

REGULAR MEETING – CITY COUNCIL

-AUGUST 27, 2007-

Regular meeting of the City Council was held on Monday, August 27, 2007 in the Council Chambers, City Hall, 869 Park Ave., 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 Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, and Council President Garabedian –8.

Absent: Council Vice-President McFarland -1.

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

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

Council President Garabedian stated that Council Vice-President McFarland is out of town and will not be able to attend this meeting.

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

“CITATION FOR PATRICK DUFFY INDUCTION OF EAGLE SCOUT HIGH COURT OF HONOR”

Councilman Livingston presented Citation to Patrick Duffy.

“CITATION FOR CRAIG CARDULLO FOR SERVICE AS ZONING BOARD OF REVIEW, SECOND ALTERNATE MEMBER”

Council President Garabedian read Citation to be sent to Mr. Cardullo, who was not present.

II. EXECUTIVE COMMUNICATIONS

“REQUEST TO BE PLACED ON DISABILITY PENSION ACTING CAPTAIN MICHAEL CUDEMI, CRANSTON POLICE DEPARTMENT”

On motion by Councilman Barone, seconded by Council Member Bucci, it was voted to approve the above request. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, and Council President Garabedian –8.

“REPORT ON HIRING OF SPECIAL COUNSEL, CONSULTANTS, ETC., PURSUANT TO CHARTER SECTION 15.05”

None.

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III. COUNCIL PRESIDENT COMMUNICATIONS

“RECYCLING PROGRAM INFORMATION REQUESTED”

None.

IV. COUNCIL MEMBER COMMUNICATIONS

Councilman Lupino questioned the status of scheduling a meeting of the Project REDIRECT. Mr. Carlucci stated that the Administration has been attempting to get all the members of this Commission together. At this time, a tentative date has been set for September 5, 2007. They are still waiting from some of the Committee members to respond to this date. All the members will be notified once a definite date has been set.

Councilman Lupino addressed the issue of the lack of traffic lights at Scituate Ave. and Pippin Orchard Rd. and Phenix Ave. and Furnace Hill Rd. He stated that this is a safety issue and there have been many accidents in this area. He asked what the holdup is. Council President Garabedian stated that he, Council Member Bucci and Councilman Lanni visited the State Traffic Commission during the elections and they were able to get the Commission to support this project by using Impact Fees money. We have the money in the City put aside. The State has committed to us, by letter, and is waiting for their money. The State has done an engineering design. There has been no fault on the City side in installing these lights. We are hopeful that the lights will be put up by October. Mr. Carlucci stated that he has been in contact with Bob Rocchio from the State and he will try and pin down a better date for when these lights will be installed and also try to find out if they will be installed simultaneously or not.

Councilman Barone commended Council President Garabedian and Council Vice-President McFarland in putting together the event of the renaming of the Peter Pastore Jr. Youth Center and for bringing together present and past Council members and Peter’s family members and friends for this event.

V. PUBLIC HEARINGS

None.

VI. DOCKETED RESOLUTIONS

None.

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VII. REPORT OF COMMITTEES

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

**10-06-8 “ORDINANCE IN AMENDMENT OF TITLE 17 OF THE CODE
OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’
(Change of Zone-Atwood Ave.)”**

On motion by Councilman Lanni, seconded by Councilman Santamaria, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

**6-07-4 “ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF
1992 (40 Sockanosset Crossroad)”**

On motion by Councilman Lanni, seconded by Councilman Barone, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

**6-07-5 “ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE
CODE OF THE CITY OF CRANSTON, 2005, ENTITLED
‘ZONING’ (Change of Zone-40 Sockanosset Crossroad).”**

On motion by Councilman Lanni, seconded by Councilman Santamaria, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

**7-07-2 “ORDINANCE IN AMENDMENT OF CHAPTER 10.32 OF THE
CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR
VEHICLES AND TRAFFIC’ (Rangeley Rd. and Deerfield Rd.)”**

On motion by Councilman Lanni, seconded by Councilman Livingston, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

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**COMMITTEE ON FINANCE
(Terence Livingston, Chair)**

**“ADVISE AND CONSENT OF APPOINTMENT OF ANTHONY M. SYLVIA, P.E.
AS DIRECTOR OF PUBLIC WORKS”**

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to approve the Advise and Consent of the appointment of Anthony M. Sylvia, P.E. as Director of Public Works. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

On motion by Councilman Barone, seconded by Councilman Livingston, it was voted to suspend the Rules in order to present Citations to the CLCF Gals 14 and Under 2007 Softball Champions. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

Councilman Santamaria and Council President Garabedian presented Citations to the members of the CLCF Gals 14 and Under 2007 Softball Champions.

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

On motion by Councilman Livingston, seconded by Councilman Santamaria, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

“RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS”

On motion by Councilman Livingston, seconded by Councilman Lanni, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Lanni, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -7. Councilman Lupino was not present for roll call vote.

“TAX INTEREST WAIVER APPROVALS AS AMENDED IN COMMITTEE”

On motion by Councilman Livingston, seconded by Councilman Navarro, it was voted to approve the list of interest waiver approvals as amended by the Finance Committee. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

“TAX INTEREST WAIVER DENIALS AS AMENDED IN COMMITTEE”

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to approve the list of interest waiver denials as amended by the Finance Committee. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

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7-07-1 “ORDINANCE IN AMENDMENT OF CHAPTER 3.04 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘FISCAL PROVISIONS’ (Audit Committee)”

On motion by Councilman Livingston, seconded by Council Member Bucci, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

7-07-3 “ORDINANCE IN AMENDMENT OF CHAPTER 8 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘HEALTH & SAFETY’ (Emergency Medical Service Fees)”

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to adopt the above Ordinance.

Under Discussion:

Councilman Lupino questioned if the City could attempt to bill the State for additional runs the City makes to the Institutions. He also asked if there is a breakdown of the runs. Mr. Carlucci stated that the City has discussed this issue at length and there is a breakdown of the amount of runs in the past year and the Mayor is putting something together to meet with the Governor’s staff to see if we can get any money from the State.

Chief Delgado explained what this Ordinance will do. Council President Garabedian questioned if this is a way for us enhancing revenues. Chief Delgado stated that this is correct.

Councilman Lanni asked if the City is reimbursed when we respond to another City or Town. Chief Delgado stated, yes, if the City or Town is insured.

Council President Garabedian stated that this is a good issue to discuss before the Project REDIRECT Commission.

Councilman Barone indicated that this Ordinance only addresses third party insurance.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

**COMMITTEE ON SAFETY SERVICES AND LICENSES
(John E. Lanni, Jr., Chair)**

1-07-2 “ORDINANCE IN AMENDMENT OF TITLE 5.64 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘BUSINESS LICENSES AND REGULATIONS’ (Public Entertainment License)”

On motion by Councilman Lanni, seconded by Council Member Bucci, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

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7S-07-3 “ORDINANCE IN AMENDMENT OF TITLE 5 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘BUSINESS LICENSES AND REGULATIONS-ALCOHOLIC BEVERAGE LICENSES’ (Pub Crawl Prohibition)”

On motion by Councilman Lanni, seconded by Councilman Livingston, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

**COMMITTEE ON CLAIMS
(Anthony J. Lupino, Chair)**

“RATIFICATION OF SETTLED CLAIMS FOR: Salo Construction Co. \$1,850.00; Liberty Mutual for Lori Christensen \$615.38; Jacqueline, William & Jae Pezzullo \$775.00; EMC Insurance for Custom Drywall, Inc. \$4,770.16; Cheryl Anderson \$327.45; Karen Carloni \$50.00.

On motion by Councilman Lupino, seconded by Councilman Santamaria, it was voted to approve the above-listed claims. Motion passed on a vote of 6-0 with 2 abstentions. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Council Member Bucci, Councilmen Santamaria and Barone -6. Councilman Livingston and Council President Garabedian abstained.

VIII. ELECTION OF CITY OFFICIALS

“INDUSTRIAL PERFORMANCE COMMISSION”

- **Joseph Pimental**

On motion by Councilman Lanni, seconded by Councilman Santamaria, it was voted to appoint **JOSEPH PIMENTAL** as a member of the **Industrial Performance Commission**. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

“ZONING BOARD OF REVIEW”

- **Fourth Alternate Member: Craig Norcliffe**

On motion by Councilman Lanni, seconded by Councilman Barone, it was voted to go into Executive Session for purpose of interviewing Mr. Norcliffe. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

The meeting went into Executive Session at 7:50 P.M.

On motion by Councilman Barone, seconded by Councilman Lanni, it was voted to come out of Executive Session. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

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The meeting came out of Executive Session at 8:10 P.M.

On motion by Councilman Livingston, seconded by Councilman Navarro, it was voted to seal the minutes of Executive Session. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to appoint **CRAIG NORCLIFFE** as the **Fourth Alternate Member of the Zoning Board of Review**. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

"CRANSTON PUBLIC LIBRARY BOARD OF TRUSTEES"

- **Catherine Carroll-Chiulli-Re-appointment**

On motion by Councilman Santamaria, seconded by Councilman Lanni, it was voted to re-appoint **CATHERINE CARROLL-CHIULLI** as a member of the **Cranston Public Library Board of Trustees**. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

- **Joseph J. Cicione, Jr.,-appointment**

On motion by Councilman Lanni, seconded by Councilman Barone, it was voted to appoint **JOSEPH CICIONE, JR.** as a member of the **Cranston Public Library Board of Trustees**. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

IX. REPORT OF CITY OFFICERS

None.

IXA. OLD BUSINESS

No business.

X. INTRODUCTION OF NEW BUSINESS

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

Finance Committee – September 10, 2007

- 8-07-1** **Ordinance amending the Budget for the Fiscal Year commencing July 1, 2007 and ending June 30, 2008 (Network RI Positions).**
- 8-07-2** **Ordinance amending the Budget for the Fiscal Year commencing July 1, 2007 and ending June 30, 2008 (Network RI Supplemental Appropriation).**
- 8-07-6** **Ordinance transferring appropriations and amending the Budget for the Fiscal Year commencing July 1, 2007 and ending June 30, 2008 (Public Works Director Salary).**

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Safety Services and Licenses Committee – October 1, 2007

- 8-07-3 Ordinance in amendment of Title 5.12 of the Code of the City of Cranston, 2005, entitled “Alcoholic Beverage Licenses” (Expansion of Service Permit).**
- 8-07-4 Ordinance in amendment of Chapter 10.32 of Title 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Betsey Williams Dr.).**

Ordinance Committee – October 11, 2007

- 8-07-5 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled “Zoning” (Change of Zone-22 Oaklawn Ave.).**

City Plan Commission – October 2, 2007

- 8-07-5 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled “Zoning” (Change of Zone-22 Oaklawn Ave.).**

Claims Committee

- *Deborah A. Marcell
- *Dulce M. Bodden

*forwarded only to City Council, Solicitor and Anna Marino

On motion by Councilman Lanni, seconded by Council Member Bucci, the above items were referred to the respective Committees. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

XI. MISCELLANEOUS BUSINESS ON CLERK’S DESK

- 5-07-6 “ORDINANCE IN AMENDMETN OF CHAPTER 10.12 OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (Harcourt St., Morgan St. and Marlow St.). Correction of scrivener’s error.**

On motion by Councilman Santamaria, seconded by Councilman Barone, it was voted to correct the scrivener’s error in Ordinance 2007-30, which was adopted June 25, 2007. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8.

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XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS

Valerie Schuele, 27 Farm St., appeared to speak and commended the Administration for cleaning up the hallway outside the Mayor's Office. She stated that it looks very nice. She also noted that there are two Cranston High School students, one from Cranston East and one from Cranston West, who are both attending West Point and the City should be very proud of that.

The meeting adjourned at 8:15 P.M.

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).