Avenue, said point being located 26.45 feet right of centerline station 19+76.97 as depicted on Rhode Island Highway Plat Nos. 1117 & 2359, said point being the most southeasterly corner of land now or formerly Park Place Realty, LLC (AP 11-1, Lot 4062) and the most southwesterly corner of the herein described parcel;

thence North 09° 08' 10" West, bounded westerly by said Park Place Realty, LLC land, a distance of 98.55 feet;

thence the following two (2) courses bounded northerly by land now or formerly of Ciro Scotto Diucci & Maria Scott Diucci and Frank Lubrano & Josephine Lubrano (AP 11-1 Lot 748):

1. North 78° 25' 40" East, a distance of 190.83 feet;
2. South 70° 39' 00" East, a distance of 3.48 feet to the westerly line of Dyer Avenue;

thence the following two (2) courses along said westerly line of Dyer Avenue:

1. South 10° 38' 30" West, a distance of 69.00 feet;
2. South 20° 53' 37" West, a distance of 40.93 feet to said northerly line of Park Avenue;

thence the following two (2) courses along said northerly line of Park Avenue:

1. South 80° 47' 08" West, a distance of 73.28 feet;
2. South 77° 28' 11" West, a distance of 76.74 feet to the point of beginning.

The above described parcel contains 17,225 square feet (0.40 acres).

Allan W. Fung  
Mayor

Peter S. Lapolla  
Planning Director



201612300156200 Bk:LR5352 Pg:250  
RECORDED Cranston,RI 3/5  
12/30/2016 08:56:27 AM ZONE CHG ORD

Michael Smith  
Chairman

Ken Mason, P.E.  
Mark Motte  
Gene Nadeau  
Robert Strom  
Frederick Vincent  
Lynne Harrington  
Kimberly Bittner  
Jennifer Lepre

**CITY PLAN COMMISSION**  
Cranston City Hall  
869 Park Avenue, Cranston, RI 02910

October 5, 2016

Council President Lanni  
Cranston City Hall  
869 Park Avenue  
Cranston, RI 02910

**RE: Ordinance #08-16-01** - In amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone – 1353 Park Avenue) – M-1 to C-3

Dear Council President Lanni:

On October 4, 2016, the above referenced ordinance was reviewed by the City Plan Commission for the purpose of providing the Council with an advisory recommendation, as required by Section 45-24-52 of the Rhode Island General Laws and Section 17.120.030 of the Cranston Zoning Code.

I. PROPOSAL/ANALYSIS

A. Change in Zoning Designation

Ordinance 08-16-01 proposes to change the zoning classification for a parcel of land identified as Assessors Plat 11 Lot 3559 [Zoning Map Plat 11 Lot 3559 and a portion of Zoning Map Plat 8 Lot 207] located at 1353 Park Avenue from M-1 Restricted Industry and to C-3 General Business. The site consists of 17,642 SF and its current use is classified as a Fuel Station Minimart. The property is located at the intersection of Park Avenue and Dyer Avenue. It is bounded by commercial uses to the west, south and north, vacant land to the east. The Site is owned by Asad Ali LLC who proposes the rezone to reflect the current use on site, to aid in a proposed upgrade of the existing use and to make the site consistent with the Future Land Use Plan of the City's Comprehensive Plan.

The site is currently zoned M-1 Restricted Industry which is not consistent with the Future Land Use Plan. The Future Land Use Plan of the 2010 Compressive Plan designates the site as Neighborhood Commercial and Services [Land Use Classification]. The Land Use Element of the 2010 Comprehensive Plan indicates that for Neighborhood Commercial and Services the appropriate zoning would be C-1, C-2 and C-3. Therefore the proposed rezone to C-3 General Business will be consistent with the Comprehensive Plan.

Appendix A-Zoning Consistency Analysis of the 2010 Compressive Plan has identified Assessors Plat 11 Lot 3559 as being inconsistent with the Future Land Use Plan and has proposed a zoning classification of C-3.

LU-24 of the Land Use Plan Action Program of the Land Use Element of the 2010 Comprehensive Plan requires the City to "Amend Zoning Map and Zoning Ordinance to eliminate inconsistencies between the Future Land Use Map and Zoning."

Section 17,120-"Power of the City Council to adopt-Consistency with the Comprehensive Plan" of the City Code of Ordinances states:

'For the purpose of promoting the public health, safety, morals and general welfare of the City, the City Council may adopt, amend or repeal and provide for the administration, interpretation and enforcement of this chapter or any part thereof. The provisions of a zoning ordinance shall be set forth in text and map(s) and may incorporate charts or other material. The zoning ordinance and all amendments thereto, shall be consistent with the City's Comprehensive Plan, as described in Rhode Island General Laws Section 22-2 and shall provide for the implementation of the City's Comprehensive Plan.'

B. Relief from Section 17.49.010.C.



201612300156200 Bk:LR5352 Pg:251  
 RECORDED Cranston, RI 4/5  
 12/30/2016 08:56:27 AM ZONE CHG ORD

Plan Commission Recommendation  
 Ordinance #08-16-01

October 5, 2016  
 Page 2

In addition to the proposed change in zoning classification, the applicant is seeking to amend the setback requirements set by Section 17.49.010.C of the City's Code of Ordinances. Said section states "Setbacks. Every structure erected for use as a gasoline service station shall have a minimum setback from the street right of way of forty (40) feet and a minimum setback from all property lines of ten (10) feet. Pump islands shall be permitted in front yard and set back a minimum of fifteen (15) feet from all property lines." As proposed, said section would state "Setbacks. Every structure erected for use as a gasoline service station shall have a minimum setback from the street right of way of fourteen (14) feet and a minimum setback from all property lines of ten (10) feet. Pump islands shall be permitted in front yard and set back a minimum of fifteen (15) feet from all property lines in order to accommodate an existing canopy and its extension." The Plan Commission would normally not support the creation of site specific density standards as part of a zone change. However, the site's existing canopy does not meet the 40' set back requirement and given the site's geometry it would not be possible to create compliance. In this particular instance, the Commission has suggested and would recommend the amended set back requirement because it does not seem logical to go through the rezoning process and then require a Zoning Board of Appeals action to legitimize an existing condition.

## II. FINDINGS

Cranston Comprehensive Plan 2010: The Future Land Use Plan of the 2010 Comprehensive Plan designates the site as Neighborhood Commercial and Services [Land Use Classification]. The Land Use Element of the Comprehensive Plan indicates that for Neighborhood Commercial and Services the appropriate zoning would be C-1, C-2 and C-3. In addition, a change in zoning to C-3 would be consistent the zoning classification proposed in Appendix A, Zoning Consistency Analysis, and with LU-24 of the Action Plan of the Land Use Element of the 2010 Comprehensive Plan. Therefore the proposed rezone to C-3 General Business will be consistent with the 2010 Comprehensive Plan.

Findings Under §17.04.010 City Code. Sec. 17.20.30 requires that the City Plan Commission as part of its recommendation to the City Council "Include a demonstration of recognition and consideration of each of the applicable purposes of zoning as presented in Section 17.04.010 of this title." Section 17.04.010 set forth the General Purpose for Title 17 of the City Code. The Commission notes that to the extent that any redevelopment of this site will be required to comply with Title 17, including Development Plan Review, and will be required to comply with City of Cranston Subdivision and Land Development Regulations, the Commission finds that the proposed rezone of the site to C-3 is consistent with the appropriate purposes detailed in §17.04.010.

## III. RECOMMENDATION

The Commission finds the proposed zone change to C-3 General Business is consistent with the 2010 Comprehensive Plan. The Commission further finds that, in this particular instance, the creating of this property's specific setback requirement would be appropriate. Therefore, upon motion made by Mr. Motte and seconded by Mr. Strom, the Commission voted (7/1- Ms. Harrington voted nay) to forward a positive recommendation and endorsement of Ordinance 08-16-01 to City's Ordinance Committee and the full City Council as it applies to this property.

Respectfully submitted,

Peter S. Lapolla  
 Director

OK - JT

CITY OF CRANSTON  
DEPARTMENT OF RECORDS - CITY CLERK'S OFFICE

APPLICATION FOR CHANGE OF ZONE



201612300156200 Bk:LR5352 Pg:252  
RECORDED Cranston, RI 5/5  
12/30/2016 08:56:27 AM ZONE CHG ORD

Name(s) and address(es) of owner(s) of property Asad Ali LLC  
P.O. Box 112  
Norwich, CT 06360-0126

Zoning Plat Number 11-1 Lot No.(s) 3559  
Zoning Plat Number 8-2 Lot No. 207 (Portion)  
Street Address or Location on Street 1353 Park Avenue  
Cranston, RI 02920

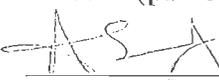
RECEIVED  
AUG 11 PM 3:02  
CRANSTON  
CITY CLERK

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

Present Zoning: M-1  
Zoning Requested: C-3  
Property to be used for: Bestway Gas Station

Date: 2/26/16

  
AHMED CHOUDHRY  
Owner (please print and sign)

Owner (please print and sign)  
  
ASAD AHMED CHOUDHRY  
Applicant (please print and sign)

Applicant (Please print and sign)

Reviewed and approved by Planning Dept: \_\_\_\_\_

*Pd #1, ans at filing 8/11/16 cl (m)*

09-16-02

CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF CHAPTER 10.12.270 OF THE CODE OF THE CITY OF  
CRANSTON, 2005, ENTITLED "ONE-WAY TRAFFIC ON CERTAIN STREETS  
BETWEEN CERTAIN HOURS" AND CHAPTER 10.12.270 "ONE WAY TRAFFIC ON  
CERTAIN STREETS BETWEEN CERTAIN HOURS"  
(Frances Avenue)

No. 2016-42

*Passed:*

December 19, 2016

  
John E. Lanni, Jr., Council President

*Approved:*

December 29, 2016

  
Allan W. Fung, Mayor

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

**Section 1.** Title 10.12.270 of the Code of the City of Cranston, entitled "One-way traffic on certain streets between certain hours" is hereby amended by deleting the following:

(H. Between the hours of 7:00 to 9:00 a.m. and 2:00 to 4:00 p.m. Monday through Friday vehicular traffic upon the following street shall move in the following specified direction: Frances Avenue, northerly from Fenner Street to Park Avenue.)

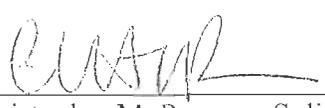
**Section 2.** Title 10.32.680 of the Code of the City of Cranston, entitled "Parking of vehicles with left-hand wheels to curb" is hereby amended by deleting the following:

(Frances Avenue, northerly from Fenner Street to Park Avenue.)

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

Positive Endorsement

Negative Endorsement (attach reasons)

 12/19/16  
Christopher M. Rawson, Solicitor Date

\_\_\_\_\_  
Christopher M. Rawson, Solicitor Date

Sponsored by: Allan W. Fung, Mayor

Referred to Ordinance Committee October 13, 2016

Allan W. Fung  
Mayor



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

## Bureau of Traffic Safety

### STAFF REPORT

Date: 10/6/16  
To: City Council  
From: Stephen Mulcahy, Traffic Engineer  
Ordinance Proposal No: 09-16-02  
Date referred to staff: 9/27/16  
CC: Wall; Zanni; Coupe; Lopez; Barone; Giarrusso

**Subject:** Section 1. Title 10.12.270 of the Code of the City of Cranston, entitled, "One-way traffic on certain streets between certain hours" is hereby amended by deleting the following:

(H. Between the hours of 7:00 to 9:00 a.m. and 2:00 to 4:00 p.m. Monday through Friday vehicular traffic upon the following street shall move in the following specified direction: Frances Avenue, northerly from Fenner Street to Park Avenue)

Section 2. Title 10.32.680 of the Code of the City of Cranston, entitled "Parking of vehicles with left-hand wheels to curb" is hereby amended by deleting the following:

(Frances Avenue, northerly from Fenner Street to Park Avenue.)

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

### BACKGROUND

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

### STAFF ANALYSIS

In June 2010, Saint Matthew Elementary School, located at 1291 Elmwood Avenue, ceased operation. Previous one-way traffic restrictions in effect at the rear of the school on Frances Avenue that once served to enhance student safety during the morning arrival and afternoon dismissal hours is no longer needed. Removal of the existing one-way restriction and the associated left wheel to curb provision will result in more efficient travel along the associated roadways. Furthermore, deletion of this unnecessary restriction will alleviate police enforcement demands.

FISCAL IMPACT

No material costs are associated with this effort. Labor by city forces.

RECOMMENDATION

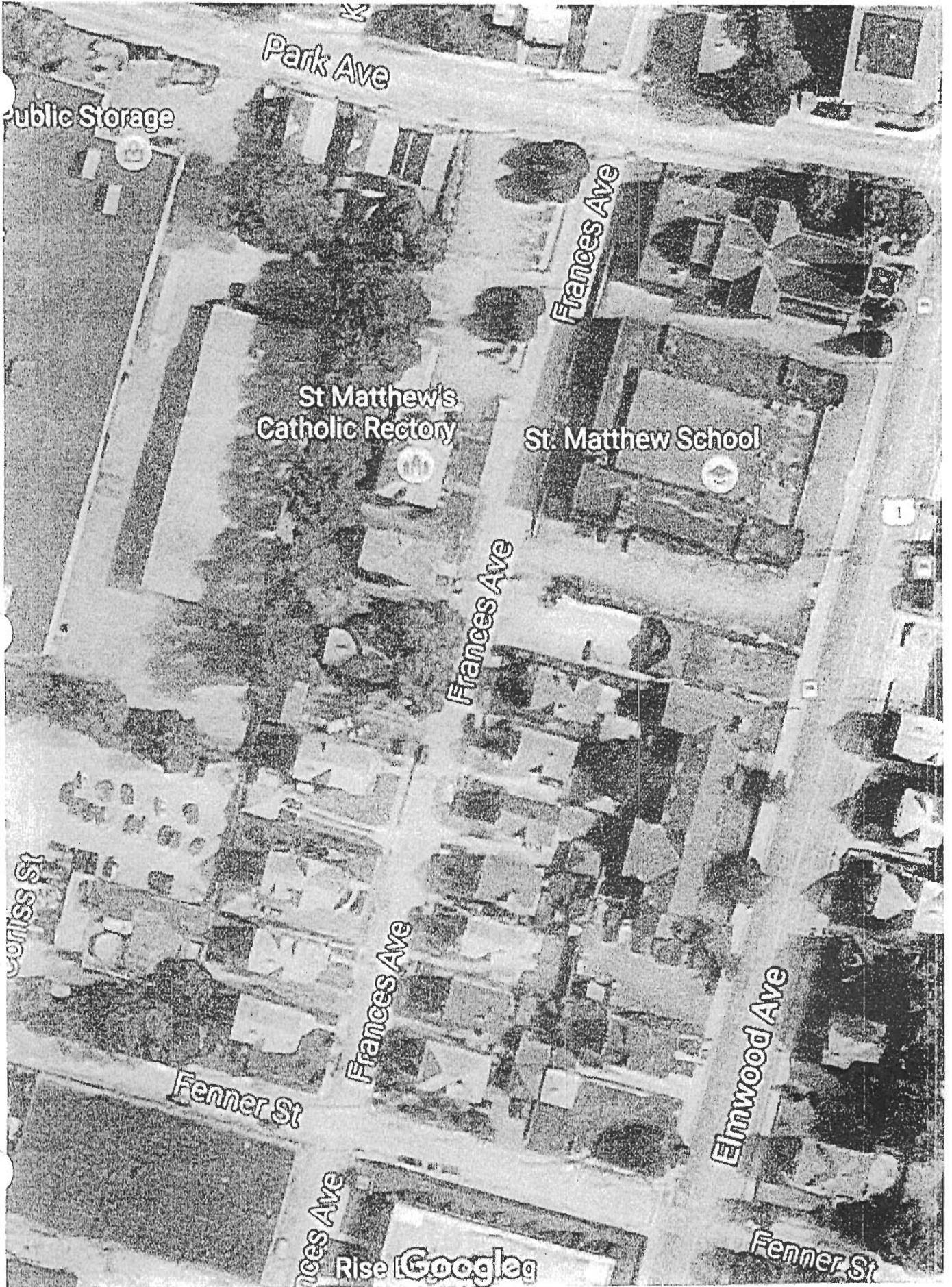
As the existing one-way restriction is now obsolete, sound engineering judgement guides staff to recommend approval of this ordinance.

ATTACHMENTS

See map.

Authorized Signature:

A handwritten signature in cursive script, appearing to read "Stephen Minkley". The signature is written in black ink and is positioned to the right of the "Authorized Signature:" label.



11-16-03

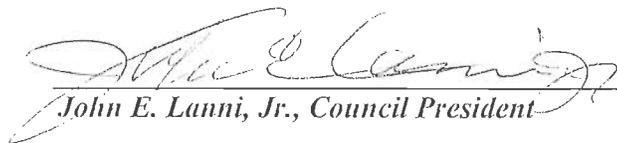
THE CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF CHAPTER 10.32 OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "MOTOR VEHICLES AND TRAFFIC"  
(Fordson Ave and Greenway)

No. 2016-43

*Passed:*

December 19, 2016

  
John E. Lanni, Jr., Council President

*Approved:*

December 29, 2016

  
Allan W. Fung, Mayor

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

SECTION 1. Ordinance No. 2016-21 which amended Title 10.32.020 of the Code of the City of Cranston, 2005, entitled "Stop[ Intersections Enumerated]" by adding:

Greenway at its intersection with Fordson Avenue  
Fordson Avenue, heading west only at its intersection with Greenway

And Title 10.32.030 of the Code of the City of Cranston, 2005 entitled "Multi-Way Stop Intersections Enumerated" by deleting the [Fordson Avenue and Greenway Street- 3 way stop]

is hereby repealed.

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 Botts

Referred to Ordinance Committee December 8, 2016

**Bureau of Traffic Safety**

# Memo

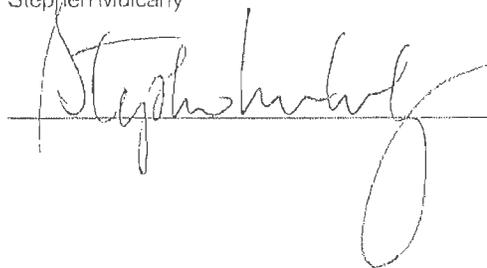
**To:** Rob Coupe, Director of Administration  
**From:** Stephen Mulcahy, Bureau of Traffic Safety  
**CC:** Kenneth Mason, Director of Public Works  
**Date:** 12/8/2016  
**Re:** Traffic ordinance proposal 11-16-03 (Fordson Ave & Greenway St.)

---

Director Coupe,

Please be advised that this office supports approval of pending traffic ordinance proposal **11-16-03** which seeks to repeal the recently approved **Ordinance No. 2016-21** for reasons stated in the Staff Report issued by this office on 8/3/16 relative to traffic ordinance proposal 6-16-02. The effect of such will restore the intersection of Fordson Avenue & Greenway Street to an ALL WAY STOP control.

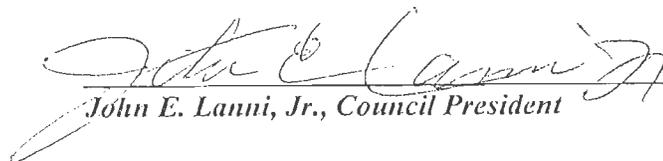
Stephen Mulcahy

A handwritten signature in black ink, appearing to read "Stephen Mulcahy", is written over a horizontal line. The signature is stylized and cursive.

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

No. 2016-54

*Passed:*  
December 19, 2016

  
*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



SALVATORE SACCOCCIO JR.  
CITY ASSESSOR

DAVID COLE  
DEPUTY ASSESSOR

DIVISION OF ASSESSMENT  
869 PARK AVE  
CRANSTON, RI 02910

MEMO

DATE: November 30, 2016

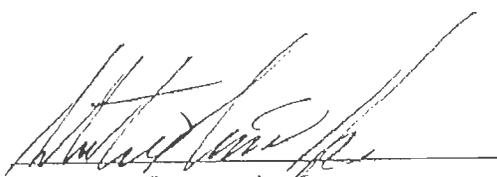
TO: His Honor the Mayor and the Honorable City Council

FROM: City Assessor

RE: Real Estate

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, 2014	15,481	347.55
December 31, 2015	<u>86,681</u>	<u>1,945.99</u>
Totals:	102,162	2,293.54

  
Salvatore Saccoccio, Jr.  
City Assessor

City of Cranston  
Council Assessment List

2015 Reassessment List

1 141186501 011-0500-000 0000000000 000-0000-000 0000000000 000-0000-000

Location 1969 CRANSTON ST  
MARGARET A KIRWANISH ELIZABETH  
JT  
1969 CRANSTON STREET  
CRANSTON RI 02922-0000

Location

Location

	Value	Tax	Original	Adjusted	Value	Tax	Original	Adjusted	Value	Tax
Original	127351	2559.91								
EXEMPTION CMT	19482	347.85								
Adjusted	11510	2512.35								

	Value	Tax	Accounts
Original	127351	2559.91	
Assessments	14481	347.85	on 1
Adjusted	11510	2512.35	

City of Cranston  
Council Assessment List

2016 Assessment List

1	143184501 011-060-000	2	202459001 005-255-000	000000000 000-0000-000
Location 1669 GRANSTON ST	Location 331 WOODBINE ST	Location 331 WOODBINE ST	Location	
WALTER A MINGOSH ELIASSTH	SOMCIO MICHAEL C & W/ LORA A	331 WOODBINE ST		
VT				
1669 GRANSTON STREET	CRANSTON RI 02910-0000			
CRANSTON RI 02910-0000				
Original Value : 32391	Original Value : 142400	Original Value : 3156.92	Original Value :	Value Tax
EXEMPTION SWIT : 18821	EXEMPTION SWIT : 71200	EXEMPTION SWIT : 1598.44	EXEMPTION SWIT :	
Adjusted : 13570	Adjusted : 71200	Adjusted : 1598.44	Adjusted :	
Value Tax				
Original : 289781				
Assessments : 6066.75				
Adjusted : 1815.95				
Adjusted : 153110				

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 Value Tax  
 Original : 289781  
 Assessments : 6066.75  
 Adjusted : 1815.95 on 2 Accounts  
 Adjusted : 153110

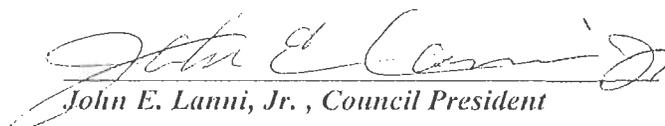
THE CITY OF CRANSTON

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

No. 2016-55

*Passed:*

December 19, 2016

  
*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 FLUNG  
MAYOR



DIVISION OF ASSESSMENT  
869 PARK AVE  
CRANSTON, RI 02910

SALVATORE SACCOCCIO JR.  
CITY ASSESSOR

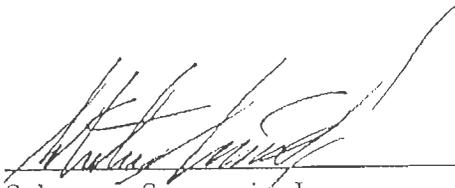
DAVID COLE  
DEPUTY ASSESSOR

**MEMO**

DATE: November 30, 2016  
 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, 2011	13,465	571.45
December 31, 2012	13,564	575.67
December 31, 2013	1,716	72.83
December 31, 2014	48,942	2,077.08
December 31, 2015	<u>109,841</u>	<u>4,661.65</u>
Totals:	187,528	7,958.68

  
 Salvatore Saccoccio, Jr.  
 City Assessor

2012 Motor Vehicle

1	201187000	000010793	2	480487000	000013888	000000000	000000000
Vehicle 2009	TOYT	355131	Vehicle 1001	FRHT	024679	Vehicle 1000	
ID 0188020300011902			ID 0188020300011902			Vehicle 1000	
EMERITINO BLANCA A			SEVEN STARS TRANSPORT INC			ID	
13 ROYAL AVE			14 WAREFIELD AVE				
GREENSTON RI 02820			GREENSTON RI 02820				
Original Value	11,600	Tax	Original Value	5,875	Tax	Original Value	
Original Tax	411.08	Adjusted Tax	EXEMPTION CREDIT	100.37	Adjusted Tax		
Original Tax	411.08	Adjusted Tax					

For Tax Year: 2012

Original Value	Tax	Adjusted Tax
11,600	411.08	411.08
5,875	100.37	100.37
17,475	511.45	511.45

Account

2013 Motor Vehicle  
 City of Casper  
 Council Assessment Base

110644000	0020001503	2	330115000	000001221	000000000	000000000
Vehicle 2005	CRV	81120	Vehicle DEC	TOT	923121	Vehicle Use
ID 201AA4035854150			2011	2011		ID
ADAM BROWN			1800 W 2ND ST			
229 HARTNER STREET			CASPER WY 82402			
CASPER WY 82402						

Original	Value	Tax	Original	Value	Tax	Original	Value	Tax
STANDARD/CONTR	8,530	227.72	CONTR	10175	419.26	Original		
Adjusted Tax:		166.41	OUT OF STATE REG		419.26	Adjusted Tax:		
		201.26	Adjusted Tax:					

FOR TAX YEAR 2013

Original	Value	Tax	Original	Value	Tax
	13306	777.03			
Adjusted Tax		575.57	ADJUSTED TAX		201.05

2014 Motor Vehicle

Vehicle ID	Year	Value	Tax	Original Value	Tax	Original Value	Tax
3100244000	2005	518	22.15	518	22.15	518	22.15
2024400000	2005	634	27.71	634	27.71	634	27.71
4000000000	2005	3501	147.26	3501	147.26	3501	147.26
STOLEN/SOLD/WRK/TOTAL							
Adjusted Tax:							

FOR TAX YEAR: 2014

Original	Value	Tax
Original	4773	197.85
Adjusted Tax		103.23

ACCOUNTS

2015 Motor Vehicle

1	2009SE2005	000005073	2	400547000	000075049	3	480197000	000127237
Vehicle 2005	NOTS	204413	Vehicle 2005	RYON	530573	Vehicle 1998	TOYT	001803
ID: 4A2A64F2B04E18			ID: 20W073H5A00151			ID: 47-5000KNO00016		
SALES CHRESTOPHER P			COYNA JILL C			ROSS COLLEEN M		
63 CALYDAN RD			23 HELLER AVE			157 OXFORD ST		
CRAVSTON RI 02910			CRAVSTON RI 02900			CRAVSTON RI 02900		
Original Value: 3,157	Tax: 1,275	Original Value: 263	Tax: 9.08	Original Value: 1,132	Tax: 26.86	Original Value: 1,132	Tax: 26.86	
STOVEN/SOLD/OWN/TOTAL: 12,175	Adjusted Tax: 7,033.84	STOVEN/SOLD/OWN/TOTAL: 9.08	Adjusted Tax: 12.51	CUT OF STATE REG: 12.51	Adjusted Tax: 19.35	Adjusted Tax: 19.35		
Vehicle 2012	FAED	004351	Vehicle 0000			Vehicle 0000		
ID: 122849320201081			ID:			ID:		
UNION LEASING INC								
425 N WASHINGTON RD FTR RI								
SPRINGFIELD RI 02917								
Original Value: 4,175	Tax: 9,032.57	Original Value:	Tax:	Original Value:	Tax:	Original Value:	Tax:	
STOVEN/SOLD/OWN/TOTAL: 2,942.73	Adjusted Tax:	STOVEN/SOLD/OWN/TOTAL:	Tax:	Adjusted Tax:		Adjusted Tax:		
Adjusted Tax: 7,033.84		Adjusted Tax:		Adjusted Tax:		Adjusted Tax:		

For Tax Year 2015

Original	Value	Tax	Original	Value	Tax
46928	2151.27	2077.02	004	Accounts	7074.19
Adjusted Tax:					

2016 Motor Vehicle

Line	Vehicle ID	Year	Make	Model	Original Value	Original Tax	Adjusted Value	Adjusted Tax
1	330144000	2002	FORD	49007	22,301	925.23	22,301	925.23
2	340002000	2005	NISS	QC 818	3906	140.31	3906	140.31
3	240061000	2007	HYUN	HS 496	1652	133.77	1652	133.77
4	460118000	2010	NISS	350PR	23969	961.06	23969	961.06
5	460204000	1998	TOYT	CO1803	140.31	19.14	140.31	19.14
6	510044000	2012	FORD	04381	22931	878.67	22931	878.67

For Tax Year: 2016

Original Value	Original Tax	Adjusted Value	Adjusted Tax
4661.65	163.69	4661.65	163.69
4799.15	183.85	4799.15	183.85

Accounts

Recommend To Approve:

<u>NAME</u>	<u>ADDRESS</u>	<u>TAX AMT</u>	<u>INTEREST</u>	<u>REASON</u>
Apici, Elaine	10 Ridge St	\$461.29	\$55.35	death
Casale, Kenneth	60 Long Ct	\$1,507.19	\$180.87	lost check
Eldridge, Francois	19 Hemalin Rd	3,990.83	\$310.46	death
Ferrari, Ken	10 Scarella Rd	2,464.14	\$295.71	death
Folcarelli, Joseph	129 Arnold Ave	2,117.96	\$338.88	lost check
Furtado, William	9 Evangeline Dr	220.26	\$26.43	illness
Morrow, Stella	275 Lippitt Ave	1,641.11	\$246.17	illness
Mulligan, Santina	123 Colonial ave	164.66	\$19.77	illness
Olsen, Steven	140 Rome Dr	2,177.45	\$261.29	illness
Ricci, Carl	48 Hillcrest Dr	1,811.15	\$271.68	lost check
Santino, Pamela	117 Gray Coach Lane	1,193.15	\$143.22	illness
Schiano, Barbara	1921 Cranston St	1,572.30	\$223.92	illness
Shechtman, Melody	569 Wilbur Ave	2,241.92	\$269.04	illness
Spera, Stephen	25 Cottage St	1,382.58	\$165.93	death
Strauss, Justin	222 Beechwood Dr	3,201.74	\$388.85	death

Recommend to Deny:

Brady, Edward	80 Pleasant Dr	288.34	\$118.34	no bill
Deroole, Thomas	218 Oaklawn Ave	1,419.96	\$213.01	no bill

11-16-01

THE CITY OF CRANSTON

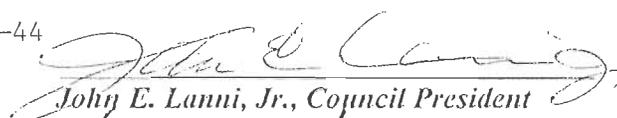
ORDINANCE OF THE CITY COUNCIL  
RATIFYING SCHOOL COMMITTEE'S AMENDMENT OF THE  
COLLECTIVE BARGAINING AGREEMENT WITH THE NATIONAL  
ASSOCIATION OF GOVERNMENT EMPLOYEES, LOCAL RI-153  
(Custodians 2014 - 2017 CBA Amendment)

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*Passed:*  
December 19, 2016

*Approved:*  
December 29, 2016

No. 2016-44

  
John E. Lanni, Jr., Council President

  
Allan W. Fung, Mayor

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

**Section 1.** The Cranston City Council previously ratified a collective bargaining agreement between the Cranston School Committee and **National Association of Government Employees, Local RI-153** which is the certified bargaining representative of the School Department Custodians. See Ordinance no.2015-35, November 23, 2015.

**Section 2.** , The School Committee now having renegotiated an amendment to said contract, and in accordance with Section 11.02.1 of the Cranston Home Rule Charter posted and made public on November 11, 2016 at 5 p.m, a copy of a proposed amendment to said contract at least 72 hours notice prior to the public hearing on November 14, 2016 at 6 pm, at which time the School Committee voted to approve the amendment.

**Section 3.** That the amendment in writing between the School Committee and the **National Association of Government Employees, Local RI-153**, a copy of which is attached hereto and made a part here of, is hereby ratified, confirmed and approved by the City Council.

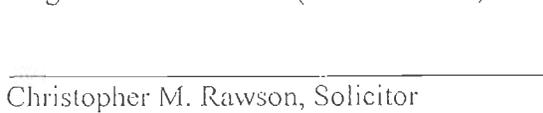
**Section 4.** Any additional agreements, letters of understanding, contract addendums or modifications during the life of this collective bargaining agreement between the parties must be ratified by the City Council and comply with Charter sec. 11.02.1

**Section 5.** This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

  
Christopher Rawson, Solicitor

  
Christopher M. Rawson, Solicitor

CRANSTON PUBLIC SCHOOLS  
 FISCAL IMPACT STATEMENT (ORIGINAL)  
 CUSTODIANS  
 2014 - 2017

CATEGORY	2014-2015	2015-2016	2016-2017	Total Annual Change Thru FYE 2017
Raise	N/A (A)	102,097	TBD	102,097
Pension	N/A	11,343	N/A	11,343
Fica	N/A	6,330	N/A	6,330
Medicare	N/A	1,480	N/A	1,480
Original Fiscal Impact	<u>133,381</u>	<u>28,018</u>	<u>25,817</u>	<u>187,216</u>
Total Annual Impact Thru 2017	<u>133,381</u>	<u>149,268</u>	<u>25,817</u>	<u>308,466</u>
Total Cumulative Impact Thru 2017	<u>133,381</u>	<u>282,649</u>	<u>308,466</u>	<u>724,496</u>

The above excludes the cost of a raise,  
if awarded, in FYE 2017.

FOOTNOTES

(A) - RAISE  
 2015-2016 = 4% (reg. custodians)  
 2015-2016 = 5% (grounds crew)

TBD - To Be Determined

CRANSTON PUBLIC SCHOOLS  
 FISCAL IMPACT STATEMENT (UPDATED)  
 CUSTODIANS  
 2014 - 2017

CATEGORY	2014-2015	2015-2016	2016-2017	Total Annual Change Thru FYE 2017
Raise	N/A (A)	N/A (A)	104,179	104,179
Pension	N/A	N/A	11,158	11,158
Fica	N/A	N/A	6,459	6,459
Medicare	N/A	N/A	1,511	1,511
Original Fiscal Impact	<u>133,381</u>	<u>149,268</u>	<u>25,817</u>	<u>308,466</u>
Total Annual Impact Thru 2017	<u>133,381</u>	<u>149,268</u>	<u>149,123</u>	<u>431,772</u>
Total Cumulative Impact Thru 2017	<u>133,381</u>	<u>282,649</u>	<u>431,772</u>	<u>847,802</u>

FOOTNOTES

(A) - RAISE  
 2016-2017 = 4%

AMENDMENT TO WORKING AGREEMENT  
BETWEEN LOCAL RI - 153 AND THE CRANSTON SCHOOL COMMITTEE  
WITH A TERM FROM JULY 1, 2014 - JUNE 30, 2017

APPENDIX A

SALARY SCHEDULE

See Attached Exhibit "1"

NAGE Local RI - 153

Date: 11/14/16

By: Raymond V. Soccio  
Raymond V. Soccio, President

Cranston School Committee

Date: 11/14/16

By: J. R.  
Janice Ruggieri, Chairperson

## APPENDIX A

## Exhibit "1"

## SALARY SCHEDULE

## High School Foreman

Step	15-16	Step	16-17
1.	15.36	1.	15.97
2.	15.87	2.	16.50
3.	16.33	3.	16.98
4.	16.85	4.	17.52
5.	17.31	5.	18.00
6.	17.88	6.	18.60
7.	18.17	7.	18.90
8.	18.45	8.	19.19
9.	18.72	9.	19.47

## SALARY SCHEDULE

## Utility Foreman

Step	15-16	Step	16-17
1.	15.51	1.	16.13
2.	16.02	2.	16.66
3.	16.49	3.	17.15
4.	17.01	4.	17.69
5.	17.47	5.	18.17
6.	18.05	6.	18.77
7.	18.34	7.	19.07
8.	18.63	8.	19.38
9.	18.90	9.	19.66

## SALARY SCHEDULE

## Sr. Custodian

Step	15-16	Step	16-17
1.	13.74	1.	14.29
2.	14.27	2.	14.84
3.	14.75	3.	15.34
4.	15.28	4.	15.89
5.	15.74	5.	16.37
6.	16.23	6.	16.88
7.	16.52	7.	17.18
8.	16.80	8.	17.47
9.	17.09	9.	17.77

## SALARY SCHEDULE

## Custodian

Step	15-16	Step	16-17
1.	12.96	1.	13.48
2.	13.50	2.	14.04
3.	13.99	3.	14.55
4.	14.44	4.	15.02
5.	14.99	5.	15.59
6.	15.46	6.	16.08
7.	15.76	7.	16.39
8.	16.04	8.	16.68
9.	16.32	9.	16.97

## SALARY SCHEDULE

## Middle School Foreman

Step	15-16	Step	16-17
1.	14.38	1.	14.96
2.	14.92	2.	15.52
3.	15.44	3.	16.06
4.	15.76	4.	16.39
5.	16.37	5.	17.02
6.	16.88	6.	17.56
7.	17.16	7.	17.85
8.	17.45	8.	18.15
9.	17.73	9.	18.44

## SALARY SCHEDULE

## Utility Crew

Step	15-16	Step	16-17
1.	13.87	1.	14.42
2.	14.41	2.	14.99
3.	14.89	3.	15.49
4.	15.42	4.	16.04
5.	15.89	5.	16.53
6.	16.39	6.	17.05
7.	16.67	7.	17.34
8.	16.96	8.	17.64
9.	17.25	9.	17.94

12-16-01

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'  
(ESTABLISHING GARDEN CITY CENTER DEVELOPMENT DISTRICT)

*No.*

*Passed:*

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

*Approved:*

\_\_\_\_\_  
*Allan Fung, Mayor*

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

Section I: FINDINGS

A. The City of Cranston finds that the Garden City Center (the "Center") is a valuable and desired commercial shopping center occupied by numerous local and national retail tenants, office and commercial tenants that provide substantial shopping opportunities, employment, and significant contribution to the city's commercial tax revenue base.

B. The City of Cranston finds that it is in the best interest of the city's economic welfare and community interest to support the continued revitalization and growth of the Garden City Center.

C. The City of Cranston finds that the uniqueness of this 49 acre tract of land and 500,000 square feet of office and retail space with related parking spaces, associated roads and public spaces should be classified in its own development district within the zoning code of the City of Cranston.

D. The City of Cranston finds that the current zoning of the Garden City Center with its principal zoning designation of C-3 or general business is appropriate but that certain accommodations for the center should be created to allow for an opportunity for expansion, redevelopment, new businesses, and new uses in the future of the shopping center.

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44 E. In support of the continued redevelopment and growth of the Garden City Center, the  
 45 City of Cranston encourages that the traditional development pattern and the life center  
 46 characteristics of this property be maintained and complemented by the future reuse of existing  
 47 buildings and the development of unused or underutilized parcels.  
 48

49 Section 2: PURPOSE  
 50

51 A. The purpose of the Garden City Development District ("GCDD") is to provide flexibility  
 52 for redevelopment of existing buildings, the attraction of new businesses, business expansion, and  
 53 the introduction of new uses with the need to minimize variances or special use permits. The  
 54 creation of the Garden City Development District unifies the Garden City Center under one overlay  
 55 district utilizing the current zoning with the exceptions set forth herein.  
 56

57 B. The Garden City Center Development District is intended to build upon and complement  
 58 the historic development of this unique shopping center, encourage the reuse and rehabilitation of  
 59 existing buildings and structures where appropriate, and provide for the future expansion of  
 60 additional buildings and new retail and commercial opportunities.  
 61

62 C. Allow for a mix of land uses that are appropriate to the community and the uses and  
 63 scale of the Garden City Center, while maintaining a high level of design quality throughout the  
 64 Center.  
 65

66 D. Encourage the strategic placement of green space and augment existing open space while  
 67 improving the walkability and pedestrian traffic for area residents.  
 68

69 Section 3: APPLICABILITY  
 70

71 All parcels within the Garden City Development District are allowed to utilize the overlay  
 72 zoning. Existing underlying zoning is still applicable to all existing and future parcels within the  
 73 district, except as identified or superseded herein.  
 74

75 Section 4: DISTRICT BOUNDARIES  
 76

77 The Garden City Development District is that property known as the Garden City Center  
 78 and more particularly described on Assessor's Plat No. 10-3, Lot Nos. 45, 673, 683, 692, 693, 738,  
 79 739, 740, 741, 1154, 1412, 1497, 1498, and 1499.  
 80

81 The center is located at the north east intersection of New London Turnpike and  
 82 Sockanosset Crossroads with frontage on Garden City Drive, Midway Road, Sockanosset  
 83 Crossroad, and New London Turnpike as depicted on the map below.  
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12-16-01

- 89  
 90 Section 5. LAND USES  
 91  
 92 The following principal uses shall be permitted uses within the Garden City Center  
 93 Development District.  
 94  
 95 RESIDENTIAL  
 96  
 97 Dormitory (SP)  
 98 Multi-family dwelling  
 99 Residence above first story business use  
 100  
 101 INSTITUTIONAL USE  
 102  
 103 Assisted Living facility  
 104 Cultural use  
 105 Educational institution preschool, primary, secondary, charter  
 106 Higher education institution  
 107 Lodge/fraternal organization  
 108 Municipal services other than those listed elsewhere  
 109 Nursing home  
 110 Public safety facility  
 111 Religious worship (place of)  
 112 State agency  
 113 Trade or business school  
 114  
 115 OPEN SPACE/RECREATIONAL  
 116  
 117 Marina  
 118 Recreational membership club  
 119 Yacht club  
 120  
 121 BUSINESS  
 122  
 123 Adult day care  
 124 Animal Day Care  
 125 Animal grooming services  
 126 Antiques, second hand shop, consignment shop  
 127 Artisan's workshop (studio)  
 128 Bakery, retail  
 129 Bakery, wholesale  
 130 Bank, financial institution  
 131 Banquet facility  
 132  
 133

12-16-01

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- 135 Barber shop, beauty salon
- 136 Body art establishment
- 137 Book, stationery, gift shop,
- 138 Brew pub
- 139 Business, professional office
- 140 Business/trade school
- 141 Car wash
- 142
- 143
- 144 Catering service
- 145 Check cashing facility
- 146 Commercial day care
- 147 Commercial off-street parking
- 148 Commercial recreation
- 149 Communication service and broadcast studio
- 150 Consignment shop
- 151 Convenience store
- 152 Day spa
- 153 Drive-in restaurant
- 154 Drug store
- 155 Electrical Vehicle Charging Station
- 156 Florist shop
- 157 Fuel station full service (SP)
- 158 Fuel station minimart (SP)
- 159 Motor vehicle repair and service establishment (SP)
- 160 Funeral home
- 161 Garden center
- 162 Hardware store
- 163 Health, fitness club
- 164 Kennel
- 165 Kiosk, freestanding exterior
- 166 Laundromat
- 167 Loft space (live/work)
- 168 Medical or dental clinic
- 169 Medical/diagnostic laboratory
- 170 Motel, hotel
- 171 Music and dance studio
- 172 Night club
- 173 Nursery/Day Care
- 174 Outdoor retail
- 175 Pawn shop
- 176 Personal services establishment
- 177
- 178

U/Ordinances/ZoneChanges/GardenCity

12-16-01

- 179  
 180 Professional home office or studio  
 181 Print shop  
 182 Restaurant without drive-in facility  
 183 Retail Laundromat and dry-cleaning establishment  
 184 Retail sale large scale  
 185 Retail sale small scale  
 186 Second hand shop  
 187 Supermarket  
 188 Structured parking (parking garage)  
 189 Tavern/pub/neighborhood bar  
 190  
 191 Theater, movie cinema  
 192 Urgent care facility  
 193 Veterinarian hospital or clinic  
 194 Watercraft, motor and recreational vehicle sale  
 195  
 196 INDUSTRIAL  
 197  
 198 Data processing facility  
 199  
 200 Uses designated with (SP) shall be allowed only by obtaining a special use permit from the Zoning  
 201 Board of Review.  
 202  
 203 Any future uses established by the City Council in the Schedule of Uses for the C-3 commercial  
 204 zone as a matter of right or by special use permit after the effective date of this ordinance shall also  
 205 apply to the Garden City Development District.  
 206  
 207  
 208 Section 6: DIMENSIONAL REGULATIONS  
 209  
 210 The Center shall comply with the intensity regulations set forth in Section 17.20.120 of this  
 211 code entitled "Schedule of Intensity Regulations" for the C-3 zoning district with the exception of  
 212 the maximum building height restriction.  
 213  
 214 In the Garden City Center Development District, the maximum building height shall be one  
 215 hundred (100) feet.  
 216  
 217 In the construction of any building directly adjacent to a residential property containing a  
 218 single or two family dwelling, the set back from the residential property line shall be twenty (20)  
 219 feet for any building up to fifty (50) feet in height. For any building constructed over fifty (50) feet  
 220 in height an additional setback shall be provided of one half (1/2) foot for each one foot of building  
 221 height.  
 222  
 223

12-16-01

## 224 Section 7: DRIVE-IN BUSINESSES

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The provisions of Chapter 17.28 entitled "Drive-in Businesses" shall apply to the Garden City Center Development District. The only exception shall be that drive-in uses shall be allowed to be free-standing or attached to any other building or a portion thereof.

## 230 Section 8: OFF-STREET PARKING

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Given the uniqueness of the Garden City Center and its various parcels, both contiguous and non-contiguous, these off-street parking requirements shall apply to the Garden City Center.

235 A. The required off-street parking formula for all uses in the Center shall be four (4) per one

236 thousand (1000) square feet of gross leasing area. Storage areas and non-public portions of tenant

237 space shall not be included in the calculation of off-street parking spaces.

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B. The off street parking requirements for residential or hotel uses shall be allowed to use a shared parking arrangement with the existing uses or tenants of the Center with the approval of the Development Plan Review Committee.

243 C. Off street parking spaces may be designed to be nine (9) feet by eighteen (18) feet consistent

244 with acceptable parking design standards. Off street parking spaces for compact vehicles where

245 proposed may be designed to be eight (8) feet by sixteen (16) feet. No more than five (5%) percent

246 of the Center's off street parking spaces may be designated for compact vehicles.

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D. The off-street parking requirements for the Center may be satisfied with the use of a stacked parking configuration for valet parking purposes or other designated parking areas established at certain times of year by property management. For the purposes of this concept, stacked parking shall mean a parking space, including enclosed garage parking spaces, where within a parking space vehicles may be parked with one (1) vehicle behind another, with a maximum two (2) vehicles in each stack. One (1) of the two vehicles in each stack shall have direct access to an aisle or driveway having a minimum width of twenty-four (24) feet in the case of two-way traffic or in the case of one-way traffic the minimum aisle width of seventeen (17) feet.

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## Section 9: SIGNS

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A. Any signs in the Center existing as of the date of the adoption of this Ordinance shall be allowed as a matter of right. The existing signs may be replaced in kind with a sign of equal or smaller square footage and/or at an equal or lessor height and width.

263 B. The existing freestanding sign at the intersection of New London Avenue and Sockanosset

264 Crossroad which presently uses changeable copy by manual replacement may be replaced by an

265 electronic sign capable of displaying words, symbols, figures or images that can be electronically or

266 mechanically changed by remote or automatic means. Any such replacement sign shall be

267 approximately ten (10) feet x twenty two (22) feet or the same square footage and height as exists

268 upon the adoption of this Ordinance.

U/Ordinances/ZoneChanges/GardenCity

12-16-01

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1. Operation: Such electronic displays shall be limited to messages that appear or disappear from the display with no movement or scrolling. In no case shall the display use the flash mode of operation.

2. Display time: Each message on the electronic sign must be displayed for a minimum of three (3) minutes.

3. Illumination: The display must be equipped with automatic and manual dimming controls. The maximum nighttime brightness shall not exceed seven hundred (700) NITs (candela per square meter).

4. Hours of operation: The electronic sign shall be programmed to operate between the hours of 6:00 a.m. to 12:00 a.m. (midnight). From the hours of 12:00 a.m. to 6:00 a.m. the sign shall remain static and not change. Any proposed changes to the hours of operation shall be approved by the City Plan Commission.

5. Content: The display may only be used to advertise stores, tenants, goods and services sold within the District, time and temperature and public service announcements. It may not be used to sell advertising to businesses outside the District. Electronic messages can be provided for public service and local activities that are beneficial to the community as a whole. The owner of the Center of its designated representative may register with Amber Alert.

C. The existing roof sign at the north end of the Center may be replaced with a new roof sign containing the same square footage and height as exists at the time of the adoption of this Ordinance. The existing monument signs at the entrances of the Center may be replaced with electronic message displays.

D. Identification or incidental signage such as directory or circulating signage, no parking, entrance, exit, loading zone, and other similar directives are permitted to include identification or the logo of the Garden City Center. This provision shall apply whether or not the incidental sign is legible from a position from outside the district.

E. In lieu of Section 17.72.10 (4) – Signs, C-3 General Business District, the following table shall be utilized for all signage in the Garden City Center Development District.

Sign Type	Maximum Area ***	Maximum Height	Minimum Setback	Minimum Vertical Clearance From Sidewalk	Minimum Vertical Clearance from Public Street
Monument	100 sf	8 ft	2 ft	N/A	N/A
Wall/Building Marker (front façade)	2 sf per for each lineal foot of the	15 ft	N/A	N/A	N/A

12-16-01

	front façade				
Wall/Building Marker (side or rear of building)	2 sf per for each lineal foot of the building frontage on which the sign is located	15 ft	N/A	N/A	N/A
Canopy	40 sf	9 sf	N/A	9 ft	12 ft
Identification/Incidental	30 sf	8 ft	5 ft	N/A	N/A
Window	</=50% of window area	N/A	N/A	N/A	N/A
Projecting (blade)	20 sf	N/A	N/A	9 ft	14 ft
Freestanding/Sign	450 sf	N/A	5 ft for Free Standing		
Roof, Integral	See definition				

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\*\*\*\* Note that the maximum area for signage within the district shall be per side of each sign.

**Section 10.** This ordinance shall take effect upon its final adoption.

Positive Endorsement:

Negative Endorsement: (Attach reasons)

\_\_\_\_\_  
Christopher Rawson                      Date  
City Solicitor

\_\_\_\_\_  
Christopher Rawson                      Date  
City Solicitor

Petition filed by: Gateway Woodside, Inc.

Referred to Ordinance Committee: February 16, 2017

12-16-02

CITY OF CRANSTON

**ORDINANCE OF THE CITY COUNCIL**  
IN AMENDMENT OF CHAPTER 10.40.070 OF THE CODE OF THE CITY OF  
CRANSTON ENTITLED "SOLICITATION ON ROADWAYS PROHIBITED"  
(PROHIBITION AGAINST DISTRIBUTION TO AND RECEIVING FROM  
OCCUPANTS OF MOTOR VEHICLES)

*No.*

*Passed:*

\_\_\_\_\_  
*Council President*

*Approved:*

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

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

**Legislative Findings**

It is the intention of the City of Cranston, by and through its City Council, upon the recommendation of the Mayor, to protect the health and safety of drivers and occupants of motor vehicles and all residents, visitors and pedestrians on and in city roadways and sidewalks, by reducing the incidents of distracted driving caused by vehicle occupants seeking to receive and/or pass any item from a vehicle to a pedestrian in the roadway and also from a pedestrian in the roadway to receive and/or pass items to a vehicle occupant.

The Administration and City Council find that city roadways include a number of thoroughfares that convey large numbers of vehicles, not only at rush hour but also mid-day and throughout the evening. High traffic volume, impaired driving, speeding, red-light running and/or otherwise distracted driving have contributed to a dangerous environment on many roadways and medians as demonstrated by a high number of vehicle collisions at various intersections.

There are numerous examples of intersections throughout the city that have a high number of vehicle collisions or even single car accidents for the period from January 1, 2016 up to and including December 12, 2016:

- |    |   |    |
|----|---|----|
| 1. | Atwood Avenue and Phenix Avenue             | 58 |
| 2. | Chapel View Boulevard and New London Avenue | 23 |
| 3. | Cranston Street and Garfield Avenue         | 19 |

12-16-02

47	4.	Cranston Street and Park Avenue	15
48	5.	Elmwood Avenue and Park Avenue	27
49	6.	Meshanticut Valley Parkway and New London Avenue	17
50	7.	Natick Avenue and Route 37	12
51	8.	New London Avenue and Howard Avenue	13
52	9.	New London Avenue and Oaklawn Avenue	17
53	10.	New London Avenue and Sockanosset Crossroad	31
54	11.	Park Avenue and Cranston Street	15
55	12.	Park Avenue and Dyer Avenue	17
56	13.	Park Avenue and Elmwood Avenue	28
57	14.	Park Avenue and Park View Boulevard	15
58	15.	Park Avenue and Reservoir Avenue	64
59	16.	Park Avenue and Warwick Avenue	14
60	17.	Park Avenue and Wellington Avenue	17
61	18.	Pontiac Avenue and Sockanosset Crossroad	30
62	19.	Pontiac Avenue and Route 37	24
63	20.	Reservoir Avenue and Legion Way	18
64	21.	Garfield Avenue and Route 10	16

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The Administration and members of the City Council have heard from constituents and/or personally witnessed many incidences whereby individuals (whether by themselves or collectively as a group or organization) have been standing and/or walking and/or lingering in the busy streets and/or standing and/or walking and/or lingering on the roadway medians in various busy intersections, including but not limited to those listed above, for the purposes of soliciting from drivers and occupants of moving motor vehicles.

Additionally, our law enforcement officers have indicated that the act of individuals distributing items into and out of motor vehicles under certain conditions can give rise to reasonable suspicion that illegal narcotics transactions and/or illegal prostitution may be taking place.

Whereby, this Administration and members of the City Council find that numerous roadways and intersections within the city present dangerous conditions that are exacerbated by the presence of pedestrians within the roadway and by acts that promote distracted driving. Further, the Administration and members of the City Council recognize that legal transactions can be and should be performed in safe areas such as from a sidewalk and/or public park and/or public parking area and particularly from non-moving vehicles.

Therefore the following restrictions are warranted to protect the public health and safety of all drivers and occupants of motor vehicles and all residents, visitors and pedestrians on and in city roadways and sidewalks.

**Section 1.** Title 10.40.070 of the Code of the City of Cranston, entitled "Solicitation on roadways prohibited" is hereby amended as follows:

12-16-02

93 By deleting:  
 94 [Solicitation on roadways prohibited]  
 95 [No person shall distribute literature to, request donations from, or in any other manner  
 96 perform acts of solicitation of any type directed at the operator or any passenger of any motor  
 97 vehicle in a travel lane, including motor vehicles stopped at intersections or in obedience to any  
 98 traffic control device, or any public street or highways within the state.]  
 99

100 And adding the following:

101 Prohibition Against Distribution to and Receiving from Occupants of Vehicles.

102 (a) Definitions. For the purposes of this section:

103 Roadway shall mean: The portion of a public street, road, or highway improved,  
 104 designed or ordinarily used for vehicular travel and extending from one (1) curb or  
 105 edge of pavement to the opposite curb or edge of pavement, including lanes  
 106 commonly used for parking and including center medians and lane dividers.

107 Sidewalk shall mean: That portion of a public right-of-way between the curb lines or  
 108 the lateral lines of pavement on the roadway and the adjacent property lines, intended  
 109 for use by pedestrians.

110 (b) No person shall stand in or enter upon a roadway for the purpose of distributing  
 111 anything to the occupant of any vehicle or for the purpose of receiving anything from  
 112 the occupant of any vehicle.

113 (c) The distribution or receiving described in Subsection (b) is permissible to an  
 114 occupant of a non-moving vehicle on the roadway adjacent to the sidewalk and if the  
 115 person doing so is on the adjacent sidewalk.

116 (d) Nothing contained herein is intended to prohibit distribution by any person on a  
 117 sidewalk, to another person on the sidewalk, or by and among persons in a city  
 118 parking lot or city park.

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

120 Positive Endorsement Negative Endorsement (attach reasons)

121 \_\_\_\_\_ Date \_\_\_\_\_ Date

122 Christopher M. Rawson, Solicitor

123 Christopher M. Rawson, Solicitor

124 Sponsored by: Mayor Fung

125 Referred to Ordinance Committee January 12, 2017

**QUARTER 1  
JAN-FEB-MAR  
2017**

			Hon. J.	Hon. C.J.	Hon. J.	Hon. J.
			COIA	JOSLYN	NAPOLITANO	SCHREIBER
DAY	DATE	TIME				
Tuesday	January 3, 2017	9:00 AM				
Thursday	January 5, 2017	9:00 AM				
Thursday	January 5, 2017	5:00 PM				
Tuesday	January 17, 2017	9:00 AM				
Thursday	January 19, 2017	9:00 AM				
Thursday	January 19, 2017	5:00 PM				
Monday	January 30, 2017	9:00 AM				
Tuesday	January 31, 2017	9:00 AM				
Thursday	February 2, 2017	9:00 AM				
Thursday	February 2, 2017	5:00 PM				
Monday	February 13, 2017	9:00 AM				
Tuesday	February 14, 2017	9:00 AM				
Thursday	February 16, 2017	9:00 AM				
Thursday	February 16, 2017	5:00 PM				
Monday	February 27, 2017	9:00 AM				
Tuesday	February 28, 2017	9:00 AM				
Thursday	March 2, 2017	9:00 AM				
Thursday	March 2, 2017	5:00 PM				
Monday	March 13, 2017	9:00 AM				
Tuesday	March 14, 2017	9:00 AM				
Thursday	March 16, 2017	9:00 AM				
Thursday	March 16, 2017	5:00 PM				
Wednesday	March 22, 2017	2:00 PM				
Monday	March 27, 2017	9:00 AM				
Tuesday	March 28, 2017	9:00 AM				
Thursday	March 30, 2017	9:00 AM				
Thursday	March 30, 2017	5:00 PM				

QUARTER 2  
APRIL-MAY-JUNE  
2017

			Hon. J.	Hon. C.J.	Hon. J.	Hon. J.	Hon. J.
			COIA	JOSLYN	NAPOLITANO	RICCI	SCHREIBER
DAY	DATE	TIME					
Monday	April 10, 2017	9:00 A.M.					
Tuesday	April 11, 2017	9:00 A.M.					
Thursday	April 13, 2017	9:00 A.M.					
Thursday	April 13, 2017	5:00 P.M.					
Monday	April 24, 2017	9:00 A.M.					
Tuesday	April 25, 2017	9:00 A.M.					
Thursday	April 27, 2017	9:00 A.M.					
Thursday	April 27, 2017	5:00 P.M.					
Monday	May 8, 2017	9:00 A.M.					
Tuesday	May 9, 2017	9:00 A.M.					
Thursday	May 11, 2017	9:00 A.M.					
Thursday	May 11, 2017	5:00 P.M.					
Monday	May 22, 2017	9:00 A.M.					
Tuesday	May 23, 2017	9:00 A.M.					
Thursday	May 25, 2017	9:00 A.M.					
Thursday	May 25, 2017	5:00 P.M.					
Monday	June 5, 2017	9:00 A.M.					
Tuesday	June 6, 2017	9:00 A.M.					
Thursday	June 8, 2017	9:00 A.M.					
Thursday	June 8, 2017	5:00 P.M.					
Monday	June 19, 2017	9:00 A.M.					
Tuesday	June 20, 2017	9:00 A.M.					
Thursday	June 22, 2017	9:00 A.M.					
Thursday	June 22, 2017	5:00 P.M.					
Wednesday	June 28, 2017	2:00 P.M.					

QUARTER 3  
JULY-AUG-SEPT  
2017

			Hon. J.	Hon. C.J.	Hon. J	Hon. J
DAY	DATE	TIME	COIA	JOSLYN	NAPOLITANO	SCHREIBER
Thursday	July 6, 2017	9:00 AM				
Thursday	July 6, 2017	5:00 PM				
Monday	July 17, 2017	9:00 AM				
Tuesday	July 18, 2017	9:00 AM				
Thursday	July 20, 2017	9:00 AM				
Thursday	July 20, 2017	5:00 PM				
Monday	July 31, 2017	9:00 AM				
Tuesday	August 1, 2017	9:00 AM				
Thursday	August 3, 2017	9:00 AM				
Thursday	August 3, 2017	5:00 PM				
Tuesday	August 15, 2017	9:00 AM				
Thursday	August 17, 2017	9:00 AM				
Thursday	August 17, 2017	5:00 PM				
Monday	August 28, 2017	9:00 AM				
Tuesday	August 29, 2017	9:00 AM				
Thursday	August 31, 2017	9:00 AM				
Thursday	August 31, 2017	5:00 PM				
Monday	September 11, 2017	9:00 AM				
Tuesday	September 12, 2017	9:00 AM				
Thursday	September 14, 2017	9:00 AM				
Thursday	September 14, 2017	5:00 PM				
Monday	September 25, 2017	9:00 AM				
Tuesday	September 26, 2017	9:00 AM				
Thursday	September 28, 2017	9:00 AM				
Thursday	September 28, 2017	5:00 PM				

**QUARTER 4  
OCT-NOV- DEC  
2017**

			Hon. J.	Hon. C.J.	Hon. J	Hon. J
			COIA	JOSLYN	NAPOLITANO	SCHREIBER
DAY	DATE	TIME				
Tuesday	October 10, 2017	9:00 AM				
Thursday	October 12, 2017	9:00 AM				
Thursday	October 12, 2017	5:00 PM				
Monday	October 23, 2017	9:00 AM				
Tuesday	October 24, 2017	9:00 AM				
Thursday	October 26, 2017	9:00 AM				
Thursday	October 26, 2017	5:00 PM				
Monday	November 6, 2017	9:00 AM				
Thursday	November 9, 2017	9:00 AM				
Thursday	November 9, 2017	5:00 PM				
Monday	November 20, 2017	9:00 AM				
Tuesday	November 21, 2017	9:00 AM				
Monday	December 4, 2017	9:00 AM				
Tuesday	December 5, 2017	9:00 AM				
Thursday	December 7, 2017	9:00 AM				
Thursday	December 7, 2017	5:00 PM				
Monday	December 18, 2017	9:00 AM				
Tuesday	December 19, 2017	9:00 AM				
Thursday	December 21, 2017	9:00 AM				
Thursday	December 21, 2017	5:00 PM				