

# REGULAR MEETING – CITY COUNCIL

**-DECEMBER 17, 2007-**

Regular meeting of the City Council was held on Monday, December 17, 2007 in the Council Chambers, City Hall, 869 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 7:05 P.M. by the Council President.

Roll Call showed the following members present: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, 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; Charles Garganese, Jr., Assistant City Solicitor; Corsino Delgado, Director of Finance; Steve Woerner, City Council Internal Auditor; Patrick Quinlan, City Council Legal Counsel.

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

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

**Council President Garabedian** acknowledged Troop 6 Boy Scouts from Cranston, who are present at this meeting to earn their Merit Badges.

## **II. EXECUTIVE COMMUNICATIONS**

### **“PRESENTATION BY CRANSTON POLICE DEPT. AND SALVE REGINA – COMMUNITY EVALUATION SURVEY RE: POLICE DEPT. PERFORMANCE”**

**Council President Garabedian** asked for a motion to take out of order the “Presentation by the Cranston Police Department and Salve Regina University” regarding the Community Evaluation Survey for the Police Department Performance.

On motion by Councilman Lanni, seconded by Councilman Barone, it was voted to take out of order the above item. Motion passed on a vote of 7-2. The following being recorded as voting “aye”: Councilmen Lanni, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian –7. The following being recorded as voting “nay”: Councilman Lupino and Council Vice-President McFarland -2.

**Lt. Vincent McAteer** appeared to make a brief presentation regarding the survey and presented a packet and introduced Associate Professor Daniel Knight of Salve Regina University.

**Associate Professor Daniel Knight** appeared to speak and gave brief overview of the survey that was conducted.

## -DECEMBER 17, 2007-

**Derek Mahn** and **Lou Macklin**, students from Salve Regina, appeared to speak. Mr. Mahn stated that the goal of the Cranston Police Department is to obtain accreditation from CALEA. He stated that there were interviews conducted, one at the Senior Center, one at City Hall, telephone interviews and also live interviews at the two high schools. 5,000 surveys were mailed out and 958 were returned.

**Matthew Russo**, student from Salve Regina, appeared to speak and stated that the University has done surveys for other communities, such as Cumberland, Warwick and Somerset, MA. The interviews conducted in this survey were done over a period of three days, October 2, 10 and 16.

**Karen Iaello**, student from Salve Regina, appeared to speak and stated that Auburn, Westside and Edgewood were the highest return of the surveys. She stated that the survey shows average income for household is approximately \$44,000; average income per capita is approximately \$22,000; of the respondents, 96% own their own home; 1% rent their home; 89% are White; 4.6% are Hispanic; 3.7% are African American; 3.3% are Asian American; 0.39% are Native American; 1.9% are from other races.

**Elizabeth Kenny**, student from Salve Regina, appeared to speak and stated that 37% of the respondents had no contact with the Cranston Police Department; 7% had concerns regarding traffic stops; 20% made a complaint; 10% was a victim; 4% parking complaint; 7% noise complaint.

**Jose Bodier**, student from Salve Regina, appeared to speak and stated that of the respondents, the Patrol Division was the higher rated division that scored in the 98 percentile in the professional, courteous, helpful and knowledgeable areas.

**Mr. Mahn** and **John Ickle** addressed the crime problems in Cranston. 44% of the respondents felt speeding in the City is a big problem; 38% felt stop sign violations and other violations are big problem in the City; 37% felt drug and alcohol use around schools and park areas are big problem in the City. Of the respondents, traffic accidents was the number one issue; school violence was the second main issue; and noise was the third main issue. Not serious issues were: 28% of respondents felt trash; 27% felt parking (2 hour parking not being adhered to) and 22% of the respondents felt noise (motorcycles and car stereos).

**Christine Doherty** spoke regarding the familiarity with services provided and the most recognized areas: speed limit enforcement; child seatbelt checks; crime prevention program; school resource officer; traffic safety programs; missing child; tobacco/alcohol compliance checks.

**Mike Crocheck** addressed the quality of life in Cranston and stated that the people felt more safe walking in their neighborhood during the day as opposed to at night. Vandalism was rated as needing improvement. Overall, the quality of life in the City was very positive, but the negative responses need to be addressed by the Police Department.

**Colonel Stephen McGrath** thanked Salve Regina for taking this project on and stated that he is very pleased with the results.

**Council Vice-President McFarland** asked if the live interviews are figured into the analysis. Professor Knight stated that they recorded a few interviews and reports were compiled and the Cranston Police Department has these reports. They were not figured into the statistical analysis.

**Council Vice-President McFarland** noted that most of the respondents were homeowners. Another concern she has is that most of the respondents were over the age of 65.

**Councilman Lupino** asked what Operation Blue Riptide is. Lt. McAteer stated that this is a federal program for combating drunk driving.

## **-DECEMBER 17, 2007-**

**Councilman Lupino** stated that a consideration in the future, a web page could be considered, since the younger residents use a computer more than read the newspaper or their mail. This may provide a better return from younger residents.

**Councilman Lupino** asked how what areas in the City to receive these surveys were determined. Professor Knight stated that it was totally random. There were ten neighborhoods listed and the surveys were sent out randomly.

**Mr. Carlucci**, on behalf of the Administration, thanked the University and the students and the Cranston Police Department for working on this survey.

### **“REQUEST TO BE PLACED ON PENSION *DEPUTY CHIEF JOHN DEGENOVA*, CRANSTON FIRE DEPARTMENT”**

On motion by Council Vice-President McFarland, seconded by Councilman Barone, it was voted to approve the above request. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen 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.

### **“POLICE REQUIREMENTS”**

**Mr. Carlucci** stated that the Administration is requesting to withdraw this item from the docket at this time.

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

**Councilman Barone** asked if there are any new counsel. Mr. Carlucci stated that at this time, the Administration is not bringing in any new counsel.

## **III. COUNCIL PRESIDENT COMMUNICATIONS**

### ***Police Station Bid Requirements (Solicitor’s opinion)***

**Assistant Solicitor Garganese** stated that he spoke to Solicitor Sciolto this afternoon and he directed the attention to City Charter Section 7.08(G). Council Vice-President McFarland asked, if we go to the highest bidder, could we stipulate that we would get a monetary value for community good. Solicitor Garganese stated that that would be up to the Council.

**IV. COUNCIL MEMBER COMMUNICATIONS**

***Status Update Regarding transfer of land for Cranston St. Library- Council Vice-President McFarland***

**Mr. Carlucci** stated that at this time, we have an attorney finalizing all the title documents. The Administration's intention is to continue moving forward with the land swap. He met with the Library Board last week and they are on board, but we are not going to stop with the transfer.

***Status Update Regarding Performance Bond Issued for Mulligan's Island – Council Vice-President McFarland***

**Mr. Carlucci** stated that back in December, 2001, Citizens Bank issued a letter of credit. There is no documentation updating the letter of credit past December 1, 2003. The Planning Commission believes that this letter of credit has lapsed. At this time, there is no bond on record that we could find. We will continue to search this issue. He will provide the Council with a packet of information that has been compiled to date.

***Economic Development Director's Opinion as to best Potential Use of the Atwood Ave. (former Police Station Property) – Councilman Lupino***

**Mr. Carlucci** stated that he was not able to speak to the Director of Economic Development regarding this issue. He does not have the direct answer to this. There are several ideas for potential use for this property. Councilman Lupino stated that we have had an Economic Development Director for a year now and it has been known that this property was going to be sold. He would have hoped that the Economic Development Director would have had some ideas for the use for this property.

**Councilman Lupino** stated that he understands that there has been recently a performance evaluation of all the City Directors and he asked when the Council can receive the results of these evaluations or can the Council speak to these directors to see what they have accomplished in the last year and what their long and short-term goals are. Mr. Carlucci stated that during the budget process is a good time to discuss this with the directors. As to the evaluations, he has not spoken to the Mayor to see if this is something that the Council will be provided with. He will relay this request to the Mayor. Under the City Charter, the Council can ask for information from a director at any time.

***Status Update Regarding the Inter-Local Risk Management Trust***

**Mr. Carlucci** stated that at this time, the Administration has started to work on the numbers. He asked that Mr. Delgado speak regarding the number stated by the Trust at their presentation and the numbers the Administration has come up with. Council Vice-President McFarland called for a Point of Order because the Claims Committee has not voted on anything and this is being circumvented to come before the full City Council. No further discussion took place.

***2007 Budget: Police Stabilization Lillian Rivera***

**Councilman Barone** stated that based on advice of Solicitor, this will not be discussed this evening.

**-DECEMBER 17, 2007-**

## **V. PUBLIC HEARINGS**

**Rachel McNally**, 113 Hill Top Dr., appeared to speak and addressed the Performance Bond for Mulligan's Island. She stated that none of the plantings that were to be done were ever done. Her main issue and concern is about a swap. It was questioned if there was any Council approval or land swap.

**Steve Pereira**, 16 Mollie Dr., appeared to speak in favor of the liquor license application for Miss Cranston Diner listed on the docket.

## **VI. DOCKETED RESOLUTIONS**

### **“RESOLUTION CREATING A SEWER REVOLVING LOAN FUND”**

On motion by Councilman Livingston, 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.

## **VII. REPORT OF COMMITTEES**

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

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

On motion by Councilman Livingston, 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 APPROVALS”**

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to approve the list of interest waiver approvals. 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 DENIALS”**

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to approve the list of interest waiver approvals. 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 17, 2007-**

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

**“CLASS B VICTUALLING ALCOHOLIC BEVERAGE LICENSE – *MISS CRANSTON DINER*, 1223 OAKLAWN AVE.”**

On motion by Councilman Lanni, seconded by Councilman Barone, it was voted to approve this liquor license 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

**11-07-1 “ORDINANCE IN AMENDMENT OF CHAPTER 10.12 OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (Birchwood Dr. and Lake Garden Dr.-3 way stop) (Tabled in Committee 12/3/2007)”**

On motion by Councilman Barone, seconded by Councilman Navarro, it was voted to remove this Ordinance from the table. Motion passed on a vote of 9-0. Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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

Under Discussion:

**Councilman Santamaria** stated that he has a petition of 25 people filed in the Mayor’s Office asking for this stop sign. Councilman Navarro pointed out that there is a negative endorsement from the Traffic Engineer.

Roll call was taken on motion to approve and 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.

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

**“RATIFICATION OF SETTLED CLAIMS FOR: Jacqueline, William & Jae Pezzullo \$775.00; Matthew Mlyniec & Lewis Paras attorney \$9,000.00; Jose Trindade \$94.21; Louis & Susan Mansolillo \$160.10; Jason & Stephanie Parent \$165.50; Amica Insurance for Kevin Doucette \$2,920.73.**

On motion by Councilman Lupino, seconded by Councilman Santamaria, it was voted to approve the above-listed claims. Motion passed on a vote of 8-0 with 1 abstention. 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 Barone abstained.

**VII. ELECTION OF CITY OFFICIALS**

No business.

**VIII. REPORT OF CITY OFFICERS**

**Mr. Woerner** presented a financial report as of October 31, 2007 and stated that the General Fund has \$18.5 million in revenues; Real Estate recordings and Building Permits are down; as for expenditures, Police and Fire Overtime needs to be looked at.

**Council Vice-President McFarland** questioned the \$120,000 from the sale of the Public Works property in Knightsville and whether the transfer has taken place of those funds. Mr. Woerner stated that he has not had a full discussion with the Finance Director as to what his ultimate intent is. As of today, it is still in Reduction of Debt Service. Council Vice-President McFarland asked if the Schools have made their changes to the School Deficit. Mr. Woerner stated that he would have to check on this.

**Mr. Woerner** stated that in the draft of the Audit, the Auditors stated that the City would have approximately \$21 million in the General Fund. As of late, he has looked at the Audit closer and found there is actually approximately \$18.5 million.

**Mr. Delgado** stated that there are two settlements that have to be paid out, one for the Providence Water settlement and the other is for the Natasha Valley case, which was just reached. These two settlements are for approximately \$4 million. If we don't issue bonds for the Valley case, that money would have to come out of the General Fund.

**IX. OLD BUSINESS**

None.

**X. INTRODUCTION OF NEW BUSINESS**

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

**City Plan Commission – January 8, 2008**

**12-07-1 Ordinance in amendment of Chapter 17.28 of the Code of the City of Cranston, 2005, entitled “Zoning” (Drive Ins).**

**Ordinance Committee – January 17, 2008**

**12-07-1 Ordinance in amendment of Title 8 Chapter 28 of the Code of the City of Cranston, 2005, entitled “Property Maintenance Standards”.**

**12-07-2 Ordinance in amendment of Chapter 17.28 of the Code of the City of Cranston, 2005, entitled “Zoning” (Drive Ins).**

**Finance Committee – January 3, 2008**

**Tax Incentive Application for Robert’s Precut Vegetables, Inc., 10 Camelot Circle, Johnston, RI, for property located at 15 Daniels Way, Cranston, RI.**

**Tax Incentive Application for Final Gift Pet Cremation Services, Inc., 1 Daniels Way, Cranston, RI, for property located at Assessor’s Plat 36-1 Lot 133.**

**-DECEMBER 17, 2007-**

**Claims Committee**

- \*Robert Relli
- \*Caitlin Marino
- \*Jeff Dragon
- \*Jose, Erica & Xzavier Ayala
- \*Francesca Solitro-Coppa
- \*Maria Quiroa

\*forwarded only to City Council, Solicitor and Anna Marino

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

Council Vice-President McFarland stated the following corrections that need to be made by the Economic Development Director on the above Tax Incentive Applications.

- \*Final Gift Pet Cremation Services, Inc. – location is not stated on application and referral date on page 2 states 2007, should stated 2008 and explanation is needed regarding the tax break over 5-year period.
  - \*Robert’s Precut Vegetables, Inc. – referral date on page 2 should state 2008 and explanation is needed regarding the \$100,000 tax break over 10-year period.
- The Economic Development Director needs to be present at the Finance Committee meeting to address these issue and make corrections stated.

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

**“RI DEPT. OF TRANSPORTATION: STATE FARM CEMETERY- PHASE II PERMIT-REBURIALS”**

**Michael Hebert**, Supervisor of Historical Cemeteries from RI DOT, appeared to speak. Councilman Lanni complimented Mr. Hebert for all the work that was done in trying to locate relatives of the deceased.

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to approve Phase II Permit for reburials. 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.

**XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS**

None.

The meeting adjourned at 9:30 P.M.

Maria Medeiros Wall, JD  
City Clerk

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).