

REGULAR MEETING – CITY COUNCIL

-FEBRUARY 27, 2006-

Regular meeting of the City Council was held on Monday, February 27, 2006 in the Cranston High School East Auditorium, 899 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 7:10 P.M. by the Council President.

Roll Call showed the following members present: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian –6.

Absent: Councilman Pisaturo, Council Member Bucci and Councilman Lanni -3.

Also Present: Paul Grimes, Director of Administration; Robin Muksian-Schutt, Deputy Director of Administration; Evan Kirshenbaum, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel; Jerome Baron, Director of Finance; Mike Igoe, City Controller; Steve Woerner, City Council Internal Auditor.

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

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

No business.

II. EXECUTIVE COMMUNICATIONS

**“REQUEST TO BE PLACED ON PENSION CAPTAIN PAUL TESTONI,
CRANSTON FIRE DEPARTMENT”**

On motion by Councilman Barone, seconded by Councilman Fung, it was voted to approve the above request. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

**“PRESENTATION BY CRANSTON POLICE DEPARTMENT ON
ACCREDITATION PROCESS”**

Captain Kevin Lynch appeared to give a presentation. He thanked the Administration and City Council for the faith they placed in the Cranston Police Department. Under the direction of Colonel McGrath, the Police Department has already implemented a policies and procedures manual. A booklet was presented to the Council members. On March 13, 2006, the official contract with CALEA will be signed by the Administration, included in the package is the cost for software and application fee. After 2009, it will cost the City approximately \$4,000 a year to maintain that status.

Lieutenant Vincent McAteer appeared to speak and gave an overview of the accreditation process governed by CALEA. He also gave background of CALEA and how it was formed. Lt. McAteer stated that the accreditation process takes five phases: 1) application phase; 2) self-assessment process, which takes approximately 24 months; 3) on-site assessment – 3 to 5 day process; 4) commission review; and 5) re-accreditation. There are approximately 446 standards. Lt. McAteer stated the benefits of accreditation: 1) policies and procedures; 2) reduces civil liability for all police officers; 3) better managed Police Department; 4) promotes community confidence and respect; 5) positive influence for change.

Councilman Barone asked if any departments in the State are accredited. Lt. McAteer stated that North Smithfield, Warwick, Cumberland and RI State Police are accredited. North Providence, Johnston, Westerly and Bristol are thinking about the process.

Council Vice-President McFarland asked how the policies and procedures will be formulated for personnel Administration. Captain Lynch stated that these issues are addressed in the table of contents in the booklet. The current collective bargaining agreement was utilized.

Council Vice-President McFarland stated that she will be suggesting an amendment to the Resolution later on because any policies and procedures have to come before the City Council for approval.

Councilman Livingston stated that his concern is with the officers on the road. He questioned if the accreditation is going to make them get bogged down in paperwork. Captain Lynch stated, no, it will create more paperwork for him and Lt. McAteer.

Council President Garabedian stated that there is no fiscal note attached to the Resolution that is before the Council, as required by the Charter. He is in favor of this, since there is an audit that was done two years ago and he would be more comfortable in passing this Resolution with a fiscal note.

Council Vice-President McFarland suggested attaching the memorandum in the booklet to the Resolution, which would satisfy the fiscal note issue. Council Member Fogarty stated that a Resolution is not a law. This Resolution would die when this Council’s term ends. The next Council would have to pass a new one.

III. COUNCIL PRESIDENT COMMUNICATIONS

Council President Garabedian presented a claim to the City Clerk. He stated that he will be making appointments to the Drain and Flood Study Commission.

Council President Garabedian stated that after a couple of visits to the Ice Rink, he contacted the State Police and obtained a sample of the material that was taken from there. He placed a match to it and it does burn and he gave a sample of that to the Fire Marshall and we are awaiting a report from him.

IV. COUNCIL MEMBER COMMUNICATIONS

Council Vice-President McFarland requested the Administration look at the Veteran's and Over 65 Exemption requirements and look at what other requirements other communities have. This will be a help if we need to ask the General Assembly to amend our requirements.

Council Member Fogarty addressed the audit bids and stated that four companies will be interviewed by the Audit Committee this week and a report will be sent to the Council after that.

V. PUBLIC HEARINGS

John DeGenova, Vice-President of Local 1363 Firefighters Union, appeared to speak regarding Ordinance 1-06-12. He asked why this Ordinance was not placed before the Finance Committee. He stated that he wants to make sure that the standards are realistic and asked if the Council will be involved in determining these standards or have any input. Mr. Baron stated that the Ordinance is to publish the Actuary Report. Mr. DeGenova stated that he is not implying that the report not be published. The Council needs to have control of who performs the service and that this be a realistic actuary report and not just used as a political tool. Mr. Baron stated that the documents being discussed are published on a voluntary basis by this Administration. This, to him, is good government. The assumptions are normally included in the report.

Gerard Smith, 59 Massasoit Ave., appeared to represent Steve Stycos of "Friends of Pawtuxet", who could not attend this meeting due to a School Committee meeting and spoke regarding Ordinance 1-06-15.

Paul Valetta, President of Local 1363 Firefighters Union, appeared to speak regarding Ordinance 1-06-12 and asked that the Council table this Ordinance and create a Committee with professionals, including Council members, to get a true Actuary Report. He asked that the Union be given a chance to sit down with the Administration and discuss this.

Cynthia Palmieri, Youlden Ave., appeared to speak in favor of Ordinance 1-06-15.

VI. DOCKETED RESOLUTIONS

“RESOLUTION URGING THE MEMBERS OF THE RHODE ISLAND GENERAL ASSEMBLY TO INTRODUCE AND PASS LEGISLATION INCREASING THE AMOUNT OF ALLOWABLE INCOME TO QUALIFY FOR TAX FREEZE BENEFITS AND EXTENDING THE FILING DEADLINE”

On motion by Councilman Fung, seconded by Councilman Barone, it was voted to adopt this Resolution.

Under Discussion:

Council Vice-President McFarland asked that we look at other communities because the income guideline of \$17,400 seems a little bit low.

Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

“RESOLUTION ENDORSING THE EFFORTS OF THE CRANSTON POLICE DEPARTMENT TO BECOME A NATIONALLY ACCREDITED POLICE AGENCY”

On motion by Councilman Barone, seconded by Councilman Livingston, it was voted to adopt this Resolution.

On motion by Council Member Fogarty, seconded by Councilman Livingston, it was voted to amend this Resolution as follows: before the last paragraph, add “Whereas, the presentation entitled ‘CALEA Commission on Accreditation for Law Enforcement Agencies Accreditation Works’ presented to the City Council on February 27, 2006 is hereby incorporated as part of this Resolution”. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, it was voted to amend this Resolution as follows: end of last paragraph, add “while balancing the needs of all City departments and all City residents”. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, the above Resolution was adopted as amended on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

VII. REPORT OF COMMITTEES

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

**12-05-2 “ORDINANCE IN AMENDMENT OF CHAPTER 2.32 OF THE
CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘
‘HARBOR MASTER’.”**

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, the above Ordinance was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

**1-06-7 “ORDINANCE ESTABLISHING STANDARD OPERATING
PROCEDURES WITHIN THE FINANCE DEPARTMENT
(ANNUAL BUDGET POSTING)”**

On motion by Council Vice-President McFarland, seconded by Councilman Fung, the above Ordinance was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

**1-06-8 “ORDINANCE ESTABLISHING STANDARD OPERATING
PROCEDURES WITHIN THE FINANCE DEPARTMENT
(MONTHLY FINANCIAL REPORT POSTING)”**

On motion by Council Vice-President McFarland, seconded by Council Member Fogarty, the above Ordinance was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

**1-06-9 “ORDINANCE ESTABLISHING STANDARD OPERATING
PROCEDURES WITHIN THE FINANCE DEPARTMENT
(MONTHLY BOND BALANCES)”**

On motion by Council Vice-President McFarland, seconded by Councilman Barone, the above Ordinance was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

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1-06-10 “ORDINANCE ESTABLISHING STANDARD OPERATING PROCEDURES WITHIN THE FINANCE DEPARTMENT (COMPREHENSIVE FINANCIAL ANNUAL REPORTS)”

1-06-12 “ORDINANCE ESTABLISHING STANDARD OPERATING PROCEDURES WITHIN THE FINANCE DEPARTMENT (ACTUARY REPORTS)”

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, it was voted to refer the above two Ordinances back to the Finance Committee.

Under Discussion:

Council Vice-President McFarland stated that there should be a requirement in the Ordinance stating that reports be approved by the City Council before being placed on the City’s website.

Roll call was taken on motion to refer to Finance Committee and motion passed on a vote of 5-1. The following being recorded as voting “aye”: Councilman Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -5. The following being recorded as voting “nay”: Councilman Fung -1.

1-06-11 “ORDINANCE ESTABLISHING STANDARD OPERATING PROCEDURES WITHIN THE FINANCE DEPARTMENT (RATING AGENCY REPORTS)”

On motion by Council Vice-President McFarland, seconded by Councilman Fung, it was voted to amend the above Ordinance as follows: second paragraph, second line, after the word “one-month”, delete “after the receipt of such report” and add “receipt by the City Council”. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

**COMMITTEE ON FINANCE
(Cynthia M. Fogarty, Chair)**

“ADVICE AND CONSENT OF APPOINTMENT OF RICHARD DELGADO, AS CHIEF OF THE CRANSTON FIRE DEPARTMENT”

Mr. Grimes appeared to speak. Mr. DelGado also appeared to speak.

On motion by Councilman Barone, seconded by Councilman Fung, it was voted to approve the Advice and Consent of the appointment of Mr. DelGado as Chief of the Cranston Fire Department. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

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1-06-1 “ORDINANCE AUTHORIZING THE CITY TO UTILIZE WESTERN CRANSTON RECREATIONAL IMPACT FEES FOR THE BRIGGS FARM PHASE III PROJECT (Use of Impact Fee Revenue for Construction of Briggs Farm Phase III)”

On motion by Councilman Barone, seconded by Councilman Fung, the above Ordinance was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

Council Vice-President McFarland stated that at the Committee meeting, she asked if there were any items that could be taken out of the project and she has not received any information on that. She has not received any documentation from the Parks and Recreation Advisory Board either. Mr. Grimes stated that there are a number of items identified by the Staff Report that could be deducted from this project, but none are being recommended.

1-06-3 “ORDINANCE RATIFYING THE LIUNA (LABORER’S INTERNATIONAL UNION OF NORTH AMERICA) CONTRACT, LOCAL UNION 1322”

On motion by Council Member Fogarty, seconded by Councilman Livingston, the above Ordinance was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

1-06-4 “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2005 AND ENDING JUNE 30, 2006 (STATE REVENUE SHARING APPROPRIATION)”

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, the above Ordinance was referred to a Special City Council meeting on Thursday, March 9, 2006. Motion passed on a vote of 4-2. The following being recorded as voting “aye”: Councilman Livingston, Council Member Fogarty, Council Vice-President McFarland and Council President Garabedian -4. The following being recorded as voting “nay”: Councilmen Fung and Barone -2.

“RESOLUTION AUTHORIZING REAL ESTATE/TANGIBLE TAX ABATEMENTS”

On motion by Council Member Fogarty, seconded by Councilman Livingston, the above Resolution was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

“RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS”

On motion by Council Member Fogarty, seconded by Councilman Livingston, the above Resolution was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

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“TAX INTEREST WAIVER LIST”

On motion by Council Member Fogarty, seconded by Councilman Barone, it was voted to approve the Tax Interest Waiver List as recommended by the City Treasurer. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

**COMMITTEE ON PUBLIC WORKS
(John E. Lanni, Jr., Chair)**

“RESOLUTION INSTITUTING PROCEEDINGS FOR THE ABANDONMENT OF A PORTION OF CARLSBAD ST.”

On motion by Council Vice-President McFarland, seconded by Councilman Barone, the above Resolution was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

“RESOLUTION INSTITUTING PROCEEDINGS FOR THE ABANDONMENT OF JOHN HAZEN WHITE SR. WAY”

On motion by Council Vice-President McFarland, seconded by Councilman Barone, the above Resolution was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

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

12-05-5 “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘STOP INTERSECTIONS-ENUMERATED’ (Hope Rd. and Laten Knight Rd.)”

12-05-6 “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘STOP INTERSECTIONS-ENUMERATED’ (Maple Farm Rd. and Phenix Ave.)”

On motion by Councilman Livingston, seconded by Council Member Fogarty, it was voted to refer the above two Ordinances back to Safety Services and Licenses Committee, as requested by the sponsor, Council Member Bucci. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

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1-06-13 “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘ONE-WAY TRAFFIC ON CERTAIN STREETS BETWEEN CERTAIN HOURS’ (Mapleton St., Tennyson Rd. and Pontiac Ave.)”

On motion by Councilman Livingston, seconded by Councilman Fung, the above Ordinance was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

1-06-14 “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘ONE-WAY TRAFFIC ON CERTAIN STREETS BETWEEN CERTAIN HOURS’ (Gladstone St.)”

On motion by Councilman Livingston, seconded by Councilman Fung, the above Ordinance was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

1-06-15 “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘TRAFFIC REGULATIONS FOR SPECIFIC STREETS’ (Youlden Ave.)”

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, the above Ordinance was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

**COMMITTEE ON CLAIMS
(Councilman Michael S. Pisaturo, Chair)**

**“COUNCIL RATIFICATION OF SETTLED CLAIMS FOR:
AMICA INSURANCE CO. SUBROGATION - \$4,633.26
SUSAN ROGERS - \$2,107.82
MARY HASSELL - \$104.00”**

Councilman Livingston questioned what these claims are for, since he was not present at the Claims Committee meeting. Councilman Fung stated that these claims were discussed in Executive Session and those minutes are sealed. Councilman Livingston stated that since he has no information regarding these claims, he will have to abstain from voting on them.

On motion by Councilman Fung, seconded by Council Member Fogarty, it was voted to ratify all the above-listed settled claims. Motion passed on a vote of 5-0 with one abstention. The following being recorded as voting “aye”: Councilman Fung, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -5. Councilman Livingston abstained.

VIII. ELECTION OF CITY OFFICIALS

“BOARD OF CONTRACT AND PURCHASE”

Council Vice-President McFarland stated that the majority leader makes this appointment and, since he is not present, there will be no appointment made to this board at this time.

“PERSONNEL APPEAL BOARD”

None at this time.

“TAX ASSESSMENT BOARD OF REVIEW – re-appointment of Joseph Sauro (Cont. from 1/23/2006)”

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, it was voted to postpone this re-appointment until next month. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

IX. REPORT OF CITY OFFICERS

Mr. Woerner presented a handout of “Overview of 12/31/2005 Financial Statements”.

IXA. OLD BUSINESS

No business.

X. INTRODUCTION OF NEW BUSINESS

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

- 2-06-1 Ordinance in amendment of Chapter 12.04 of the Code of the City of Cranston, 2005, entitled “Streets, Sidewalks and Public Places” (Discharges to City Streets). PUBLIC WORKS COMMITTEE 3/16/2006.
- 2-06-2 Ordinance in amendment of Chapter 9 of the Code of the City of Cranston, 2005, entitled “Offenses Pertaining to Property” (Damage to Trees). ORDINANCE COMMITTEE 3/16/2006.
- 2-06-3 Ordinance in amendment of Chapter 2.24 of the Code of the City of Cranston, 2005, entitled “Fire Department” (Establishing a Revolving Loan Fund for EMTC Training). FINANCE COMMITTEE 3/16/2006.
- 2-06-4 Ordinance in amendment of Title 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic”, “Through Trucking-Prohibited on Certain Streets” (Peveril Rd.). SAFETY SERVICES & LICENSES COMMITTEE 3/6/2006.
- 2-06-5 Ordinance amending the Budget for the Fiscal Year commencing July 1, 2005 and ending June 30, 2006 (Salary Schedule – Laborer’s). FINANCE COMMITTEE 3/16/2006.
- 2-06-6 Ordinance authorizing the Purchasing Agent to lease a portion of Orchard Farms School, Cranston, RI. ORDINANCE COMMITTEE 3/16/2006.
- 2-06-7 Ordinance amending the Comprehensive Plan of 1992 (Burton St. II). ORDINANCE COMMITTEE 4/13/2006.
- 2-06-8 Ordinance in amendment of Chapter 30 of the Code of the City of Cranston, 2005, entitled “Zoning” (Change of Zone – Burton St. II). ORDINANCE COMMITTEE 4/13/2006.

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On motion by Councilman Barone, seconded by Councilman Fung, it was voted that the Ordinances be heard for public hearings before their respective Committees as read by the City Clerk. Motion passed on a vote of 6-0. The following being recorded as voting "aye": Councilmen Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

"PETITION FOR ABANDONMENT A PORTION OF BURTON ST. and PETITION FOR ABANDONMENT OF RICHFIELD AVE." Public Works Committee 3/16/2006.

"JOINT POLE LOCATION FROM NARRAGANSETT ELECTRIC FOR HARBORSIDE BLVD." Public Works Committee 3/16/2006.

Claims of:

Daniel & Francesca Piscione

Cheryl Daniels

Susan Tarayco

Michael Caldarone

Kenneth Ruizzo, Sr.

Cox Communications, Inc.

Fravala Phillips

Referred to Claims Committee.

XI. MISCELLANEOUS BUSINESS ON CLERK'S DESK

"ADDENDUM TO THE TEAMSTER'S CONTRACT RATIFIED 12/19/2006"

Discussion took place on where this list of positions was generated from. Council Vice-President McFarland stated that these positions are typed on a blank piece of paper with no heading, no date or name of who prepared it. This addendum should show what the changes are. City Clerk stated that Mr. Grimes indicated to her that there is an Ordinance pending reflecting these positions changes.

On motion by Councilman Livingston, seconded by Council Vice-President McFarland, it was voted to deny this Addendum. Motion failed on a vote of 4-2. The following being recorded as voting "aye": Councilman Livingston, Council Member Fogarty, Council Vice-President McFarland and Council President Garabedian -4. The following being recorded as voting "nay": Councilmen Fung and Barone -2.

On motion by Council Member Fogarty, seconded by Councilman Fung, it was voted to table this Addendum. Motion passed on a vote of 5-1. The following being recorded as voting "aye": Councilman Fung, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -5. The following being recorded as voting "nay": Councilman Livingston -1.

XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS

Paul Valetta, President of Local 1363 Firefighters Union, appeared to speak and thanked the Council for tabling Ordinances 1-06-10 and 1-06-12. He also spoke regarding the fire at the Ice Rink and the Administration questioning this investigation. He stated to the Council and the Administration, to think about the message this is sending to the State officials. He noted that City Hall is not compliance with the Fire Code at this time. Mr. Valetta also stated that the Council voted to approve \$235,000 and appropriated the funds to buy a ladder truck. He questioned the Finance Director when those funds will be released so this truck can be purchased. Mr. Baron stated that this is a matter for the Fire Chief to question. Council Vice-President McFarland asked Mr. Baron, including the Fire Department, are there any outstanding capital projects that will be forthcoming within the next four months? Mr. Baron stated that he expects there can be, this list is being finalized now. This would be available probably within two to three weeks. Council Vice-President McFarland asked that this information be submitted to the Council members via e-mail, when it is completed. Mr. Baron stated that there is a monthly report submitted to all departments, including the Fire Department, which is also posted on the City's website, showing all outstanding bond money. Mr. Valetta stated that there is a grievance taking place in hiring firefighters. The table of organization is still not being followed. According to the Collective Bargaining Agreement, only the Council can reduce the number of firefighters. There are people who have been tested and have taken EMTC training courses with the belief that they would be hired and the City made it clear that there won't be any hires. He is asking this Council to pass a Resolution next month letting the Arbitrator know that the Administration is violating the City Charter. This is a safety issue for firefighters. The department is down nineteen now and more retirees are coming up.

Steve Callahan, 155 Amanda Court, appeared to speak and questioned who he would file a claim with, which was originally denied by the Insurance Risk Commission. Council Vice-President McFarland stated that it should be forwarded to Anna Marino, the Claims Examiner.

Ken Rouleau, member of Local 1363 Firefighters Union, appeared to speak and asked that the Council be part of the actuary report process and procedures.

The meeting adjourned at 10:00 P.M.

Maria Medeiros Wall
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).