

# REGULAR MEETING – CITY COUNCIL

**-APRIL 24, 2006-**

Regular meeting of the City Council was held on Monday, April 24, 2006 in the Park View Middle School Auditorium, 25 Park View Blvd., 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 Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland (appeared at 7:05 P.M.) and Council President Garabedian –9.

Also Present: Paul Grimes, Director of Administration; Robin Muksian-Schutt, Deputy Director of Administration; Michael Glucksman, City Solicitor; Patrick Quinlan, City Council Legal Counsel; Jerome Baron, Director of Finance; Mike Igoe, City Controller; Steve Woerner, City Council Internal Auditor.

Minutes of the last meeting were dispensed with and stand approved as recorded.

## **I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS**

No business.

## **II. EXECUTIVE COMMUNICATIONS**

### **“REQUEST TO BE CONTINUED IN SERVICE FOR ONE YEAR LIEUTENANT DENNIS MOORE, CRANSTON FIRE DEPARTMENT”**

On motion by Councilman Pisaturo, seconded by Councilman Barone, it was voted to approve the above request. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone and Council President Garabedian -8. Council Vice-President McFarland was not present for roll call vote.

## **III. COUNCIL PRESIDENT COMMUNICATIONS**

Council President Garabedian gave an update regarding the Pocasset River study. He stated that a meeting will be held with Council Vice-President McFarland and the Town of Johnston and he will also be present.

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#### **IV. COUNCIL MEMBER COMMUNICATIONS**

Councilman Livingston stated that some time ago, he introduced an Ordinance for a Homestead Exemption. At the last Council meeting, this Ordinance was tabled. Since this happened, he has received a number of calls from constituents asking that this Council begin to discuss tax relief for the taxpayers. He stated that since that Ordinance is on the Docket, he will be making a motion to address it and discuss and have a discussion for some kind of tax relief for our residents.

#### **V. PUBLIC HEARINGS**

None.

#### **VI. DOCKETED RESOLUTIONS**

##### **“RESOLUTION PROCLAIMING APRIL 24, 2006 AS ‘RHODE ISLAND DAY OF REMEMBRANCE OF THE ARMENIAN GENOCIDE’ IN COMMEMORATION OF THE ARMENIAN GENOCIDE FROM 1915 TO 1923 AND HONORING ARMENIAN-AMERICANS”**

On motion by Council Vice-President McFarland, seconded by Councilman Pisaturo, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

##### **“RESOLUTION URGING PASSAGE OF THE HOUSINGWORKS RI LEGISLATIVE PLATFORM BY THE RHODE ISLAND GENERAL ASSEMBLY”**

On motion by Councilman Fung, seconded by Council Member Bucci, it was voted to adopt this Resolution.

##### Under Discussion:

Councilman Livingston asked if this Resolution would affect the amount of rent a landlord could charge. Council Vice-President McFarland stated that since the State of Rhode Island does not provide rent control in the State, this Resolution is not for rent control.

Roll call was taken on motion to adopted and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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**“RESOLUTION ORDER AUTHORIZING THE ISSUE OF \$1,500,000 BONDS OF THE CITY FOR THE REPAIRS AND RENOVATIONS TO BUILDINGS OWNED BY THE CITY (UP TO \$500,000 OF WHICH MAY BE USED FOR FIRE CODE UPGRADES); AUTHORIZING THE CITY TO APPLY FOR FEDERAL AND STATE ADVANCES FOR THAT PURPOSE; AUTHORIZING THE ISSUE OF \$1,500,000 TEMPORARY NOTES FOR THAT PURPOSE AND AUTHORIZING ADVANCES FROM THE GENERAL TREASURY FOR THAT PURPOSE”**

Mr. Grimes appeared to speak and stated that there are a number of Resolutions for the Council’s consideration. The first five are Loan Order Resolutions. These Loan Orders have already been approved by the voters and this is the final procedural step. The last five Resolutions are Memorializing the General Assembly to encourage the Legislature to pass enabling legislation for us to place on the ballot in November.

On motion by Councilman Fung, seconded by Councilman Barone, it was voted to adopt the above Resolution.

Under Discussion:

Council Vice-President McFarland asked if there are any plans in place to upgrade fire codes for our libraries in the City or does this Resolution include libraries, since the City owns those buildings. Mr. Grimes stated that this Resolution does not include the library. That would come out of the Library Bond issuances that may already exist. Some of that money could be used for the library. That was not contemplated when it was placed before the voters two years ago. Council Vice-President McFarland stressed that the City really needs to address the libraries, since they are public buildings and our City buildings are insured by the City. Mr. Grimes stated that when the library board made their request in the planning process two years ago, there was no request for fire codes upgrades. It is not a case of the Administration ignoring the libraries. There is \$200,000 in reserve that can be used. Council Vice-President McFarland stated that in past Administrations, they looked at each individual library. She asked if there is any Stabilization Fund or any other mechanism that could be used for fire code upgrades. Mr. Igoe stated that we would have to wait until the end of the year to see if we could pull this money out of the surplus. He also stated that when the Stabilization Fund Ordinance is introduced next month, we will try to place \$200,000 in it to address this issue.

Roll call was taken on motion to adopt and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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**“RESOLUTION LOAN ORDER AUTHORIZING THE ISSUE OF \$7,000,000 BONDS OF THE CITY FOR THE REPAIRS, RENOVATIONS AND FIRE CODE UPGRADES TO SCHOOL BUILDINGS IN THE CITY; AUTHORIZING THE CITY TO APPLY FOR FEDERAL AND STATE ADVANCES FOR THAT PURPOSE; AUTHORIZING THE ISSUE OF \$7,000,000 TEMPORARY NOTES FOR THAT PURPOSE AND AUTHORIZING ADVANCES FROM THE GENERAL TREASURY FOR THAT PURPOSE”**

Mr. Grimes appeared to speak.

On motion by Councilman Fung, seconded by Councilman Livingston, it was voted to adopt the above Resolution.

Under Discussion:

Council Vice-President McFarland asked what is currently outstanding in the bond that was passed. Mr. Grimes stated that he does not have the exact number at this time.

Roll call was taken on motion to adopt and motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Pisaturo was not present for roll call vote.

**“RESOLUTION LOAN ORDER AUTHORIZING THE ISSUE OF \$2,000,000 BONDS OF THE CITY FOR THE REPAIR, RESURFACING, CONSTRUCTION AND REHABILITATION OF PUBLIC HIGHWAYS THROUGHOUT THE CITY; AUTHORIZING THE CITY TO APPLY FOR FEDERAL AND STATE ADVANCES FOR THAT PURPOSE; AUTHORIZING THE ISSUE OF \$2,000,000 TEMPORARY NOTES FOR THAT PURPOSE AND AUTHORIZING ADVANCES FROM THE GENERAL TREASURY FOR THAT PURPOSE”**

Mr. Grimes appeared to speak.

On motion by Councilman Fung, seconded by Councilman Barone, it was voted to adopt the above Resolution.

Under Discussion:

Council Vice-President McFarland asked if there is a list of streets available. Mr. Grimes stated that there is a list that is compiled. Mr. Schiappa stated that the list is being finalized and checking into funding source. We are still trying to get what the total CDBG funds are. Council Vice-President McFarland asked that once the list is completed, the Council is to be provided with a copy. Councilman Lanni stated that he would like to see a breakdown by Ward of how the money was spent in the past and how it will be spent in the future. Mr. Schiappa stated that he will send this list to the Council as soon as possible or prior to the next Public Works Committee meeting.

Roll call was taken on motion to adopt and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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**“RESOLUTION LOAN ORDER AUTHORIZING THE ISSUE OF \$1,400,000 BONDS OF THE CITY FOR THE REPAIR, CONSTRUCTION AND RENOVATION OF THE CRANSTON WEST AREA CAREER AND TECHNICAL CENTER IN THE CITY; AUTHORIZING THE CITY TO APPLY FOR FEDERAL AND STATE ADVANCES FOR THAT PURPOSE; AUTHORIZING THE ISSUE OF \$1,400,000 TEMPORARY NOTES FOR THAT PURPOSE AND AUTHORIZING ADVANCES FROM THE GENERAL TREASURY FOR THAT PURPOSE”**

Mr. Grimes appeared to speak.

On motion by Councilman Fung, seconded by Councilman Barone, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

**“RESOLUTION LOAN ORDER AUTHORIZING THE ISSUE OF \$1,000,000 BONDS OF THE CITY FOR THE PURCHASE OF PUBLIC WORKS AND HIGHWAY EQUIPMENT FOR A TERM NOT TO EXCEED TEN (10) YEARS; AUTHORIZING THE CITY TO APPLY FOR FEDERAL AND STATE ADVANCES FOR THAT PURPOSE; AUTHORIZING THE ISSUE OF \$1,000,000 TEMPORARY NOTES FOR THAT PURPOSE AND AUTHORIZING ADVANCES FROM THE GENERAL TREASURY FOR THAT PURPOSE”**

Mr. Grimes appeared to speak.

On motion by Councilman Fung, seconded by Councilman Barone, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Livingston was not present for roll call vote.

**“RESOLUTION MEMORIALIZING THE MEMBERS OF THE GENERAL ASSEMBLY FROM CRANSTON TO INTRODUCE AND URGE PASSAGE OF LEGISLATION AUTHORIZING BONDS OF THE CITY AND TO AUTHORIZE A REFERENDUM TO BE HELD THEREON (FIRE DEPARTMENT)”**

Mr. Grimes appeared to speak.

On motion by Council Member Fogarty, seconded by Councilman Pisaturo, it was voted to adopt the above Resolution.

Under Discussion:

Council Vice-President McFarland asked if we have any bonding authority not expended for the Fire Department. Mr. Grimes stated that there is an existing bonding authority of approximately \$682,000. Councilman Fung asked who drafted these Bond Resolutions. Mr. Grimes stated that our bond counsel, Norm Benoit of Partridge, Snow & Hahn drafted them.

Roll call was taken on motion to adopt and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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**“RESOLUTION MEMORIALIZING THE MEMBERS OF THE GENERAL ASSEMBLY FROM CRANSTON TO INTRODUCE AND URGE PASSAGE OF LEGISLATION AUTHORIZING BONDS OF THE CITY AND TO AUTHORIZE A REFERENDUM TO BE HELD THEREON (HIGHWAY EQUIPMENT AND SALT STORAGE FACILITY)”**

Mr. Grimes appeared to speak and stated that there is a scrivener’s error in the Resolution, which is the amount, which should be \$530,000. The Act attached to the Resolution is correct.

On motion by Councilman Fung, seconded by Councilman Livingston, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -8. Councilman Barone was not present for roll call vote.

**“RESOLUTION MEMORIALIZING THE MEMBERS OF THE GENERAL ASSEMBLY FROM CRANSTON TO INTRODUCE AND URGE PASSAGE OF LEGISLATION AUTHORIZING BONDS OF THE CITY AND TO AUTHORIZE A REFERENDUM TO BE HELD THEREON (PLAYGROUNDS AND ATHLETIC FIELDS)”**

Mr. Grimes appeared to speak.

On motion by Councilman Fung, seconded by Council Member Bucci, it was voted to adopt the above Resolution.

Under Discussion:

Council Vice-President McFarland asked if there is a breakdown of which fields and playgrounds this money will be used for. Mr. Grimes stated that he does not have a list available at this time, but the Director of Parks and Recreation may be able to site these sites. This Resolution is just for us to get authority to borrow money for types of projects that may come up. The list of sites may be in the Capital Budget. Council Vice-President McFarland stated that she would like to see “equipment and vehicle” deleted from this bond. She feels that that is not appropriate.

Councilman Fung asked Mr. Grimes why we did not use the acquisition type language in this Resolution. His concern is if any open space opportunities come up. Mr. Grimes stated that this is a good point and if the Council wishes to amend this Resolution, he would not have a problem with it.

On motion by Councilman Fung, seconded by Councilman Barone, it was voted to amend this Resolution as follows: under “Purpose”, add the word “acquisition” after “To finance the” and it should read “To Finance the acquisition, construction, improvement, renovation, repair, alteration and equipping of playgrounds and athletic fields”. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

Roll call was taken on motion to adopt the above Resolution as amended and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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**“RESOLUTION MEMORIALIZING THE MEMBERS OF THE GENERAL ASSEMBLY FROM CRANSTON TO INTRODUCE AND URGE PASSAGE OF LEGISLATION AUTHORIZING BONDS OF THE CITY AND TO AUTHORIZE A REFERENDUM TO BE HELD THEREON (ARLINGTON LIBRARY)”**

Mr. Grimes appeared to speak.

On motion by Councilman Fung, seconded by Council Vice-President McFarland, it was voted to adopt the above Resolution.

On motion by Councilman Fung, seconded by Council Vice-President McFarland, it was voted to amend this Resolution as follows: the amount of the bond request be amended from \$600,000 to \$900,000 and amend the Purpose as follows: “To finance the acquisition, construction and equipping of a new public library branch in the Arlington section of the City; (\$300,000 of which shall be used to finance repairs, renovations and upgrades and equipment for all public libraries).

On motion by Council Vice-President McFarland, seconded by Council Member Fogarty, the above Resolution was adopted as amended on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

**“RESOLUTION MEMORIALIZING THE MEMBERS OF THE GENERAL ASSEMBLY FROM CRANSTON TO INTRODUCE AND URGE PASSAGE OF LEGISLATION AUTHORIZING BONDS OF THE CITY AND TO AUTHORIZE A REFERENDUM TO BE HELD THEREON (PUBLIC HIGHWAYS)”**

Mr. Grimes appeared to speak.

On motion by Councilman Fung, seconded by Council Vice-President McFarland, it was voted to adopt the above Resolution.

Under Discussion:

Council Vice-President McFarland stated that she feels we need a larger amount to address the storm drains in the City. Mr. Grimes stated that he will verify these numbers with the bond counsel.

On motion by Council Vice-President McFarland, seconded by Councilman Lanni, it was voted to amend this Resolution to increase the amount requested to \$3,000,000. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Fogarty was not present for roll call vote.

On motion by Council Vice-President McFarland, seconded by Councilman Fung, the above Resolution was adopted as amended on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Fogarty was not present for roll call vote.

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**VII. REPORT OF COMMITTEES**

**COMMITTEE ON ORDINANCE  
(Paula McFarland, Chair)**

**12-05-3       “ORDINANCE IN AMENDMENT OF CHAPTER 17.72 OF THE  
CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘  
‘ZONING’ (SIGNS)”**

On motion by Council Vice-President McFarland, seconded by Councilman Fung, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Fogarty was not present for roll call vote.

**COMMITTEE ON FINANCE  
(Cynthia M. Fogarty, Chair)**

**1-06-5       “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL  
YEAR COMMENCING JULY 1, 2005 AND ENDING JUNE 30, 2006  
(Teamsters CBA)”**

On motion by Councilman Barone, seconded by Councilman Fung, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Fogarty was not present for roll call vote.

**2-06-3       “ORDINANCE IN AMENDMENT OF CHAPTER 2.24 OF THE  
CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘FIRE  
DEPARTMENT’ (Establishing a Revolving Loan Fund for EMTC  
Training)”**

On motion by Councilman Fung, seconded by Councilman Barone, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

**“RESOLUTION AUTHORIZING REAL ESTATE/TANGIBLE TAX  
ABATEMENTS”**

On motion by Council Member Fogarty, seconded by Councilman Barone, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Bucci was not present for roll call vote.

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**“RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS”**

On motion by Councilman Livingston, seconded by Council Member Fogarty, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

**“TAX INTEREST WAIVER LIST”**

On motion by Council Member Fogarty, seconded by Councilman Lanni, it was voted to approve the Tax Interest Waiver List as recommended by the City Treasurer. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

**COMMITTEE ON PUBLIC WORKS  
(John E. Lanni, Jr., Chair)**

**“RESOLUTION AUTHORIZING THE ABANDONMENT OF A PORTION OF CARLSBAD ST.”**

On motion by Councilman Fung, seconded by Council Vice-President McFarland, the above Resolution was continued to May 3, 2006 Special Council Meeting at 5:30 P.M. at Cranston High School West Auditorium.

Under Discussion:

Councilman Fung stated that the reason this was referred without recommendation was because the Council was waiting for a traffic report. Dave Ferguson, Traffic Engineer, appeared to speak and presented a traffic report. He stated that he met just last week with representatives from Taco. This is why the report is so late. There is an already existing problem in this area. By abandoning this street, it would cause more traffic problems. Councilman Lanni asked Mr. Ferguson if he has taken into consideration the new Police Station and Municipal Court. Mr. Ferguson stated that he has taken into consideration the Police Station and the consultant estimated ninety additional vehicles at peak time. Municipal Court was not taken into consideration.

**Jeffrey Gladstone, Esq.**, appeared to represent Taco. He stated that this condition in this area has existed since 2000. During the reconstruction of the Brewery Parkade, there were drawings to address the impact of additional traffic. These drawings were never put in place. Mr. Ferguson stated that the Abandonment of Carlsbad St. was never considered back in 2000.

Mr. Schiappa stated that in getting plans together for Carolina St. and Cranston St. improvements, it would be a 4-5 months timeframe and 1-2 months for a formal bid process.

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**Chris Integlia** of Taco appeared to speak and stated that the Abandonment of Carlsbad St. is an important piece of land in this project. Phase II requires the Abandonment of Carlsbad St. The tax revenues Taco will be contributing to the City will be more than enough to address traffic issues that already exist.

Councilman Lanni stated that he is concerned about what the costs are to address the traffic problems that already exist.

Council President Garabedian stated that the City is being very cautious. The City Council is pro-economic development, but the City has had serious financial problems.

Council Vice-President McFarland stated that she worked on the Brewery development project and the City attempted at that time to get the developer to take the parcel at Cranston and Carolina. She advocated at the time to do a TIF then and had no support. If the Council approves this Abandonment tonight, she would suggest placing restrictions on this by not allowing the property owner to close the property and the City not accept any money for the property until the City has plans.

Mr. Schiappa stated that there is a need to widen Carolina and by doing this, there is a need for land taking.

**Brian Dunn**, Engineer for Taco, appeared to speak and stated that he could provide an estimate in approximately thirty days for the construction parcel. This project could be under \$300,000, aside from the right of way. Councilman Lanni stated that if the developer could guarantee that this would cost under \$200,000, he would be in favor of this Abandonment, but the big issue seems to be the right of way. Mr. Dunn stated that his client would be in favor of the suggestion made by Council Vice-President McFarland as to adding the restrictions if this Abandonment is approved.

Councilman Barone asked how much the petitioner paid for the Abandonment of John Hazen White Sr. Way, which was approved a few months ago. Attorney Gladstone stated that his client paid \$52,000 for this Abandonment and if Carlsbad St. is Abandoned, he would pay \$200,000. Councilman Barone questioned if these funds could be used to alleviate the costs to mediate the traffic problem.

Roll call was taken on motion to continue to Special Council Meeting on May 3, 2006 at 5:30 P.M. at Cranston High School West and motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Bucci was not present for roll call vote.

**-APRIL 24, 2006-**

**COMMITTEE ON CLAIMS  
(Councilman Michael S. Pisaturo, Chair)**

**“COUNCIL RATIFICATION OF SETTLED CLAIMS FOR:**

*LOUIS & JAY KATZNELSON - \$65,000.00; MARIO PAGANO - \$587.44; JOY JARVIS - \$1,000.00; GERALD & JOAN HUPF - \$1,000.00; DEBORAH DIBENEDETTO - \$150.00; WILLIAM & STACY PRISCO - \$1,000.00 ROBERT NORATO - \$50.00; WILTINA GALOSKI - \$350.00; TORI-LYNN HEATON - \$10,000.00; RICHELE SOUZA - \$800.00; SCOTT HIPSMAN – \$475.00; DOMENIC LOMBARDI - \$50.00; JACQUELINE PEZZUOLLO – \$387.50; WILLIAM PEZZULLO - \$193.75; JAE PEZZULLO - \$193.75 PROGRESSIVE INSURANCE - \$3,579.04; NATIONWIDE INSURANCE – \$2,633.92; FRANCIS & BARBARA DEAN - \$1,000.00; TORO AUTO SALES – \$2,788.64; JOSEPH BRYANT - \$1,000.00; MARIA MARTINEZ - \$1,000.00 CHARLES WEDDERBURN - \$50.00; DEBRA LEE KOMROWSKI - \$1,000.00 BARBARA & ALLEN RUBINE - \$4,180.00; ALLSTATE INSURANCE – \$1,443.42*

On motion by Councilman Pisaturo, seconded by Councilman Fung, it was voted to ratify all the above-listed settled claims.

Under Discussion:

Councilman Livingston stated that he does not feel comfortable voting on these claims, since he does not know what they are for. Councilman Pisaturo stated that these claims were discussed before the Claims Committee in Executive Session. Once they are approved, he believes anyone could make a request of details and they would be considered public records.

Roll call was taken on motion to approve and motion passed on a vote of 5-1 with one abstention. The following being recorded as voting “aye”: Councilman Pisaturo, Council Member Fogarty, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -5. The following being recorded as voting “nay”: Councilman Fung -1. Councilman Livingston abstained. Council Member Bucci and Councilman Barone were not present for roll call vote.

**VIII. ELECTION OF CITY OFFICIALS**

**“TAX ASSESSMENT BOARD OF REVIEW – re-appointment of Joseph Sauro  
(Cont. from 1/23/2006)”**

None.

**IX. REPORT OF CITY OFFICERS**

Mr. Igoe reported on the City’s financials. He stated that through the end of March, the General Fund collected \$164,013,955 and expended \$161,022,533 with a surplus of \$2,991,221 and Cash of \$11,456,657.

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**IXA. OLD BUSINESS**

**“RESOLUTION AUTHORIZING THE ABANDONMENT OF A PORTION OF TERRACE AVE.”**

On motion by Councilman Fung, seconded by Councilman Livingston, it was voted to continue this Resolution at the request of the petitioner’s attorney. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Bucci was not present for roll call vote.

**2S-06-2 “ORDINANCE IN AMENDMENT OF TITLE 3 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘REVENUE AND FINANCE’ (Homestead Exemptions)”**

Councilman Livingston motioned to remove this Ordinance from the table. No one seconded this motion. Ordinance remains tabled.

**6-05-4 “ORDINANCE TRANSFERRING APPROPRIATIONS AND AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2004 AND ENDING JUNE 30, 2005 (4<sup>th</sup> Quarter Transfers)” (Mayoral Objections filed Oct. 27, 2005)**

On motion by Councilman Pisaturo, seconded by Councilman Livingston, it was voted to override the Mayor’s veto. Motion passed on a vote of 6-2. The following being recorded as voting “aye”: Councilmen Pisaturo, Livingston, Council Member Fogarty, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting “nay”: Councilmen Fung and Barone -2. Council Member Bucci was not present for roll call vote.

**“ADDENDUM TO THE TEAMSTER’S CONTRACT RATIFIED 12/19/2006”**

On motion by Councilman Fung, seconded by Councilman Barone, it was voted to approve the above Addendum.

Under Discussion:

Mr. Grimes stated that this addendum has to do with the bumping pool and these positions were left off the bumping pool in the contract, which was ratified on 12/19/2005.

Roll call was taken on motion to approve and motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Bucci was not present for roll call vote.

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**X. INTRODUCTION OF NEW BUSINESS**

City Clerk read the following introduced Ordinances and the Committees and the date referred to for public hearing:

- 4-06-1 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 2005, entitled "Administration and Personnel" (Blind Exemption). FINANCE COMMITTEE 5/11/2006.
- 4-06-2 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 2005, entitled "Administration and Personnel" (Elderly Exemption). FINANCE COMMITTEE 5/11/2006.
- 4-06-3 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 2005, entitled "Administration and Personnel" (Prisoners of War Exemption). FINANCE COMMITTEE 5/11/2006.
- 4-06-4 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 2005, entitled "Administration and Personnel" (Veterans Exemption). FINANCE COMMITTEE 5/11/2006.
- 4-06-5 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 2005, entitled "Administration and Personnel" (Disability Exemption). FINANCE COMMITTEE 5/11/2006.
- 4-06-6 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 2005, entitled "Administration and Personnel" (Mileage Reimbursement). FINANCE COMMITTEE 5/11/2006.
- 4-06-7 Ordinance in amendment of Chapter 3 of the Code of the City of Cranston, 2005, entitled "Revenue and Finance" (Neighborhood Improvement Fund). FINANCE COMMITTEE 5/11/2006.
- 4-06-8 Ordinance in amendment of Chapter 3 of the Code of the City of Cranston, 2005, entitled "Revenue and Finance" (Restriction of Sale of City Property Proceeds). FINANCE COMMITTEE 5/11/2006.
- 4-06-9 Ordinance authorizing the Purchasing Agent to renew the lease agreement with St. Mary's Feast Society for the property located on Greene Ave. ORDINANCE COMMITTEE 5/11/2006.
- 4-06-10 Ordinance in amendment of Title 10 of the Code of the City of Cranston, 2005, entitled "Vehicles and Traffic" (Automated Traffic Violation Monitoring). ORDINANCE COMMITTEE 5/11/2006.
- 4-06-11 Ordinance in amendment of Title 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Schedule of Uses – Concrete). ORDINANCE COMMITTEE 6/15/2006.
- 4-06-12 Ordinance authorizing the Purchasing Agent to convey property located along Dyer Ave., Cranston, RI, in exchange for title to property located along Cranston St., Cranston, RI (Arlington Library). ORDINANCE COMMITTEE 5/11/2006.
- 4-06-13 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 2005, entitled "Administration and Personnel" (Affordable Housing Commission). ORDINANCE COMMITTEE 5/11/2006.
- 4-06-14 Ordinance in amendment of Title 10 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic", "Miscellaneous Traffic Regulations" (All Terrain Vehicles). ORDINANCE COMMITTEE 5/11/2006.

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- 4-06-15 Ordinance authorizing the Purchasing Agent to sell a portion of former Highway Garage site (Knightsville). ORDINANCE COMMITTEE 5/11/2006.
- 4-06-16 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone – 20 Phenix Ave.). ORDINANCE COMMITTEE 6/15/2006.
- 4-06-17 Ordinance in amendment of Title 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Joy Homestead Local Historic District). ORDINANCE COMMITTEE 6/15/2006.

On motion by Council Vice-President McFarland, seconded by Councilman Barone, it was voted that the above Ordinances be heard for public hearings before their respective Committees as read by the City Clerk. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Bucci was not present for roll call vote.

Claims of:

*Karen Petricig*

*Richard Latorella*

*Thomas Rhodes*

*Melinda S. Smolenski*

*Beny Delanunez*

*Douglas and Wendy Breene*

*Rolando Cante*

*Dorothy Coutard*

*Subrogation from Nationwide Insurance re: Richard & Constance Lyons*

*Leonid and Tatyana Mezhberg*

On motion by Councilman Pisaturo, seconded by Council Vice-President McFarland, it was voted to refer the above claims to the Claims Committee. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Bucci was not present for roll call vote.

**"POLE LOCATION FROM NATIONAL GRID FOR TUPELO HILL DR."**

**"POLE LOCATION FROM NATIONAL GRID FOR WARWICK AVE."**

On motion by Council Vice-President McFarland, seconded by Council Member Fogarty, it was voted to refer the above pole locations to the Public Works Committee. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Bucci was not present for roll call vote.

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

No business.

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## **XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS**

**Richard T. Bray**, 132 Bayview Ave., Ward I, District I Committeeman, appeared to speak. He stated that he and his wife own a vending truck, "Papa Pasquale's" and he is the driver of that truck. This week, there was an altercation. He stated that there is an Ordinance in effect regarding food vendors and he is urging the Council to change. He and his wife are being harassed by the Police and being told that they cannot have the truck stand still. He has been hit with three tax increases in two years. He is disabled and is on a fixed income. This is his wife's way of making some extra income to pay his bills in his home. He stated that he will be meeting with the City Clerk at 2:00 p.m. tomorrow to discuss this issue. Council President Garabedian suggested to Mr. Bray that after he meets with the City Clerk, if he is not satisfied with the outcome, then he recommends that Mr. Bray come back before the Council. The City Clerk stated that the City's peddlers, hawkers and vendors license are modeled and based on State Statute.

**Joseph Castellone**, 27 Mauran St., appeared to speak regarding property owned by the City on Garden St. and the dredging issue that was introduced by Councilman Barone in December, 2005. He asked what the status is on this. He stated that this is a health and safety issue and there is no fencing around the canal. He asked what the City can do to help the situation and when the people can expect an answer from the City. Councilman Barone stated that this was a Resolution, which was passed in December, to have the lake on Garden St. dredged. He will follow up with the Public Works Department on what the status is on this issue.

**Richard Martin**, 72 Fletcher Ave., appeared to speak and stated that there are several residents of his street and Tweed St. that asked him to appear at this meeting. In the past, the Council stated that the victims of the October, 2005 flood would be allowed to come before the Claims Committee to address their flood issue. He asked when this is going to happen. Councilman Pisaturo, Chairman of the Claims Committee, stated that the Committee has hired an independent engineer to study the hardest hit areas in the City, Fletcher Ave. being one of them. The engineer has been given until May to report to the Claims Committee. Once this report is received, the Fletcher Ave. and Amanda Court people will be first on the docket to be heard. If the people wish to appear before the Claims Committee, they are more than welcomed to attend. Once the Committee hears the claim, within two days, the claimant will receive a letter as to what the Committee agreed on in reference to their claim. If the person does not agree with the decision of the Committee, at that point, the person can appear before the Committee to make an appeal.

**Paul Valetta**, President of Firefighters Union, appeared to speak and stated that at the April 17, 2006 Special Finance Committee meeting, the budget for the Fire Department was heard and it was expressed to the Committee that more funding is needed in the "Protective Clothing" line item. In looking at the budget, he found a \$42,294 error in "Salary" line item. That could be moved into the "Protective Clothing" line item.

The meeting adjourned at 10:35 P.M.

Maria Medeiros Wall  
City Clerk

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).