

REGULAR MEETING – CITY COUNCIL

-DECEMBER 15, 2008-

Regular meeting of the City Council was held on Monday, December 15, 2008 in the Council Chambers, City Hall, 869 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 7:25 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.

Council Vice-President McFarland was not present for roll call vote.

Also Present: Mayor Michael Napolitano; Ernie Carlucci, Director of Administration; Vito Sciolto, City Solicitor; Patrick Quinlan, City Council Legal Counsel; Donald Gray, Acting Director of Finance; Steve Woerner, City Council Internal Auditor; Attorney Fred Marzilli.

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

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

Councilman Lanni presented plaques to outgoing Councilman Barone, Council Member Bucci and Council Vice-President McFarland.

II. EXECUTIVE COMMUNICATIONS

“REPORT FROM PLANNING DIRECTOR PETER LAPOLLA REGARDING PROPOSED HARBOR MANAGEMENT PLAN”

Mr. LaPolla stated that CRMC’s final review is pending. This Plan needs to be passed by the Council and signed by the Mayor in an Ordinance form. CRMC will do a formal review and they will forward comments to us and then we will forward it to DEM. He asked for a waiver of filing fee to DEM in the amount of \$400.

-DECEMBER 15, 2008-

“REPORT OF PAYMENTS MADE ON THE CULLION PROPERTY MATTER”

Mr. Quinlan stated that to date, there has been approximately \$100,000 paid. At this point, we are still conducting study of Environmental Assessment.

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

Mr. Carlucci presented report.

“PRELIMINARY REPORT ON THE 2008 CITY AUDIT FROM KOSTIN, RUFFKESS & COMPANY”

Mr. Carlucci stated that due to a death in the family of one of the members of the company, he asked that this presentation be scheduled to another time.

COUNCIL PRESIDENT COMMUNICATIONS

ANNOUNCEMENT OF CHARTER REVIEW COMMISSION MEETING DATE

Council President Garabedian stated that a meeting should be scheduled possibly during the month of January.

Council President Garabedian stated that there will be a special City Council meeting on December 29, 2008 at 6:30 P.M. for the presentation and approval of the 2008 Audit and possibly other items.

III. COUNCIL MEMBER COMMUNICATIONS

Councilman Livingston

Update on Status of Harbor Management Plan

This item was discussed under “Executive Communications”.

Update Regarding Preservation of Rolfe St. Cannons

Mr. Sciolto stated that this is still under review and asked for continuance to next month.

This item is continued to next month.

Council Vice-President McFarland

Council Vice-President McFarland stated that she would like to be notified of the Charter Review Commission meetings because she is going to be a member of the School/City Consolidation Commission and there may be some Charter amendments this Commission may want to have made.

Councilman Lupino

Sockanosset Crossroad and New London Ave. Traffic Study

Mr. Sylvia stated that Carpionato has incorporated changes in their traffic study and he and the Traffic Engineer will be reviewing these changes and then meet with Carpionato.

Councilman Lupino asked that this item be continued to next month for an update.

Natick Ave. Engineering Study Report

Mr. Sylvia stated that an RFP has been completed, but not been advertised yet.

Councilman Lupino asked for a continuance of this item to the next regular meeting.

This item is continued to the next regular meeting.

Update From Administration Regarding Status of Cullion Property

This item was discussed under "Executive Communications".

Councilman Santamaria

Update on Status of Comprehensive Plan

Mr. LaPolla appeared to speak.

Councilman Santamaria asked that this be placed on the February Docket for update.

This item is continued to the February meeting.

Councilman Navarro

Update on Former Police Station Property

Councilman Navarro stated that this is a very important piece of property and we just can't keep pushing off on this. He asked that everyone keep in mind that there are potential to do something with this property. There are people interested. This is becoming an eyesore. We need to find a way to get this property, whether it is a land swap or another option. Mr. Carlucci stated that it may be prudent, to go some other avenue, possibly hiring a broker to solicit a buyer for this property.

V. PUBLIC HEARINGS

10-08-4 "Ordinance in Amendment of Chapter 3 of the Code of the City of Cranston, 2005, entitled "Revenue and Finance" (Commercial Tax Incentive Five Year).

10-08-5 "Ordinance in Amendment of Chapter 3 of the Code of the City of Cranston, 2005, entitled "Revenue and Finance" (Commercial Tax Incentive Ten Year).

10-08-6 "Ordinance in Amendment of Chapter 3 of the Code of the City of Cranston, 2005, entitled "Revenue and Finance" (Industrial Tax Incentive Five Year).

10-08-7 "Ordinance in Amendment of Chapter 3 of the Code of the City of Cranston, 2005, entitled "Revenue and Finance" (Industrial Tax Incentive Ten Year).

Address from Comprehensive Community Action regarding Cranston Substance Abuse Task Force

No one appeared to speak.

-DECEMBER 15, 2008-

- **Mayor-Elect Allan Fung**, 252 Mayfield Ave., appeared to speak and thanked the outgoing Council members for their service to the City. He appeared to speak regarding Ordinances 10-08-4 and 10-08-5 and states that some of his concerns are: this may raise a red flag to the bond rating agencies and this is not the appropriate route to open back up the pension system. He urged the council to be very cautious in considering these two Ordinances. He addressed the fiscal note of former Finance Director, Corsino Delgado, which states age 65. He questioned why the age 65 when the retirement is 20 years of service from the Police and Fire Department.

Mayor-Elect Fung also spoke regarding Ordinance 11-08-2 and stated that he has an overall concern given what we are going to be facing down the line in these uncertain tough financial times. He is concerned with the raises in years two and three of the contract and also concerned about the affordability of this type of contract and the management rights provision.

Mayor-Elect Fung also addressed the appointments to the Charter Review Commission and stated that he would like to have the opportunity to appoint a representative to this Commission when he takes office.

- **Linda Marcello**, Belvedere Dr., appeared to speak in favor of Ordinances 8-08-10 and 9-08-2. She stated that she lives near this property in question and is opposed to this land being sold to anyone.

- **James Kelleher, Esq.**, appeared to speak as a taxpayer and also as legal counsel for Local 1363 Firefighters Union, in favor of Ordinance 10-08-4 and addressed Mayor-Elect Fung's concerns. He stated that the purpose of this proposed Ordinance and Ordinance 10-08-5 is to save the City hundreds of thousands of dollars. The figures determined by the Internal Auditor are incorrect. He calculated in the monies the State Pension would be paying these people. The City would just be supplementing the difference. These two Ordinances do not open up the pension system. The money is to be paid out of payroll.

- **Robin Muksian-Schutt**, Lexington Ave., appeared to speak regarding Ordinances 10-08-4 and 10-08-5 and stated that there is nothing in these Ordinances that limits this to disability pension to presumption. This is a big problem. Procedurally, it was stated that this is coming from the payroll, regardless this is money that is going to be coming out of the City and the Council would not oversee this. There would be no more oversight. It puts the full power in the hands of the Administration.

- **Representative Peter G. Palumbo**, 67 Kearney St., appeared to speak in favor of Ordinances 8-08-10 and 9-08-2 and stated that Senator Gallo could not attend this meeting and asked that he echo her support for these two Ordinances also.

- **Paul Saccoccia**, National Representative of IBPO 301, appeared to speak in favor of Ordinance 10-08-5 and stated that these two Ordinances are a result of Police and Fire coming together in trying to save the City money and also solving the issue of the three employees in question.

- **Robert Cicerone**, 248 Belvedere Dr., appeared to speak in favor of Ordinances 8-08-10 and 9-08-2 and presented pictures of the subdivision.

- **Arthur Jordan**, 35 Lincoln Park Ave., appeared to speak in favor of Ordinance 11-08-2 and stated that this contract is a minimal part of the budget and asked that this contract be approved.

-DECEMBER 15, 2008-

- **Paul Valetta**, President of Local 1363 appeared to speak in favor of Ordinance 10-08-4 and stated that we do have a third party, Beacon Mutual. In regards to Ms. Muksian-Schutt's remarks that this would be taking the approval of the Council away, that is not true. When someone retires, from the state pension, it comes before the Council for approval. At the last meeting, Mayor-Elect Fung stated that this might be in violation of RIGL 45-21-17-2. This is not true. This law was put in place to protect the City back in 1995. This law does not violate these Ordinances. Mayor-Elect Fung, at the last meeting, presented an actuarial analysis. This is not an actuarial study of these pension Ordinances. This is an insurance mortality rate based on the numbers from 2004. Mayor-Elect Fung also stated that there are other ways to solve this problem, such as arbitration. Mr. Woerner's analysis makes absolutely no sense at all. You cannot count the State's liability and put it on the City's back. The former Finance Director at the time agreed. These Ordinances do not open up the old pension system. He stressed that these two Ordinances would save hundreds of thousands of dollars for the City.

- **Robert Murray, Esq.**, 21 Garden City Dr., appeared to speak regarding the two land donation Resolutions.

- **Councilwoman-Elect Michelle Bergin-Andrews** appeared to speak in favor of Ordinances 8-08-10 and 9-08-2.

VI. DOCKETED RESOLUTIONS

“RESOLUTION ACCEPTING LAND DONATION FROM KELLY & PICERNE”

On motion by Councilman Lupino, seconded by Councilman Navarro, the above Resolution was adopted on a vote of 7-1 with 1 abstention. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council Vice-President McFarland -7. The following being recorded as voting “nay”: Councilman Livingston -1. Council President Garabedian abstained.

“RESOLUTION ACCEPTING LAND DONATION FROM JGP BUILDERS, INC.”

On motion by Councilman Lupino, seconded by Councilman Navarro, the above Resolution was adopted on a vote of 7-1 with 1 abstention. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council Vice-President McFarland -7. The following being recorded as voting “nay”: Councilman Livingston -1. Council President Garabedian abstained.

VII. REPORT OF COMMITTEES

**ORDINANCE COMMITTEE
(Paula B. McFarland, Chair)**

8-08-5 “ORDINANCE IN AMENDMENT OF TITLE 2.32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘HARBOR MASTER’ (Harbor Management Plan)”

On motion by Councilman Lupino, seconded by Councilman Navarro, the above Ordinance was adopted 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.

8-08-10 “ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF 1992 (Glen Hills Section)”

On motion by Councilman Lupino, seconded by Councilman Barone, it was voted to approve the above Ordinance.

Under Discussion:

Councilman Navarro stated his concerns regarding approving these Ordinances with changing the Zone and amending the Comprehensive Plan, there is a suit against the City at this time and with the council moving forward with these Ordinances. He is not sure this is the right means to go about protecting the neighbors of this area. Other options were discussed in Executive Session. He is not going to vote in favor of these Ordinances, but he will do everything he can to protect the neighborhood.

Councilman Livingston stated that he is also not in favor of these Ordinances. Presently, it is zoned for one house lot. If the owner is successful in having it re-zoned for three house lots, the City would have to pay approximately \$800,000 for this land.

Council President Garabedian handed gavel to Council Vice-President McFarland.

Councilman Lupino stated that whether these Ordinances pass or not, either the Planning Department or Administration needs to be made known that when such a notice comes in from the State or private entity on whether the City would like to take over their land, the Council needs to be made aware whether the Planning Department and Administration are in favor or not.

Councilman Lanni stated that he is going to vote in favor of these Ordinances. This Council took an oath to represent their constituents and he wants to do what is best for the constituents in this area. This is what they were elected to do.

Council Vice-President McFarland stated that, as she stated numerous times, she feels bad leaving the Council and not having a Comprehensive Plan. She came on the Council without a comprehensive Plan and it is too bad this Plan has not been adopted yet. She urged the incoming Council to make sure they pass a Comprehensive Plan and it would be an honor for her to be notified when this is on the agenda so she can attend.

Council President Garabedian asked the Council’s support on these Ordinances.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 7-2. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting “nay”: Councilmen Livingston and Navarro -2.

-DECEMBER 15, 2008-

9-08-2 “ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (Change of Zone-Glen Hills Section)”

On motion by Councilman Lanni, seconded by Councilman Barone, the above Ordinance was adopted on a vote of 7-2. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting “nay”: Councilmen Livingston and Navarro -2.

10-08-11 “ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF 1992 (Pomham St.)”

On motion by Councilman Lanni, seconded by Councilman Santamaria, the above Ordinance was adopted 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.

10-08-12 “ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (Change of Zone – Pomham St.)”

On motion by Councilman Barone, seconded by Councilman Lanni, the above Ordinance was adopted 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.

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

“RESOLUTION AUTHORIZING REAL ESTATE TAX ABATEMENTS”

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

“RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS”

On motion by Councilman Lanni, seconded by Councilman Barone, the above Resolution was adopted 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.

“TAX INTEREST WAIVER DENIALS – AS RECOMMENDED BY COMMITTEE”

On motion by Councilman Lanni, seconded by Councilman Barone, it was voted to approve this list of Tax Interest Waiver Denials as recommended by City Treasurer. 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.

-DECEMBER 15, 2008-

“TAX INTEREST WAIVER APPROVALS – AS RECOMMENDED BY CITY TREASURER”

On motion by Councilman Livingston, seconded by Councilman Lupino, it was voted to approve this list of Tax Interest Waiver Approvals as recommended by City Treasurer. 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.

“TAX INTEREST WAIVER REQUEST OF VINCENT MASI – DENIED BY COMMITTEE”

On motion by Councilman Lupino, seconded by Councilman Navarro, it was voted to deny this request for Tax Interest Waiver as recommended by Committee. 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.

“TAX INCENTIVE APPLICATION FOR CHARLES AND VICTORIA ZAYAT/AMERICAN INTERNATIONAL TOOL, 129B FLETCHER AVE., FOR PROPERTY LOCATED AT 99 CALDER ST.”

On motion by Councilman Lanni, seconded by Councilman Navarro, it was voted to approve this Tax Incentive Application. Motion passed on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilman Santamaria, Council Vice-President McFarland and Council President Garabedian -8. The following being recorded as voting “nay”: Councilman Barone -1.

“TAX INCENTIVE APPLICATION FOR CADENCE SCIENCE, INC., 2088 PLAINFIELD PIKE”

On motion by Councilman Lanni, seconded by Councilman Santamaria, it was voted to approve this Tax Incentive Application. 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.

10-08-4 “ORDINANCE IN AMENDMENT OF TITLE 2 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ADMINISTRATION AND PERSONNEL’ (Fireman’s Pension Fund)”

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

Under Discussion:

Mr. Carlucci indicated that there is a scrivener’s error in line 31 of this Ordinance and Ordinance 10-08-5 – “accidental disability policy”, the word “policy” should be “pension”.

A question was asked if these Ordinances would need to be re-advertised.

Mr. Sciolto stated that he does not believe they need to be re-advertised. It is more of a scrivener’s error.

-DECEMBER 15, 2008-

Mr. Woerner addressed the analysis he did. He did a full-cost approach. He spoke to the City's actuary today. It is his understanding, that this would be creating a third pension fund, although, not calling it that. According to the actuary, it would be creating a long-term, of approximately \$2.3 million unfunded liability. Councilman Santamaria asked who the actuary is and if Mr. Woerner has anything in writing from the actuary. Mr. Woerner stated that the actuary is Daniel Sherman and his phone number is 831-2197, which anyone can call and listen to the message.

Mr. Carlucci asked the Acting Finance Director to speak regarding some of the numbers. Mr. Gray stated that we have a closed pension plan. Nothing has changed that. Any costs would not affect the unfunded liability of the closed pension plan.

Councilman Lanni asked if this would be 100% tax free. Mr. Gray stated, yes. Councilman Lanni asked if the 66 2/3 the employee would receive would also be tax free. Mr. Gray stated, yes. Councilman Lanni stated that the individual would have to sign off, and asked why the individual would sign off if he would receive 66 2/3 tax free.

Mr. Carlucci stated that they would not get additional money. It would help the City to open up the staffing and alleviate the overtime. This is per an agreement between the Unions and the Administration for the good of the City. This is not an incentive for the individuals in question. Councilman Lanni asked if the individuals have agreed to this. Attorney Marzilli stated that this Ordinance requires them to apply for a job-related pension and get 66 2/3 of their pay.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 7-2. The following being recorded as voting "aye": Councilmen Lanni, Lupino, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council Vice-President McFarland -7. The following being recorded as voting "nay": Councilman Livingston and Council President Garabedian -2.

10-08-5 "ORDINANCE IN AMENDMENT OF TITLE 2 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ADMINISTRATION AND PERSONNEL' (Police Pension Fund)"

On motion by Councilman Lupino, seconded by Council Vice-President McFarland, the above Ordinance was adopted on a vote of 5-4. The following being recorded as voting "aye": Councilmen Lupino, Navarro, Council Member Bucci, Councilmen Santamaria and Barone 5. The following being recorded as voting "nay": Councilmen Lanni, Livingston, Council Vice-President McFarland and Council President Garabedian -4.

10-08-6 "ORDINANCE IN AMENDMENT OF CHAPTER 3 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'REVENUE AND FINANCE' (Commercial Tax Incentive Five Year)"

On motion by Councilman Barone, seconded by Councilman Lanni, the above Ordinance was adopted 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.

10-08-7 "ORDINANCE IN AMENDMENT OF CHAPTER 3 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'REVENUE AND FINANCE' (Commercial Tax Incentive Ten Year)"

On motion by Councilman Lupino, seconded by Councilman Lanni, the above Ordinance was adopted 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.

-DECEMBER 15, 2008-

10-08-8 “ORDINANCE IN AMENDMENT OF CHAPTER 3 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘REVENUE AND FINANCE’ (Industrial Tax Incentive Five Year)”

On motion by Councilman Lupino, seconded by Councilman Barone, the above Ordinance was adopted 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.

10-08-9 “ORDINANCE IN AMENDMENT OF CHAPTER 3 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘REVENUE AND FINANCE’ (Industrial Tax Incentive Ten Year)”

On motion by Councilman Lupino, seconded by Council Vice-President McFarland, the above Ordinance was adopted 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.

11-08-2 “ORDINANCE RATIFYING THE LIUNA (Laborer’s International Union of North America) Local Union 1322 CONTRACT FOR THE TERM JULY 1, 2008 THROUGH JUNE 30, 2011”

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

Under Discussion:

Councilman Navarro stated that this Union has done their part in sharing the cost burden on the healthcare. Total impact of this three-year contract is \$370,766. This is a model contract. This is a workforce that needs to be rewarded.

Councilman Lanni reiterated Councilman Navarro’s comments.

Roll call was taken and motion passed on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council Vice-President -8. The following being recorded as voting “nay”: Council President Garabedian -1.

SAFETY SERVICES & LICENSES COMMITTEE (John E. Lanni, Jr., Chair)

11-08-3 “ORDINANCE IN AMENDMENT OF CHAPTER 10.32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (Lincoln Ave., Grant Ave. and Franklin Ave.)”

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

-DECEMBER 15, 2008-

VIII. ELECTION OF CITY OFFICIALS

CHARTER REVIEW COMMISSION –

- **Mayor’s Appointment: Steven Carrera**

Council President Garabedian announced the Council Members’ Appointments:

- **Council President Garabedian: Nathan W. Canaan and Simeone S. Parente**
- **Council Vice-President McFarland: Holly Scripsack**
- **Councilman Lanni: Michael Mulcahey, Esq.**
- **Councilman Lupino: John DeGenova**
- **Councilman Livingston: Alfred Notarianni**
- **Councilman Navarro: Frank E. Mattiucci**
- **Councilwoman Bucci: Randall Jackvony**
- **Councilman Santamaria: Jeanne Mizzoni**
- **Councilman Barone: Ron D’Agostino**

IX. REPORT OF CITY OFFICERS

No business.

X. OLD BUSINESS

None.

XI. INTRODUCTION OF NEW BUSINESS

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

Special City Council – December 29, 2008

12-08-1S **Ordinance in amendment of Title 2 of the Code of the City of Cranston, 2005, entitled “Administration and Personnel” (Collective Bargaining Agreement Ratification Process).**

Safety Services and Licenses Committee – January 12, 2009

12-08-2 **Ordinance in amendment of Title 5.40.090 of the Code of the City of Cranston, 2005, entitled “Hawkers and Peddlers Generally” (Hawkers License).**

12-08-7 **Ordinance in amendment of Chapter 10.04 of Title 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Penalties for Traffic Violations).**

12-08-8 **Ordinance in amendment of Chapter 10.32 of Title 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Through Trucking – North View Ave.).**

12-08-9 **Ordinance in amendment of Chapter 10.12 of Title 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Julia St., High School Ave. and Legion Way).**

12-08-10 **Ordinance in amendment of Chapter 10.40 of Title 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (No Parking – Springwood Street).**

-DECEMBER 15, 2008-

Public Works Committee – January 15, 2009

12-08-1 Ordinance in amendment of Title 13 of the Code of the City of Cranston, 2005, entitled “Public Services” (Sewer Rate)

Petition from National Grid for pole location at Sockanosset Crossroad.

Petition from National Grid for pole location at Reservoir Ave.

Finance Committee – January 15, 2009

12-08-6 Ordinance in amendment of Chapter 2.40.120 of Title 2 of the Code of the City of Cranston, 2005, entitled “Administration and Personnel” (Municipal Court – Compensation).

Ordinance Committee – January 15, 2009

12-08-3 Ordinance in amendment of Chapter 2.40.130 of Title 2 of the Code of the City of Cranston, 2005, entitled “Administration and Personnel” (Municipal Court Auxiliary Judge).

12-08-4 Ordinance in amendment of Chapter 2.40.040 of Title 2 of the Code of the City of Cranston, 2005, entitled “Administration and Personnel” (Municipal Court Clerk-Appointment and Duties).

12-08-5 Ordinance in amendment of Chapter 2.40.020 of Title 2 of the Code of the City of Cranston, 2005, entitled “Administration and Personnel” (Municipal Court Judges).

12-08-11 Ordinance in amendment of Chapter 17.16 of Title 17 of the Code of the City of Cranston, 2005, entitled “Zoning” (Special Flood Hazard Districts).

City Plan Commission – January 6, 2009

12-08-11 Ordinance in amendment of Chapter 17.16 of Title 17 of the Code of the City of Cranston, 2005, entitled “Zoning” (Special Flood Hazard Districts).

Claims Committee

*Christopher and Charlene Geremia

*Stephanie Morales

On motion by Councilman Barone, seconded by Council Vice-President McFarland, 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, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Bucci was not present for roll call vote.

XII. MISCELLANEOUS BUSINESS ON CLERK'S DESK

**12-08-1S ORDINANCE IN AMENDMENT OF TITLE 2 OF THE CODE OF
THE CITY OF CRANSTON, 2005, ENTITLED
'ADMINISTRATION AND PERSONNEL' (Collective Bargaining
Agreement Ratification Process)**

On motion by Councilman Barone, seconded by Councilman Lupino, the above Ordinance was referred to a Special City Council Meeting on December 29, 2008 at 6:00 P.M. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Lanni, Lupino, Livingston, Navarro, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -8. Council Member Bucci was not present for roll call vote.

RI DEM NOTIFICATION OF TREE CITY USA PROGRAM

City Clerk stated that she is presenting this information to the City Council, since a Tree Warden was never re-appointed for the City of Cranston. This is for informational only.

XIII. PUBLIC HEARINGS ON UNDOCKETED ITEMS

Council Member-Elect Robert Pelletier, appeared to speak and commended Council Vice-President McFarland. He stated that she has been an inspiration to him while serving on the City Council. He also commended Councilman Barone for his service on the City Council.

Al Tedeschi, 55 Church St., former City Fire Chief, appeared to speak and stated that he served the City for 39 years. He stated that he has brought the issue of flooding of his land to Council Vice-President McFarland's attention in the past. He has been put off for five years now. Council Vice-President McFarland stated that Councilman Santamaria will be Chairing the Flood Commission meetings for the next term. The former Commission has made recommendations and they were able to pass a bond referenda that will help a lot of the flood problems in the City, hopefully, his area will be helped. Mr. Tedeschi stated that this has been an area where the City has neglected the water-flow into the river. Councilman Lanni addressed Mr. Tedeschi and stated that he is familiar with this area and the problems with flooding and asked Mr. Tedeschi to be patient a little longer and hopefully, the flooding problem will be addressed.

Paul Valetta, President of Local Firefighters Union, appeared to speak and thanked the outgoing Council members on behalf of the Firefighters, in serving the City.

Steve Carrera appeared to speak and also thanked the outgoing Council members and their service to the City.

The meeting adjourned at 10:30 P.M.

Maria Medeiros Wall, JD
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).