

## **REGULAR MEETING – CITY COUNCIL**

**-APRIL 26, 2004-**

Regular meeting of the City Council of the City of Cranston was held on Monday, April 26, 2004.

The meeting was called to order at 7:07 P.M. by the Council President.

Roll Call showed the following members present: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

Also Present: Mayor Stephen Laffey; Paul Grimes, Director of Administration; Jametta Alston, City Solicitor; Evan Kirshenbaum, Assistant City Solicitor; Jerome Baron, Director of Finance; Mike Igoe, City Controller; Pat Quinlan, City Council Legal Counsel; Steve Woerner, City Council Internal Auditor. Ernest Almonte, State of R.I. Auditor General.

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

Council President Pastore stated that he was contacted by Auditor General, Ernest Almonte, and requested to address the Council regarding some audit items. Council President Pastore asked that if there are no objections, we take the Docket out of order and go under “Council President Communications”. No one objected.

Mr. Almonte appeared to speak and stated that he would like to explain a few issues, one being the financial statements and deferred revenues. He stated that the Auditor General’s Office reviews the statements from all cities and towns and in looking at Cranston’s, they looked on the balance sheet and noticed “deferred revenue and other” of \$145 million and listed three items, middle item was for \$3,903,323. The School Department showed the same amount in deficit. He stated that the Finance Director explained that it was not the School Department’s error. Mr. Almonte stated that in meeting with the Auditor, it was determined that it was directly related to the School Department and the deficit. He stated that the June 30 financial statement showed a surplus directly related to the Supplemental Tax and he recommended this amount be transferred to the School Department to cover that deficit. Because the City and School Department have a deficit, he recommended this so the deficit would be cleared up all at once. This definitely should be done by Ordinance, to wipe out the deficit. Mr. Almonte stated that he wants to make it clear that the financial statements are the responsibility of management. They sign the statement. The auditing firm just gives an opinion on the numbers in the financial statements. This is a fact in business and in government. The Audit Committee, under the Chairmanship of Councilwoman O’Hara, are doing a fine job and a lot of good things have happened.

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Councilman Jackvony inquired where the surplus had come from, was the money related to the supplemental tax. Mr. Almonte stated that it was. Council President Pastore stated that the other question to the Auditor General is how the City should go forward with the budget on the COLA funding question. Mr. Almonte stated that he has also been meeting to discuss the pension liability. He is not ready to give any information on this yet. He will be able to respond in a short amount of time on this. Mr. Almonte also stressed that members of the Financial Review Board should not be hired for City positions or enter into contracts with the City unless they have been off the board for one year. Council President Pastore asked Mr. Quinlan to review the Ordinance creating the Financial Review Board and include in it any criteria addressing the issues Mr. Almonte stated. Council President Pastore stated that the Auditor General and the two union attorneys have met today on the funding for the COLA for the two parties. Mr. Almonte thanked the Mayor, Council, Financial Review Board and the taxpayers for helping solve the problems and for all the hard work that was done. He also thanked the legislators in helping pass the Qualified Bond Act.

Council President Pastore asked the Solicitor to discuss the procedure for the reconciliation, under Section 6.16 of the Charter must be transferred by Ordinance. This will free up \$600,000 in the School Department's 2005 budget. This Ms. Alston stated that she, the Auditor General, Mr. Quinlan and Ms. Ives met today and discussed the procedure for transferring funds. An Ordinance will be drafted stating why this money is being transferred and will be introduced in May and go before the Finance and Ordinance Committee to be heard and adopted by the full City Council in June.

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

No Business.

## **II. INTRODUCTION OF UNDOCKETED RESOLUTIONS**

No Business.

## **III. EXECUTIVE COMMUNICATIONS**

### **“CITATIONS IN RECOGNITION OF JIM DAVEY; DAMON DIPIRO; RICHARD SALTZMAN”.**

Mayor Laffey requested that this item be continued to next month's Council meeting.

### **“CITATION IN RECOGNITION OF STEPHEN RIOLES”.**

Mayor Laffey presented Citation to Mr. Rioles.

### **“ADVISE AND COSENT OF RE-APPOINTMENT OF MARIE SWEET, CONSERVATION COMMISSION”.**

On motion by Councilman McDonough, seconded by Councilman Lanni, it was voted to approve the Advise and Consent of the Mayor to re-appoint Marie Sweet to the Conservation Commission. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

### **“ADVISE AND CONSENT OF APPOINTMENT OF CYNTHIA WILSON TO REPLACE ALBERT K. AUBIN, CONSERVATION COMMISSION”.**

On motion by Councilman Ferolito, seconded by Council Member Fogarty, it was voted to approve the Advise and Consent of the Mayor to appoint Cynthia Wilson to the Conservation Commission. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

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**“RE-APPOINTMENT OF RICHARD DEGRANDPRE AS TREE WARDEN”.**

On motion by Councilwoman O’Hara, seconded by Councilwoman McFarland, it was voted to approve the appointment of Richard DeGrandpre as Tree Warden. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

**“REQUEST TO BE PLACED ON DISABILITY PENSION, RAYMOND GEMMA, CRANSTON POLICE DEPARTMENT”.**

On motion by Councilman Fung, seconded by Councilwoman McFarland, it was voted to approve this request. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

**“REPORT OF SOLICITOR ON RETENTION OF SPECIAL COUNCIL ON DESIGN/BUILD FOR CRANSTON HIGH SCHOOL EAST”.**

Ms. Alston spoke regarding this and stated that the contract was mailed to Council President Pastore through the Clerk’s Office. Council President Pastore stated he did not receive this contract. Copies were distributed to the Council members. She stated that pursuant to Sect. 15.05, the City is hiring Attorney Steven Angell to review the design for this project. Councilwoman McFarland stated that Auditor General Almonte just stated a few minutes ago that a former member of the Financial Review Board cannot be paid by the City within one year of his leave from the Board. Attorney Angell left this Board less than three months ago and is now going to be employed by the City. Mr. Grimes stated that two former members of the Review Board are working for the City, one of them is Stephen Angell, and the other is for the School Department. Council President Pastore asked that the Administration adhere to the Auditor General’s request. He asked that the “Report of the Solicitor” be placed on next month’s Council Agenda.

**IV. COUNCIL PRESIDENT COMMUNICATIONS**

Council President Pastore asked Mr. Igoe go give update on the financials. Mr. Igoe stated that through March 31, the City collected \$153,855,496 in revenues. To date, the City has expended \$143,548. There has been an increase in collection and delinquent taxes. \$300,000 has been collected to date for School Department Medicare.

**V. COUNCIL MEMBER COMMUNICATIONS**

Councilman McDonough quoted Chapter 6 of the Charter regarding the Budget and stated that the current Budget we are working with, we are not following those provisions and the Solicitor stated that she would have a report for the Council regarding. To date, this has not been received. Ms. Alston stated that she was waiting for the Department of Finance to review it and she provided a copy to the Clerk for copies to be made for the Council members.

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Councilman McDonough stated that at the Public Works Committee meeting, Mr. Callahan appeared to speak regarding an issue with his home and an opinion was to be provided by the Solicitor. To date, this has not been received. Ms. Alston stated that she spoke to the Public Works Director and to Assistant Solicitor Kirshenbaum, who attends the Public Works Committee meeting, and she is concerned about the liability for the City if we resolve this one issue. The Council does not have an opinion from her because she is waiting for the Public Works Director to provide her with financial aspect of it so she can provide an opinion. Councilman McDonough stated that this has been going on for months. Mr. Kirshenbaum stated that he realizes that this is taking a long time, and it is being looked into and the Council will get an answer. Ms. Alston stated that in order to have a satisfactory solution for City and the homeowner, she would need at least until the end of June to get an opinion to the Council. Councilwoman McFarland stated that she is still waiting from the Solicitor for the questions and answers of the items regarding the Bacon and Edge Executive Session meeting the Council held a few weeks ago and the Budget hearing with the School Department is tomorrow and she still has not received it. Ms. Alston stated that this was sent by E-mail to her City Hall E-mail address. Council Member Fogarty stated that she did receive her copy.

Councilwoman McFarland stated that Earth Day was held on Saturday and thanked Mike DeLuca from the Planning Office as a staff person from the City and Marie Sweet, Chair of the Conservation Commission and everyone else that helped out.

## **VI. PUBLIC HEARINGS**

**Marie Sweet**, Gladstone St., appeared to speak and thanked the Council's approval of her re-appointment to the Conservation Commission and the appointment of Cynthia Wilson also to this Commission.

**John DeGenova** appeared to ask if proposed Ordinances 8-03-2 and 10-03-1 listed under "Old Business" will be acted on this evening. Council President Pastore stated that these two Ordinances were tabled and if the Council decides to remove them from the table, then it is up to the Council if they would like to act on them or not. Councilman Jackvony stated that the intent is to send this back to Committee for review of the Solicitor's opinion. Mr. DeGenova asked when questions can be asked regarding earlier remarks made by the Auditor General. Council President Pastore stated that this can be discussed under "Public Hearings On Miscellaneous Matters Not On Council Docket". Mr. DeGenova asked if the Finance Director will be present by then, because it would be prudent to get some answers from him. Council President also stated that the Auditor General in his statements made it clear that the figures are the responsibility of managements, that being the Mayor, Administration and the Finance Director and not the City Council.

## **VII. UNDOCKETED RESOLUTIONS**

No Business.

## **VIII. DOCKETED RESOLUTIONS**

### **"RESOLUTION IN RECOGNITION OF GASPEE DAYS 2004 SPONSORED BY THE FULL CITY COUNCIL."**

On motion by Councilman Ferolito, seconded by Councilman Fung, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore -9.

### **"RESOLUTION IN SUPPORT OF NO SMOKING IN THE WORKPLACE."**

On motion by Councilman Ferolito, seconded by Councilman Lanni, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore -9.

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**IX. REPORT OF COMMITTEES  
COMMITTEE ON ORDINANCE**

**3-04-1           “ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘MOTOR VEHICLES & TRAFFIC’, SAME-NEAR SCHOOLS WHEN SCHOOL IS IN SESSION, SUB-SECTION (P), ENTITLED ‘CHESTER W. BARROWS SCHOOL’ BY DELETING NETHERLANDS AVE., PORTION OF; ‘SAME-NEAR SCHOOLS WHEN SCHOOL IS IN SESSION’ SUB-SECTION (P) ENTITLED ‘CHESTER W. BARROWS SCHOOL’ BY ADDING NETHERLANDS AVE., PORTION OF.”**

On motion by Councilman McFarland, seconded by Councilman Ferolito, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

**3-04-2           “ORDINANCE AMENDING ORDINANCE 2003-72 (PERSONNEL ANALYST POSITION).”**

Councilwoman McFarland, Chair of Ordinance Committee, stated that the Ordinance Committee met and recommended this Ordinance be tabled.

Councilman Fung stated that he was not able to speak on this Ordinance, which he sponsored, at the Ordinance Committee meeting because he was absent. He asked that this Ordinance be removed from the table so he can speak on it. Council President Pastore stated that if the Council votes to remove this Ordinance from the table, discussion would just be for the Council or the Administration. There will be no public hearing.

On motion by Councilman Fung, seconded by Councilman Ferolito, it was voted to remove this Ordinance from the table. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

Councilman Fung stated that there is a big need in the Personnel Department for the services of Ms. Topakian. She has extensive experience within the City. He stated that Ms. Topakian approached him in regards to staying on with the City. He spoke to the Sue Bello, Personnel Director, and Ms. Topakian and he saw the need for help for Ms. Bello. This position would be a key position in helping Ms. Bello. This Ordinance would remove the sunset clause. He urged the Council for support to pass this Ordinance.

Mr. Grimes stated that he reviewed this Ordinance. He agreed that Ms. Topakian has done an outstanding job as Personnel Analyst. The volume of work is large. This department manages five bargaining units and approximately 678-700 employees. This Ordinance would fund this position for the remainder of the fiscal year. The Mayor supports this position being funded for the rest of the fiscal year.

Councilman McDonough stated that at the Ordinance Committee meeting, the Committee was told that the City would be approximately \$2,000 short for this position. He asked Mr. Grimes to address this. Mr. Grimes stated that this could be absorbed within the existing appropriation within the department.

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Councilman Lanni stated that the Council was told that Ms. Topakian would be terminated and the Council was contacted by Ms. Bello and Ms. Topakian asking that Ms. Topakian be kept on until April 30 so she could reach her 30 years of service with the City and the Council created this position with a sunset clause and now Ms. Bello and the Administration realizes they can't do without Ms. Topakian. Ms. Topakian did very well for a long time with one assistant.

Council Member Fogarty stated that the Administration and Mr. Grimes did not have this position at the Ordinance Committee meeting. The Administration did not support extending the clause and stressed that in no way they would fund this position in next year's budget. She questioned Mr. Grimes, what happened in the last 13 days to change the Administration's position on this.

Councilwoman McFarland asked if the Administration is proposing an amendment for next year's budget to address this position. Mr. Grimes stated that this will be discussed Thursday at the budget hearing for this department, but the Administration will support extending this position for next year's budget. Councilwoman McFarland questioned if this position is going to be a union position. Mr. Grimes stated that it should be non-union. He has no problem with it being a classified position.

Chairwoman O'Hara stated that a similar situation happened in the Clerk's Office, where former City Clerk, Roberta Turchetta, retired and has been re-hired as part-time. It has worked out very well and offered this as a possibility for this department.

Council President Pastore stated that no matter what the outcome of the vote tonight, he suggested that talks with the School Department should still be pursued in the possibility of consolidating the School and City Personnel Departments.

Councilwoman McFarland questioned if the Administration is proposing the amendment to be a full-time position or a part-time position. Mr. Grimes stated that discussions have been to make this a full-time position.

On motion by Councilman Fung, seconded by Councilman Ferolito, the above Ordinance was adopted on a vote of 5-4. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman McFarland and Councilman Ferolito and Council President Pastore -5. The following being recorded as voting "nay": Councilwoman O'Hara, Council Member Fogarty, Councilmen McDonough and Lanni -4.

## **COMMITTEE ON FINANCE**

### **"RESOLUTION AUTHORIZING TAX ABATEMENTS – RECOMMENDED BY CITY ASSESSOR (REAL ESTATE ABATEMENTS)."**

Chairwoman O'Hara stated that the Finance Committee met and referred this list of Abatements without recommendation because they were sent by e-mail and some Council members were not able to retrieve this information from the e-mail.

On motion by Councilman Ferolito, seconded by Council Member Fogarty, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore -9.

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**“RESOLUTION AUTHORIZING TAX ABATEMENTS – RECOMMENDED BY CITY ASSESSOR (MOTOR VEHICLE ABATEMENTS).”**

Chairwoman O’Hara stated that the Finance Committee met and referred this list of Abatements without recommendation because they were sent by e-mail and some Council members were not able to retrieve this information from the e-mail.

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilman Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –8. Councilman Fung was not present for roll call vote.

**X. ELECTION OF CITY OFFICIALS**

On motion by Councilman McDonough, seconded by Councilman Lanni, it was voted to appoint **FREDERIC CLIFFORD** as a member of the **Building Appeals Board**. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

On motion by Councilman McDonough, seconded by Councilman Ferolito, it was voted to appoint **JOSEPH SAURO** as a member of the **Tax Assessment Board of Review**. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

**XI. REPORT OF CITY OFFICERS**

No Business.

**XIA. OLD BUSINESS**

**8-03-2**           **“ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’ (COLLECTIVE BARGAINING).”**

On motion by Councilman Jackvony, seconded by Councilman Ferolito, it was voted to refer this Ordinance to the Ordinance Committee. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

**10-03-1**           **“ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’ (APPROVAL OF APPROPRIATIONS).”**

No action.

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## **XII. NEW BUSINESS**

On motion by Councilwoman McFarland, seconded by Councilman Fung, the following introduced Ordinances be advertised for hearing before the Ordinance Committee on THURSDAY, May 13, 2004 at 7 PM pursuant to Sec. 3.12 of the Charter. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore -9.

- 4-04-1 Ordinance authorizing the City to lease real estate owned by the City of Cranston located at 1081 Pontiac Ave. Plat 10, Lot 23 to the Ocean State Chamber Orchestra, Inc. for the purpose of economic development and building restoration. FINANCE COMMITTEE 5/13/2004 and ORDINANCE COMMITTEE 5/13/2004.
- 4-04-2 Ordinance authorizing the Purchasing Agent to sell land (Midwood St.). FINANCE COMMITTEE 5/13/2004 and ORDINANCE COMMITTEE 5/13/2004.
- 4-04-3 Ordinance in amendment of Chapter 30 of the Code of the City of Cranston, 1970, entitled "Zoning" (Change of Zone - Midwood St.). CITY PLAN COMMISSION 5/4/2004 and ORDINANCE COMMITTEE 5/13/2004.
- 4-04-4 Ordinance in amendment of Chapter 21 of the Code of the City of Cranston, 1970, entitled "Peddlers and Hawkers". SAFETY SERVICES & LICENSES COMMITTEE 5/3/2004 and ORDINANCE COMMITTEE 5/13/2004.
- 4-04-5 Ordinance amending the Budget for the Fiscal Year commencing July 1, 2003 and ending June 30, 2004 (Law Dept.). FINANCE COMMITTEE 5/13/2004 and ORDINANCE COMMITTEE 5/13/2004.
- 4-04-6 Ordinance amending the Budget for the Fiscal Year commencing July 1, 2003 and ending June 30, 2004 (Municipal Court). FINANCE COMMITTEE 5/13/2004 and ORDINANCE COMMITTEE 5/13/2004.
- 4-04-7 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 1970, entitled "Motor Vehicles and Traffic", "No Parking On Certain Streets-Generally" by adding Pendleton St., portion of; "Same-Between 8:00 AM and 6:00 PM Monday through Saturday by deleting Pendleton St., portion of. ORDINANCE COMMITTEE 5/13/2004.
- 4-04-8 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 1970, entitled "Motor Vehicles and Traffic", "No Parking On Certain Streets-Generally" by adding Brayton Ave., portion of; "No Parking On Certain Streets-Generally" by deleting Brayton Ave., portion of. ORDINANCE COMMITTEE 5/13/2004.

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

No Business.

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

**Mr. Joe Corrente** WWII veteran, appeared to speak regarding the RI World War II Memorial project. He stated that he has been to 37 cities and towns and has two more to go to speak regarding this project and he urged everyone to relate to this great project and whatever appropriation the City can make to this project would be greatly appreciated. Council President Pastore asked Mr. Corrente how much he is asking for. Mr. Corrente stated \$2,500.

**Marie Sweet**, Gladstone St., Chair of the Conservation Commission, appeared to speak and thanked everyone who volunteered for Earth Day.

**Paul Valetta**, President of Local 1363 Firefighters Union, appeared to speak and stated that he was surprised to hear at the last budget hearing that as of March, the City is now charging for rescue service. He asked that the Council pass an Ordinance making sure that this does not happen. Since it's inception, he does not believe residents have ever paid for this service. In reviewing the Ordinance, all revenue collected is to be placed in the Fire Department budget. By Ordinance this should be placed in the General Fund. If residents have to pay for this service, the Ordinance needs to be amended.

Council President Pastore asked Mr. Woerner to look into when the last time was the City tapped into the impact fee account for Police and Fire Capital expenses.

Mr. Valetta stated that he understands the Council met in Executive Session earlier, and he does not know what happened in that meeting. Presently, there are six grievances pending. If the Fire Union is successful in all of them, it would cost \$125. by appropriating money for grievances, it is wasted money. In regards to the Performance Audit, he is willing to sit down with Chief Warren and the Mayor to go over any recommendations and the Union is willing to make some concessions for the City. He thanked the Council for stepping up on the certain recommendations and standing up to the Performance Audit and he stated that the Council not only protected the citizens of Cranston, but they protected the firefighters in the City.

**John DeGenova** appeared to speak regarding the remarks made by the Auditor General earlier in the meeting. He stated that the Finance Director and the Director of Administration sat behind the Auditor General and did not make any remarks. The Finance Director did not give any explanation or apology. He stressed to the Council that they need to get to the bottom of the issues stated by the Auditor General. He stated that he has asked Mr. Baron questions regarding the pension contribution and was told to go to the website. The Finance Director and the Mayor are giving the impression that they are funding this pension, which they are not. He obtained the report sent to the rating agency last year and it shows \$25 million was placed in the pension fund, as reported to Moody's. He questioned if the same thing is going to happen this year. Mr. DeGenova stated that there is no pension fund. We are still pay as you go. He also stated that he also obtained from the website the following information: He stated that the only way to bail out of this is to get a Pension Obligation Bond. Council President Pastore stated that when the actuarial report was done, he made it known that the table went out well beyond what general accounting boards would find acceptable and the Auditor General requested actuarial table be redone. He stated that the he and the rest of the Council members are trying to keep on top of the items Mr. DeGenova is speaking about. He stated, as to investments, an award was made to Warbuck Pinkis and last week he received the contract to review and made a number of revisions. Mr. DeGenova stated that this Mayor is going on record with the media and the rating agencies as him being the first Mayor to fully fund the pension system and that is not happening. Mr. Igoe stated that on page 1 of the Audit Report, it lists two amounts, those are the exact amounts indicated in the 2004-2005 Police and Fire budgets. Mr. DeGenova stated that the last line of page 4 mentions the \$17 million. The payments are being fully funded. Mr. Woerner suggested to Mr. DeGenova that he meet with him and he will go over it with him and discuss it and try to explain it to him.

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Councilwoman McFarland stated that as we go through the following budget process, we need to address the following:

- pension contributions for Police and Fire, which are included in their budgets, which this inflates their Operating Budget.
- there is no line item in the budget for appropriation to the Teamsters. The employees are being deducted that amount and the City is not making the contribution. The pension contribution comes out of the employees' pay and goes into the pension fund.

Steve Callahan, Amanda St., appeared to speak regarding an issue with his home and an opinion was to be provided by the Solicitor and to date he has not received any response. He stated that he spoke to the Solicitor a few minutes ago and according to her, the City is liable if something happens to his house, but she will not give anything to him in writing. He stated that he just paid his sewer tax last week and he has to wait until June to get an answer from the Solicitor.

On motion by Councilman McDonough, seconded by Councilman Fung, it was voted to appropriate \$2,500 towards the World War II Memorial, since there is \$5,000 in the Contingency Fund. Motion passed on a vote of 9-0. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore -9.

The meeting adjourned at 9:35 P.M.

Maria Medeiros Wall  
City Clerk

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio Stenotypist).