

## **REGULAR MEETING – CITY COUNCIL**

**-JANUARY 27, 2003-**

Regular meeting of the City Council of the City of Cranston was held on Monday, January 27, 2003 in the Council Chamber, City Hall, 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 Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

Absent: Councilman McDonough –1.

Also Present: Mayor Stephen P. Laffey; Paul Grimes, Director of Administration; Robin Muksian-Schutt, Deputy Director of Administration; Jametta Alston, City Solicitor; Evan Kirshenbaum, Assistant City Solicitor; Jerome Baron, Director of Finance; Mike Igoe, City Controller.

Council President Pastore stated that he received a call from Councilman McDonough’s wife and he is ill and will not be able to attend this meeting.

The Pledge of Allegiance was led by Councilwoman O’Hara. Invocation was given by Council President Pastore.

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

Council President Pastore stated that it has come to his attention that the elevator is broken and there is an issue with ADA. He spoke to the City Solicitor and resolution will be, that there will be a person posted at each entrance of the main lobby and if there is a person who needs assistance in getting into the Chambers, we will hold the meeting until that person can be accommodated into the Chambers by the Fire Department.

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

#### **“IN MEMORY OF ROBERT B. LYNCH”.**

Councilman Jackvony read Proclamation in memory of Mr. Lynch and presented it to the family members present.

#### **“CONGRATULATORY CITATION TO MICHAEL CORSI”.**

Mayor Laffey presented Citation to Mr. Corsi.

#### **“CITATION OF APPRECIATION RUSSELL CHATEAUNEUF, FORMER CHAIR OF THE CITY PLAN COMMISSION”.**

Councilwoman O’Hara presented Citation to Mr. Chateaneuf. Kevin Flynn, City Planner, thanked Mr. Chateaneuf for his years of service on this Board.

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## **II. INTRODUCTION OF UNDOCKETED RESOLUTIONS**

No business.

## **III. EXECUTIVE COMMUNICATIONS**

Council President Pastore welcomed Mayor Laffey into the Chambers to address the Council and the public.

Mayor Laffey stated that he has called for two emergency Council meetings to be held on Tuesday, January 28, 2003 at 7:00 P.M. and Wednesday, January 29, 2003 at 7:00 P.M. at Cranston High School East Auditorium to discuss and hopefully implement a plan to solve this financial crisis.

**“REQUEST TO BE CONTINUED IN SERVICE FOR ONE YEAR *SGT. GORDON SMITH*, CRANSTON POLICE DEPARTMENT”.**

On motion by Councilman Lanni, seconded by Councilwoman O’Hara, it was voted to approve this request. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

## **IV. COUNCIL PRESIDENT COMMUNICATIONS**

Council President Pastore asked that the City Clerk pass out copies of documentation he received from Cayer Prescott Clune & Chatellier of information he asked for at the last meeting: 1) estimates, which they said would be approximately \$900,000; 2) estimates whether or not we should do a six month reconciliation through June 30, 2003 estimate of \$20,000 and net cost of \$40,000. Council President Pastore asked if there were any objections for Cayer Prescott Clune & Chatellier to conduct a six month year to date audit through June 30, 2002. No one objected.

On motion by Councilwoman O’Hara, seconded by Council Member Fogarty, it was voted to have Cayer Prescott Clune & Chatellier do a six month year to date audit. Motion passed on a vote of 8-0. Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

Council President Pastore spoke regarding the Resolution on the Docket regarding the Financial Review Board. He stated that School Committee member Eramian suggested adding to pg. 3 Sect. 3 and 11 that reports be made available also to the “School Committee”. Ms. Alston stated that this would not be a substantial change requiring re-advertising.

## **V. COUNCIL MEMBER COMMUNICATIONS**

No business.

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## **VI. PUBLIC HEARINGS**

**Albert Benetti**, 24 Concord Ave., appeared to speak and stated that in 1996 he served on the Charter Review Commission and they implemented the Advice and Consent of the Directors. This was done so this would never turn political. He is in favor of the Finance Director and the Economic Development Director and Building Official. Mr. Benetti also offered to serve on the Cranston Financial Review Board.

**Jordan Bruno** appeared to speak in favor of the Advice and Consent of the appointment of Bernard Nascenzi. He stated that Mr. Nascenzi has been in the construction trade for over thirty years and he also was responsible for the building of the new school and he will be saving the City approximately \$8,000 by not taking the buyback for the health coverage.

**Jim Davis**, 19 Quail Ridge Rd., appeared to speak and asked who has responsibility for implementing the Auditor General's recommendations and stated that it would be helpful to the public is know what is ultimately done with the recommendations the Auditor General has made. Council President Pastore stated that a number of legislation to be voted on tonight are part of the Auditor General's plan.

**Louis Rainone**, 152 Ausdale Rd., appeared to speak in favor of the Advice and Consent of the appointment of Bernard Nascenzi. He stated that Mr. Nascenzi is a very credible person and has been in the construction trade for over thirty years.

## **VII. UNDOCKETED RESOLUTIONS**

No Business.

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## **VIII. DOCKETED RESOLUTIONS**

### **“RESOLUTION AUTHORIZING TAX ABATEMENTS AS SETTLEMENT OF EMINENT DOMAIN LITIGATION.”**

Council President Pastore apologized that this Resolution is before the Council at the last minute and stated there is no tax money involved, just abatements. He stated that he thinks it is in the best interest of the City.

Ms. Alston stated that the benefits of settlement agreement were discussed with the Mayor. There is one scrivener’s error to be changed, which is “the year ending would be **July 30, 2007** not 2008. Councilman Ferolito asked if the date should be **June 30, 2007**. Council President Pastore stated, yes, these changes will be made.

On motion by Councilwoman O’Hara, seconded by Councilman Lanni, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore – 8.

### **“RESOLUTION ON ADVISORY OPINIONS FROM THE CRANSTON FINANCIAL REVIEW BOARD .”**

On motion by Councilwoman McFarland, seconded by Councilman Ferolito it was voted to adopt this Resolution.

On motion by Councilwoman McFarland, seconded by Councilman Ferolito, it was voted to amend this Resolution by **adding the Ordinance number in the first paragraph**. Motion passed on a vote of 8-0. Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

Roll Call was taken to adopt this Resolution as amended and motion passed on a vote of 8-0. Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

### **“RESOLUTION MEMORIALIZING THE GENERAL ASSEMBLY TO ENACT LEGISLATION AUTHORIZING THE CITY OF CRANSTON ESTABLISH A TAX CLASSIFICATION ORDINANCE.”**

On motion by Councilwoman McFarland, seconded by Councilwoman O’Hara, the above Resolution was adopted on a vote of 8-0. Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

### **“RESOLUTION APPROVING THE EMPLOYMENT CONTRACT OF JEROME I. BARON AS DIRETOR OF FINANCE.”**

On motion by Councilwoman McFarland, seconded by Councilwoman O’Hara, the above Resolution was adopted on a vote of 8-0. Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

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**“RESOLUTION APPROVING THE ‘BENEFITS PACKAGE’ FOR THE ADMINISTRATIVE UNIT.”**

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, it was voted to adopt this Resolution.

On motion by Councilwoman McFarland, seconded by Councilwoman O’Hara, it was voted to amend this Resolution as follows: second paragraph, after the words ‘until’, add **“the Administration prepares”**; after the words ‘Policy Plan’, add **“including but not limited to the elimination of compensatory time and step increases for the Administrative Unit, which”**; after the words ‘but in on event shall, add **“this Resolution”**. Motion passed on a vote of 8-0. Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

Roll call was taken on main motion to amend and motion passed on a vote of 8-0. Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore – 8.

Council President asked that certified copies of the following be sent to the Cranston Delegation, the Auditor General, the Speaker of the House, the President of the Senate and the Governor:

- Tax Classification Resolution.
- Resolution on Advisory Opinions from the Cranston Financial Review Board.
- Resolution approving the Employment Contract of Jerome I. Baron as Director of Finance.
- Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled ‘Administration’ (Section 25.5 Council’s Internal Auditor).
- Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled ‘Administration’ (New Section 25.5 ‘Cranston Financial Review Board).

Council President Pastore also asked that certified copies of the following be sent to the School Committee Chair, the School Committee Members and Catherine Ciarlo, School Superintendent requesting that they adopt a Resolution supporting those bills and send the City Clerk’s Office a Certified Copy of that Resolution so they can send it to the Auditor General:

- Resolution on Advisory Opinions from the Cranston Financial Review Board.
- Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled ‘Administration’ (New Section 25.5 ‘Cranston Financial Review Board).

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**IX. REPORT OF COMMITTEES  
COMMITTEE ON ORDINANCE**

**11-02-3 “ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF  
1992 (CARLSBAD ST.)”**

On motion by Councilwoman McFarland, seconded by Councilwoman O’Hara, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore—8.

**11-02-4 “ORDINANCE IN AMENDMENT OF CHAPTER 30 OF THE CODE  
OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ZONING’  
(CHANGE OF ZONE – CARLSBAD ST.)”.**

On motion by Councilwoman McFarland, seconded by Councilman Ferolito, the above Ordinance was adopted as amended in Committee on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

**12-2-2 “ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
WORKS TO ENTER INTO AN EASEMENT AGREEMENT  
RELATING TO AN ENCROACHMENT OF A BUILDING ON A  
PORTION OF MILL ST.”**

On motion by Councilwoman McFarland, seconded by Councilman Ferolito, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore – 8.

**-JANUARY 27, 2003-**

**1-03-1S      “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2002 AND ENDING JUNE 30, 2003. (LEGAL COUNSEL).”**

Councilman Fung stated that he has some legal questions and concerns about hiring a legal counsel for the Council. There may be a conflict with the Charter because Section 3.24 allows Council to hire legal counsel from time to time. He asked what the legal ramifications would be if this Ordinance was adopted. If the Council engages in legal counsel, there may be conflicting legal opinions. He also asked if there would be any potential risks or ramifications to the Council. Council President Pastore presented copies of Ms. Alston’s letter regarding this matter, which incorporates Councilman Fung’s comments.

Ms. Alston appeared to speak and read the letter she sent to the Council President and members of the Council into the record. She quoted the Code, which states that the Solicitor represents the Mayor, City Council, etc. She stated that she is afraid that if this Ordinance is passed, we have to think of the ramifications. She also questioned the legality of this. Ms. Alston suggested that this Ordinance be tabled for more research as to the legal ramifications.

Councilwoman O’Hara stated that the comments she is about to make are not in any way against Ms. Alston, but this Ordinance is needed based on past experience the Council has had with past City Solicitor. She stated that the Council’s legal counsel would be as some one the Council could consult with.

Council President Pastore stated that the legal counsel would serve as Parliamentarian as well as drafting of legislation that would need approval by City Solicitor.

Councilman Jackvony stated that the Charter specifically states that the City Solicitor works not just for the Mayor or the Council, but the City.

Council Member Fogarty stated that Section 3.24 of the Charter clearly provides that this is a discretionary function of the Council.

Councilman Lanni stated that having a legal counsel and City Solicitor, is a good idea, as long as they do not conflict with each other, two opinions are better than one.

Councilman Ferolito stated that the Charter does address Legislative Research staff, and asked why not use this, which would be two people, considering the City’s financial situation.

On motion by Councilwoman McFarland, seconded by Council Member Fogarty, the above Ordinance was adopted on a vote of 5-3. The following being recorded as voting “aye”: Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilman Lanni and Council President Pastore –5. The following being recorded as voting “nay”: Councilmen Fung, Jackvony and Ferolito –3.

**1-03-2S      “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’ (SECTION 25.5 COUNCIL’S INTERNAL AUDITOR).”**

On motion by Councilwoman McFarland, seconded by Councilwoman O’Hara, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

**-JANUARY 27, 2003-**

**1-03-4S           “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2002 AND ENDING JUNE 30, 2003. (APPROPRIATION SCHEDULE FOR FINANCE DEPARTMENT; TREASURY & TAX COLLECTION DEPARTMENT; PUBLIC WORKS DEPARTMENT; ENGINEERING DEPARTMENT; FLEET MAINTENANCE DEPARTMENT; DIRECTOR OF FINANCE ADMINISTRATION).”**

On motion by Councilwoman McFarland, seconded by Councilman Fung, the above Ordinance was adopted on a vote of 8-0. . The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

**1-03-6SS           “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’ (NEW SECTION 25.5 ‘CRANSTON FINANCIAL REVIEW BOARD’).”**

On motion by Council Member Fogarty, seconded by Councilwoman O’Hara, it was voted to amend this Ordinance as follows: section 2, C (2) after the words “City Council” add **and the School Committee**; and section 2, C (11), first line delete the word “and, after the words “Auditor Genera” delete the word “and” and after the words “State Director of Administration”, add the words **and the School Committee**. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

On motion by Councilwoman McFarland, seconded by Councilman Jackvony, the above Ordinance was adopted as amended on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

Council President Pastore announced his appointment to the **Cranston Financial Review Board** would be **RALPH CIUNCI**, 130 Village Ave., Cranston, and asked that the City Clerk forward Mr. Ciunci’s resume to the Auditor General.

**-JANUARY 27, 2003-**

**COMMITTEE ON FINANCE**

**“RESOLUTION AUTHORIZING TAX ABATEMENTS – RECOMMENDED BY CITY ASSESSOR (REAL ESTATE ABATEMENTS).”**

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, the above Resolution was adopted on a vote of 7-0. . The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilmen Ferolito, Lanni and Council President Pastore –7. Councilwoman McFarland was not present for roll call.

**“RESOLUTION AUTHORIZING TAX ABATEMENTS – RECOMMENDED BY CITY ASSESSOR (MOTOR VEHICLE ABATEMENTS).”**

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, the above Resolution was adopted on a vote of 7-0. . The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilmen Ferolito, Lanni and Council President Pastore –7. Councilwoman McFarland was not present for roll call.

**“RESOLUTION AUTHORIZING HOMESTEAD ABATEMENTS– RECOMMENDED BY CITY ASSESSOR.”**

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, the above Resolution was adopted on a vote of 7-0. . The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilmen Ferolito, Lanni and Council President Pastore –7. Councilwoman McFarland was not present for roll call.

Council President Pastore asked that he Mayor direct the Personnel Director to place an advertisement and obtain resumes for the Internal Auditor’s position and we will work with the Auditor General in terms of salary range and he will speak with Mr. Baron on where the money will come from.

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**“ADVICE AND CONSENT OF MAYORAL DEPARTMENT HEAD APPOINTMENTS”:**

Councilwoman O’Hara stated that very large documentation that was asked for was presented to the Finance Committee and full City Council.

**JAMETTA ALSTON, City Solicitor**

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, upon the recommendation of the Finance Committee, it was voted to give Advice and Consent of the appointment of JAMETTA ALSTON, City Solicitor. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

**JEROME BARON, Director of Finance**

On motion by Councilwoman O’Hara, seconded by Councilwoman McFarland, upon recommendation of the Finance Committee, it was voted to give Advice and Consent of the appointment of JEROME BARON, Director of Finance. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

**DARRELL BROWN, Director of Economic Development**

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, upon recommendation of the Finance Committee, it was voted to give Advice and Consent of the appointment of DARRELL BROWN, Director of Economic Development. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

**ROBERT CLARKIN, Director of Parks and Recreation**

On motion by Councilwoman O’Hara, seconded by Councilman Jackvony, upon recommendation of the Finance Committee, it was voted to give Advice and Consent of the appointment of ROBERT CLARKIN, Director of Parks and Recreation. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

**BERNARD NASCENZI, Inspector of Buildings**

On motion by Councilwoman O’Hara, seconded by Councilwoman McFarland, upon recommendation of the Finance Committee, it was voted to give Advice and Consent of the appointment of BERNARD NASCENZI, Inspector of Buildings. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

**MARCO SCHIAPPA, Director of Public Works**

On motion by Councilwoman O’Hara, seconded by Councilwoman McFarland, upon recommendation of the Finance Committee, it was voted to give Advice and Consent of the appointment of MARCO SCHIAPPA, Director of Public Works. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

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### *DEBORAH ST. PETER, Executive Director of Senior Services*

On motion by Councilwoman O'Hara, seconded by Councilman Jackvony, upon recommendation of the Finance Committee, it was voted to give Advice and Consent of the appointment of DEBORAH ST. PETER, Executive Director of Senior Services. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwomen O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore – 8.

### *ALFRED STORTI, Director of Community Development*

On motion by Councilwoman O'Hara, seconded by Councilman Fung, upon recommendation of the Finance Committee, it was voted to give Advice and Consent of the appointment of ALFRED STORTI, Director of Community Development. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwomen O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

## X. ELECTION OF CITY OFFICIALS

Councilman Jackvony, as Minority Leader, appointed *STEVEN CROSBY* to the **Board of Contract and Purchase**.

Councilwoman McFarland, as Majority Leader, appointed *HAROLD TILLINGHAST* to the **Board of Contract and Purchase** and *COLLEEN CRUDELE* has accepted to remain on the **Board of Contract and Purchase**.

Council President Pastore asked of Mr. Baron that he would like to see that the Council members receive balance sheet for all consolidated funds on a monthly basis.

On motion by Councilman Lanni, seconded by Council Member Fogarty, it was voted to re-appoint *FRED JOSLYN* as a member of the **Board of Canvassers**. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

On motion by Council Member Fogarty, seconded by Councilman Lanni, it was voted to appoint *PATRICK QUINLAN* as **Legal Counsel for the City Council**. Motion passed on a vote of 5-3. The following being recorded as voting "aye": Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilman Lanni and Council President Pastore –5. The following being recorded as voting "nay": Councilmen Fung, Jackvony and Ferolito –3.

## XI. REPORT OF CITY OFFICERS

No business.

**-JANUARY 27, 2003-**

## **XII. NEW BUSINESS**

On motion by Councilwoman McFarland, seconded by Councilwoman O'Hara, the following introduced Ordinances be advertised for hearing before the Ordinance Committee on THURSDAY, FEBRUARY 13, 2003 at 7 PM pursuant to Sec. 3.12 of the Charter on a vote of 8-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwomen O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8.

- 1-03-1 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled "Administration" (Authorized Use of Municipal Vehicles).  
ORDINANCE COMMITTEE 2/12/2003.
- 1-03-2 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled "Administration" (Board of Contract and Purchase).  
FINANCE COMMITTEE 2/13/2003 and ORDINANCE COMMITTEE 2/13/2003.
- 1-03-3 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled "Administration" (Audit Committee).  
ORDINANCE COMMITTEE 2/13/2003.
- 1-03-4 Ordinance amending the Budget for the fiscal year commencing July 1, 2002 and ending June 30, 2003. (Economic Development Director).  
FINANCE COMMITTEE 2/13/2003 and ORDINANCE COMMITTEE 2/13/2003.
- 1-03-5 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 1970, entitled "Motor Vehicles and Traffic", "Stop Intersections-Enumerated" by deleting Irving St., portion of.  
ORDINANCE COMMITTEE 2/13/2003.

## **XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK**

No Business.

## **XIV. PUBLIC HEARINGS ON UNDOCKETED ITEMS**

**Kevin McAllister** 136 Lawnacre Dr., appeared to speak regarding the Ordinance hiring a legal counsel for the City Council. He stated that if you look at the Charter provision, the intention was to dilute somewhat the Mayor's power. He also spoke regarding the introduced Ordinance to amend the Ordinance for use of City vehicles and he gave background information as to how this original Ordinance came about. He stated that this was to add some accountability to the system.

**Jim Davies**, 19 Fairway Rd., appeared to speak regarding the appointment of legal counsel for the City Council and stated that this could give perception that there is a conflict between the Mayor and the City Council. He stated that he hopes the City Solicitor's authority is not weakened by hiring this legal counsel.

The meeting adjourned at 9:35 P.M.

Maria Medeiros Wall  
City Clerk

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist)