

SPECIAL MEETING – CITY COUNCIL

-APRIL 4, 2007-

Special meeting of the City Council was held on Wednesday, April 4, 2007, in the Park View Middle School Auditorium, 25 Park View Blvd., Cranston, Rhode Island.

The meeting was called to order at 5:55 P.M. by the Council President.

Roll Call showed the following members present: Councilmen Lanni, Lupino, Livingston (appeared at 6:50 P.M.), Navarro, Council Member Bucci (appeared at 6:20 P.M.), Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian –9.

Also Present: Ernest Carlucci, Director of Administration; Frank Migliorelli, Deputy Director of Administration; Corsino Delgado, Director of Finance; Mike Igoe, City Controller; Steve Woerner, City Council Internal Auditor; Vito Sciolto, City Solicitor and Patrick Quinlan, City Council Legal Counsel.

-APRIL 4, 2007-

Clerk read Call of the Meeting:

**CITY OF CRANSTON
RHODE ISLAND**

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

In Accordance with the Home Rule Charter and Section 6.08, I hereby call a special meeting of the City Council to be held on **Wednesday, April 4, 2007** at **5:45** p.m., at Park View Middle School Auditorium, 25 Park View Blvd., Cranston, RI at which meeting the following items of business shall be transacted:

- 2-07-1 Ordinance amending Chapter 17.108 of the Code of the City of Cranston, 2005, entitled "Zoning Board of Review" (Additional Alternate Members). Tabled 3/26/2007.
- Public Hearing relative to the Operating and Capital Budget for the City of Cranston for the Fiscal Year July 1, 2007 – June 30, 2008, Appropriation Ordinance, Capital Budget and Capital Improvement Program for the four (4) fiscal years thereafter, and Ordinance establishing salaries of officers and employees of the City of Cranston pursuant to Chapters 5 and 6 of the Home Rule Charter; Resolution levying and ordering the assessment and collection of a tax on ratable real estate and tangible personal property pursuant to Section 6.11 of the Home Rule Charter

I hereby request the City Clerk to notify all Council members of the Call of the special meeting.

Executed at Cranston, Rhode Island, this 30th day of March, 2007.

/s/ Aram G. Garabedian, Council President

Individuals requesting interpreter services for the hearing-impaired must notify the Office of the City Clerk at 461-1000 Ext. 3197 seventy-two (72) hours in advance of the hearing date."

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CERTIFICATION

I hereby certify that a true copy of the attached Call of a special meeting of the City Council to be held on Wednesday, April 4, 2007 at 5:45 P.M. in the Park View Middle School Auditorium, 25 Park View Blvd., Cranston, R.I. was delivered via electronic mail on the 30th day of March, 2007 and regular mail, postage prepaid to the addresses listed below.

Council President Aram G. Garabedian
173 Belvedere Dr.
Cranston, RI 02920
Aram@blissproperties.net

Council Member Maria A. Bucci
21 Red Hawk Dr.
Cranston, RI 02921
MarBC4@aol.com

Councilman Terence Livingston
28 Tucker Ave.
Cranston, RI 02905
Terry@livingstonlaw.us

Councilman Jeffrey P. Barone
16 Samuel Court
Cranston, RI
Jeffreyb22@cox.net

Councilwoman Paula B. McFarland
100 Pomham St.
Cranston, RI 02910
p_mcfarland@verizon.net

Councilman John E. Lanni, Jr.
111 Woodview Dr.
Cranston, RI 02920
jlanni@peterpanbus.com

Councilman Anthony J. Lupino
15 Black Oak Court
Cranston, RI 02921
tlupino@cox.net

Councilman Emilio L. Navarro
61 Autumn St.
Cranston, RI 02910
Navarro_emilio@hotmail.com

Councilman Richard Santamaria
20 Burr St.
Cranston, RI 02920
Ritatj10@yahoo.com

/s/ Rosalba Zanni, Assistant City Clerk

-APRIL 4, 2007-

2-07-1 ORDINANCE AMENDING CHAPTER 17.108 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING BOARD OF REVIEW' (Additional Alternate Members)

Council President Garabedian stated that he received correspondence today from Counsel for Cullion Concrete indicating that the present Ordinance that is listed on the agenda for this evening requires three notices. Council President Garabedian stated that if this Ordinance is passed this evening, he is recommending to the Council that two additional Ordinances be introduced at the same time, as a precaution.

Council Vice-President McFarland stated that this Ordinance was already advertised three times and she questioned why we have to go through that process again. This would be an additional expense that is not needed. Mr. Sciolto stated that the attorney for Cullion Concrete is taking a position that notice requirement comes under the Zoning Enabling Act. Council Vice-President McFarland stated that she is disappointed that we have to go through the same process again and the public keeps coming out continuously.

Councilman Lupino asked when the correspondence was received from the attorney for Cullion Concrete. Council President Garabedian stated that it was received yesterday. Councilman Lupino stated that he has a problem with the fact that he and the public were not notified earlier of this correspondence. We have to unbiased opinions from two Courts that we should pass this Ordinance this evening and he does not see any reason to delay.

Councilman Lanni stated that as a body of elected officials, we have to do what we have to do and we should pass this Ordinance for our constituents for the City of Cranston and for us as elected officials.

PUBLIC SPEAKERS:

Frank Mattiucci, 37 Howland Rd., appeared to speak and asked that this Ordinance be passed this evening. He stressed to the Council that the people of Cranston are watching what you do.

Richard Crowell appeared to speak in favor of this Ordinance because it will benefit the City in the future.

Robert Murray, Esq., 21 Garden City Dr., appeared to represent Cullion Concrete and stated that a concern he has is at the March 26, 2007 Council meeting, there were two items on the agenda, this Ordinance and a Resolution, relating to this issue. This Ordinance was listed under the "Public Hearing" section and also under the "Ordinance Committee" section. The Ordinance and Resolution were both tabled at that time. Procedurally, this Ordinance should have been continued to a date certain. On this evening's agenda, this Ordinance does not state that it is a public hearing. Council Vice-President McFarland stated that this Ordinance was already advertised three times. Attorney Murray pointed out that the Call of the meeting for this evening, does not have any mention of any introduction of New Business.

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

-APRIL 4, 2007-

Council Vice-President McFarland stated that since there is a Special Finance Committee Budget Hearing on April 10, 2007, she asked that we call a Special Council Meeting for the same evening for introduction of New Business, which would take approximately fifteen minutes.

Council President Garabedian asked for legal opinion on whether any business can be introduced this evening. Mr. Quinlan stated that the Council, under Section 3.07 of the Charter, can introduce New Business pertinent to the issues listed on the call.

PUBLIC HEARING RELATIVE TO THE BUDGET
FOR THE FISCAL YEAR 2007-2008

Councilman Barone stated that he reviewed the budget and the numbers in the summary versus the detailed and in certain departments, the numbers do not match. He also stated that the City's website has not been updated since November, 2006 and he has not received any financial reports since January, 2007, which by Charter, these financials are to be provided to the Council monthly. Due to all of these issues, he is going to make a motion this evening to adjourn this meeting until the Administration can get these numbers between the summary and the detailed budget accurate.

Councilman Barone motioned to adjourn this meeting. No one seconded this motion.

Council President Garabedian asked Administration to comment on the issues stated by Councilman Barone. Mr. Carlucci stated that in regards to the website, the former Administration hired a company who handled the website. As of November, 2006, this company no longer did work for the City. This Administration was notified of this in January, 2007. We are in the process of getting another web company. Councilman Barone stated that at this time, we have an IT Department that we budget \$1.3 million for. There should be someone in that department to do that. We are in violation of City Ordinance and Charter. This issue needs to be addressed. Mr. Carlucci stated that as to the IT Department, they run the day to day operations and duties of handling all the City department's computers, not the web design.

Mr. Carlucci asked Councilman Barone to identify what parts of the budget he is stating that the numbers do not match. Councilman Barone stated on page 12 of the summary budget, IT Department 0350, Acct. #55003 - \$30,000 and Acct. #55007 - \$34,000. Council President Garabedian asked Councilman Barone that he provide these discrepancies in writing for Tuesday's Finance Committee meeting for the Administration to address and answer. Mr. Carlucci indicated that the \$30,000 in Acct. #55003 in the Council binder is incorrect and the summary amount of \$30,000 is correct.

PUBLIC HEARINGS:

Tom Cloonen, 24 Richland Rd., appeared to speak and asked if the Administration is not providing the financial reports, how can the citizens know what the actual expenditures are year to date. He asked if there is any way, in the meantime, that the Administration can provide this information to the taxpayers. Mr. Carlucci stated that if anyone would like to view these reports, they can call the Mayor's Office and a copy will be provided via e-mail or regular mail.

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Allan Fung, former Councilman, appeared to speak and asked if the public will be allowed to speak at each of the department Finance Committee hearings. Council President Garabedian stated that each hearing is a public hearing and anyone can speak. Mr. Fung stated that he would like to be added to the e-mail list to have the financial reports sent to him. He also stated that he is not in favor of a tax increase. When he served on the Council, it was due to a lot of hard work on both sides, Democrats and Republicans, to get the City back in fiscal shape. He would hate for the City to go back to where it was three or four years ago. As to the pension liability, the last Council made some great strides in funding this. He noticed in this budget, that there was a \$2 million shortfall in that pension contribution. We need to make sure we budget appropriately. We can't continue to tax the taxpayers out of their homes and we need to contribute to our kids in the City.

Robert Clarkin, 58 Strathmore Rd., appeared to speak and asked who is present this evening from the Administration that has the year to date expenditures. Mr. Igoe stated that he has preliminary numbers with him. Mr. Clarkin questioned how members of this Council can ask intelligent and legitimate questions if you do not have year to date expenditures. Mr. Igoe stated that the Council received has received year to date expenditures through February 28, 2007. Mr. Clarkin stated that this Council needs to find money for the Schools. It is about asking questions of the department heads and not political questions.

Richard Tomlins, 400 Farmington Ave., appeared to represent Citizens for Cranston for Fair and Equitable Taxation. He stated to the Council that what they do with this Budget is going to determine what happens in the next two to four years.

George Lavoie, 66 Burnside St., appeared to speak and thanked Councilman Barone for standing up for the taxpayers. As to the website not being updated, the new Mayor's picture is up on the website and he questioned why aren't the financial documents.

Council Vice-President McFarland stated that the actuals are provided at every budget meeting for each department. The Council does not have the actuals this evening, which is very disappointing. Mr. Igoe stated that he never has provided actuals, Mr. Woerner probably has. Council Vice-President McFarland stated that the actuals come from the Finance Department. Mr. Woerner has provided documentation after he reviews the actuals. Mr. Igoe stated that in the past five years, he has never provided these documents to the Council. Council Vice-President McFarland asked Mr. Igoe if he is going to correct the errors in the numbers between the summary versus the Council binder. Mr. Igoe stated that these will be corrected.

-APRIL 4, 2007-

NEW BUSINESS:

4S-07-1 ORDINANCE AMENDING CHAPTER 17.108 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING BOARD OF REVIEW' (Additional Alternate Members)

4S-07-2 ORDINANCE AMENDING CHAPTER 17.108 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING BOARD OF REVIEW' (Additional Alternate Members)

On motion by Councilman Barone, seconded by Councilman Lanni, it was voted to refer the above two Ordinance to the April 23, 2007 Council meeting for public hearing. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -9.

The meeting recessed at 7:00 P.M.

Maria Medeiros Wall
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committee

(See Stenographic notes of Heather Finger, Stenotypist)