

## **REGULAR MEETING – CITY COUNCIL**

**-JANUARY 23, 2006-**

Regular meeting of the City Council was held on Monday, January 23, 2006 in the Council Chambers, 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 Pisaturo, Fung, Livingston, Council Member Fogarty (appeared at 7:45 P.M.), Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian –9.

Also Present: Mayor Stephen Laffey; Paul Grimes, Director of Administration; Robin Muksian-Schutt, Deputy Director of Administration; Michael Glucksman, City Solicitor; Patrick Quinlan, City Council Legal Counsel; Jerome Baron, Director of Finance; 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**

On motion by Councilman Pisaturo, seconded by Councilman Livingston, it was voted to take out of order public hearing for "Ordinance 12S-05-1". Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Bucci, Councilmen Lanni, Barone, and Council President Garabedian -7. Council Member Fogarty and Council Vice-President McFarland were not present for roll call vote.

**12S-05-1 ORDINANCE IN AMENDMENT OF CHAPTER 2.60 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'CLAIMS COMMITTEE' (Mayor's Objections Filed 12/28/2005).**

**Emelie Perretta**, 126 Amanda St., appeared to speak and stated that the residents are very disappointed this issue has not yet been rectified. Since this Ordinance was vetoed by the Mayor, she asked where this issue stands.

**Richard Martin**, 72 Fletcher Ave., appeared to speak and stated that he is also disappointed at the slow pace this is taking. The bill at this time to clean up his home is in excess of \$39,000. What he would like to see done is the Mayor's veto be overridden and the Council give the residents an answer of what is going to happen.

**Ruth Brennan**, 21 Amanda Ct., appeared to speak and stated that she would like to know what criteria is being used to reconsider previously denied claims.

**Joan Riccio**, 17 Amanda Ct., appeared to speak regarding the flood issue and asked that a solution be found to help the residents effected by this flood.

**Lia Stabile**, 1590 Plainfield Circle, appeared to speak regarding the Mayor's veto and asked that it be overridden. She also stated that she is one of the residents who experienced a sewer backup in her home. She asked what is being done to prevent future occurrences.

**Steven Callahan**, 133 Amanda St., appeared to speak and asked that the Council override the Mayor's veto. He also stated that, at this time, he has a complaint filed with the Attorney General's Office in regards to a request that he had made of the City for copies of minutes of the Insurance Risk Commission. What he received from the City was a letter stating that his claim was denied. He stated that the minutes are required to state any votes taken and who voted, which they do not. If votes taken in Executive Session, they are to be stated in Public Session, which they are not. He asked for the Solicitor's opinion relative to votes and content of the minutes. Mr. Glucksman stated that he was not aware that there was an issue regarding the minutes, but he will discuss this with the Claims Examiner and will report back to the Council.

Councilman Barone stated that, as he suggested in the past, he is suggesting again, that a sub-committee be formed to handle all these claims.

On motion by Councilman Pisaturo, seconded by Councilman Lanni, it was voted to override the Mayor's veto.

Under Discussion:

Councilman Livingston stated that he will vote to override the veto. He stated that he does not see this as a political issue.

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Gavel was handed to the Council Vice-President.

Council President Garabedian referred to RIGL45-15-5, which clearly states that the City Council address any claims within 40 days.

Gavel was handed back to the Council President.

Roll call was taken on motion to override the Mayor's veto and motion passed on a vote of 6-2. The following being recorded as voting "aye": Councilmen Pisaturo, Livingston, Council Member Bucci, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting "nay": Councilmen Fung and Barone -2. Council Member Fogarty was not present for roll call.

On motion by Council Vice-President McFarland, seconded by Councilman Pisaturo, it was voted to reconsider the above vote, since Council Member Fogarty has just arrived. Motion passed on a vote of 7-2. The following being recorded as voting "aye": Councilmen Pisaturo, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting "nay": Councilmen Fung and Barone -2.

On motion by Council Member Bucci, seconded by Councilman Livingston, it was voted to override the Mayor's veto.

### Under Discussion:

Council Member Fogarty stated that she will vote in favor of the override and would be in favor of amending this Ordinance to form a sub-committee to make a recommendation to the Claims Committee.

Roll call was taken on motion to override the Mayor's veto and motion passed on a vote of 7-2. The following being recorded as voting "aye": Councilmen Pisaturo, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting "nay": Councilmen Fung and Barone -2.

### **"REQUEST TO BE PLACED ON PENSION LIEUTENANT CHARLES BENSON, CRANSTON FIRE DEPARTMENT"**

On motion by Councilman Pisaturo, seconded by Councilman Barone, it was voted to approve the above request. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

### **"LIUNA (Laborer's International Union of North America Local 1322) Contract"**

Mayor Laffey appeared to speak and stated that the City has come to an agreement with the LIUNA Unit and this is on the Docket as a Resolution to be acted on. He thanked the members of this Union, especially their representatives, who have worked on this contract for approximately one year.

### **"ADDITIONAL STATE AID"**

Mayor Laffey also spoke regarding additional State Aid and stated that he met with School Superintendent Ciarlo and Mr. Edge of Bacon & Edge and they looked at every line item of where the City schools stood to see if they needed additional monies. After reviewing all line items, he will allocate \$927,630 plus \$450,000 to the schools; \$270,000 for Fire overtime; \$250,000 for Parks and Recreation; \$35,000 for a consultant like Mr. Edge. He announced that there is over \$31 million in the Police and Fire Pension Fund at this time.

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### **III. COUNCIL PRESIDENT COMMUNICATIONS**

Council President Garabedian read a letter dated January 4, 2006 addressed to the Mayor from Olga Noguera, Honorary Consul of Guatemala. Council President Garabedian also read a letter addressed to the Mayor copied to him from Treasurer Rhodie in regards to the IBPO contract negotiations. He also read a memo dated January 23, 2006 from Marco Schiappa, Director of Public Works, regarding the City Zamboni, in regards to a request from the Dunkin Donuts Center to use the City's Zamboni on a temporary basis.

### **IV. COUNCIL MEMBER COMMUNICATIONS**

Council Member Fogarty stated that she attended the School Committee meeting earlier, in regards to their plan to close Horton School. At that meeting she was given a copy of the School Department's proposed budget. She stated that copies of the budget will be made available to the Council members at the School Department to be picked up, if they wish.

### **V. PUBLIC HEARINGS**

**Lauren Verry, Esq.**, appeared to speak regarding "Resolution Authorizing the Abandonment of a Portion of Terrace Ave." and represent the applicant. She asked that this be continued for two or three months due to the fact that the neighbor, Mr. Williamson, has placed his home on the market for sale and her client would like to wait and see if the home sells first.

**Paul Valetta**, President of Firefighters Union, appeared to speak in favor of "Resolution Directing the Public Works Committee of the City Council to Conduct an Investigation of the Recent Fire at the Cranston Veterans' Memorial Ice Rink, Including the Administration's Handling of Repairs at the Ice Rink, the Events Leading up to the Fire, the Causes and Impacts of the Recent Fire and the Repair Costs, Procedures and Progress".

**Joanne McGunagle**, Director of CCAP, appeared to speak in favor of "Resolution Authorizing the Board of Contract and Purchase to Grant a Bid Waiver to the Comprehensive Community Action Program (CCAP) for the Substance Abuse and Youth Violence Program".

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**VI. DOCKETED RESOLUTIONS**

**“RESOLUTION REQUESTING THAT THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION INSTALL A TRAFFIC CONTROL SIGNAL AT THE INTERSECTION OF NATICK AND PHENIX AVENUE”**

Council Member Bucci, sponsor of this Resolution, requested that this Resolution be withdrawn and will be re-introduced in an Ordinance form next month.

No one objected. Resolution was withdrawn.

**“RESOLUTION REQUESTING THAT THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION DETERMINE THE FEASIBILITY OF MAKING DEAN STREET A ONE WAY STREET”**

Council Member Bucci, sponsor of this Resolution, requested that this Resolution be withdrawn and will be re-introduced in an Ordinance form next month.

No one objected. Resolution was withdrawn.

**“RESOLUTION USE OF IMPACT FEE REVENUE FOR CONSTRUCTION OF BRIGGS FARM PHASE III”**

Mr. Grimes stated that since there is an Ordinance being introduced this evening. He suggested that this Resolution be withdrawn.

No one objected. Resolution was withdrawn.

**“RESOLUTION DIRECTING THE CITY SOLICITOR TO BRING A MANDAMUS OR QUO WARRANTO PROCEEDING AGAINST THE MAYOR ON BEHALF OF THE CITY COUNCIL REQUIRING THE MAYOR TO NOTIFY THE CITY COUNCIL OF HIS RECOMMENDATION AS TO HOW THE ADDITIONAL STATE AID RECEIPTS SHOULD BE APPROPRIATED IN THE 2006 CRANSTON APPROPRIATIONS ORDINANCE”**

Council President Garabedian asked that this Resolution be withdrawn.

No one objected. Resolution was withdrawn.

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

Council Vice-President McFarland asked if this Resolution includes disabled residents, as it is not mentioned in the Staff Report. She also questioned where the income limits in the Resolution were arrived from. Suggestions were made by various members of the Council to continue this Resolution to next month’s meeting in order to obtain answers to Council Vice-President McFarland’s questions.

On motion by Councilman Livingston, seconded by Councilman Lanni, it was voted to continue this Resolution for one month. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Pisaturo was not present for roll call.

Council Vice-President Mc-Farland asked that she be added as a co-sponsor of this Resolution.

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**“RESOLUTION AUTHORIZING THE BOARD OF CONTRACT AND PURCHASE TO GRANT A BID WAIVER TO THE COMPREHENSIVE COMMUNITY ACTION PROGRAM (CCAP) FOR THE SUBSTANCE ABUSE AND YOUTH VIOLENCE PROGRAM”**

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

**“RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF CRANSTON TO ISSUE A REQUEST FOR BIDS FOR THE FORMER WONDERLAND EARLY LEARNING CENTER PROPERTY LOCATED AT 1081 PONTIAC AVENUE”**

On motion by Councilman Livingston, seconded by Council Vice-President McFarland, it was voted to amend this Resolution as follows: fourth paragraph, after the word “Administration”, add “and two members of the City Council”. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Pisaturo was not present for roll call.

Councilman Fung questioned a restriction that was previously placed stating that this property was to be used for educational purposes only. Ms. Schutt stated that the restriction was either lifted or it expired.

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

Councilmen Barone and Pisaturo volunteered to serve on the board to evaluate bids.

**“RESOLUTION FEASIBILITY STUDY FOR THE COOPERATIVE FUNCTIONS OF CITY AND SCHOOL DEPARTMENTS”**

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

The following Council Members asked to be added as co-sponsors of this Resolution: Council Vice-President McFarland, Councilmen Barone, Livingston, Fung and Lanni.

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**“RESOLUTION DIRECTING THE PUBLIC WORKS COMMITTEE OF THE CITY COUNCIL TO CONDUCT AN INVESTIGATION OF THE RECENT FIRE AT THE CRANSTON VETERAN’S MEMORIAL ICE RINK, INCLUDING THE ADMINISTRATION’S HANDLING OF REPAIRS AT THE ICE RINK, THE EVENTS LEADING UP TO THE FIRE, THE CAUSES AND IMPACTS OF THE RECENT FIRE AND THE REPAIR COSTS, PROCEDURES AND PROGRESS”**

Gavel was handed to the Council Vice-President.

On motion by Council President Garabedian, seconded by Councilman Livingston, it was voted to adopt this Resolution.

Under Discussion:

Council President Garabedian stated that it is prudent that we proceed and oversee what the events were that led to the fire. Councilman Barone stated that he is concerned that the Council, as a body, should not get directly involved in an investigation, but he is in favor of being updated on the investigation.

On motion by Councilman Fung, seconded by Councilman Livingston, it was voted to amend the above Resolution as follows: last paragraph, third line, after the words “City Council on a”, add “bi-“. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Pisaturo was not present for roll call.

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

Council Vice-President McFarland asked that she be added as co-sponsor of this Resolution.

**“RESOLUTION RATIFYING THE MUNICIPAL EMPLOYEES CONTRACT, LABORERS’ INTERNATIONAL UNION OF NORTH AMERICA, LOCAL UNION 1322”**

On motion by Councilman Barone, seconded by Councilman Fung, the above Resolution was adopted on a vote 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

**VII. REPORT OF COMMITTEES**

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

**10-05-9           “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2005 AND ENDING JUNE 30, 2006’ (City Tax Assessor).” Denied Ordinance Committee 1/12/2006.**

No action.

**10-05-11       ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘MISCELLANEOUS TRAFFIC REGULATIONS’ (Boat Trailers Prohibited).”**

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye’: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

**10-05-12       ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘ONE HOUR PARKING-GENERALLY’ (Sheldon St. and Pawtuxet Bridge).”**

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye’: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

**11-05-3       “ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (Change of Zone-Corner of Park Ave. and Cranston St.).”**

On motion by Council Vice-President McFarland, seconded by Council Member Bucci, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye’: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

**12-05-4       “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘STOP INTERSECTIONS-ENUMERATED’ (Sagamore Rd. and Bretton Woods Dr.).”**

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye’: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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

**“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 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

**“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 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian

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

**“CLASS BV FULL ALCOHOLIC BEVERAGE LICENSE FOR NEWPORT CREAMERY, LLC. D/B/A CAFÉ NEWPORT, 100 HILLSIDE RD. (Recommended approval of extension of cap January 9, 2006 Safety Services & Licenses Committee).”**

On motion by Councilman Lanni, seconded by Councilman Livingston, it was voted to approve this extension of cap.

Under Discussion:

Council President Garabedian stated that he will abstain from voting, since he is landlord to this applicant at the Warwick Mall location. Councilman Barone stated that he is opposed to this for the same reasons he stated at the Safety Services Committee meeting. He stated that by granting this license, it would be taking away family traditions and family values and there are restaurants in Garden City that have liquor licenses.

Roll call was taken on motion to extend cap and motion passed on a vote of 7-1 with one abstention. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Lanni, and Council Vice-President McFarland -7. The following being recorded as voting “nay”: Councilman Barone -1. Council President Garabedian abstained.

**“CLASS BV FULL ALCOHOLIC BEVERAGE LICENSE FOR IMPERIAL BUFFET, INC., 1400 OAKLAWN AVE. (Recommended approval of extension of cap January 9, 2006 Safety Services & Licenses Committee).”**

On motion by Councilman Lanni, seconded by Councilman Livingston, it was voted to approve this extension of cap on a motion of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone and Council Vice-President McFarland -8. Council President Garabedian was not present for roll call.

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## **VIII. ELECTION OF CITY OFFICIALS**

### **“AUDIT COMMITTEE”**

On motion by Council Member Fogarty, seconded by Councilman Livingston, it was voted to re-appoint **JACK FRADIN** and **ROBERT BAUTE** as members of the *Audit Committee*. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

### **“BOARD OF CONTRACT AND PURCHASE”**

On motion by Councilman Pisaturo, seconded by Council Member Bucci, it was voted to re-appoint **HAROLD TILLINGHAST and COLLEEN CRUDELE** as members of the *Board of Contract and Purchase*. Councilman Fung motioned to add **MICHAEL IMBRUGLIA** as part of this motion to re-appoint him to the *Board of Contract and Purchase*. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

### **“JUVENILE HEARING BOARD”**

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to re-appoint **NEIL AMPER** and **RICHARD TORRES** as members of the *Juvenile Hearing Board*. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

### **“PERSONNEL APPEAL BOARD”**

On motion by Councilman Barone, seconded by Council Member Fogarty, it was voted to re-appoint **JOSEPH MULVEY** as a member of the *Personnel Appeal Board*. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

### **“TAX ASSESSMENT BOARD OF REVIEW”**

On motion by Councilman Fung, seconded by Councilman Livingston, it was voted to continue the re-appointment of JOSEPH SAURO as a member of the *Tax Assessment Board of Review*. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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**IX. REPORT OF CITY OFFICERS**

No business.

**IXA. OLD BUSINESS**

**“RESOLUTION AUTHORIZING THE ABANDONMENT OF A PORTION OF TERRACE AVE.” (Continued from 10/24/2005 for three month review).**

On motion by Council Vice-President McFarland, seconded by Councilman Fung, it was voted to remove this Resolution from the table. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

On motion by Council Vice-President McFarland, seconded by Councilman Fung, it was voted to continue this Resolution to the April City Council meeting, as requested by the applicant’s attorney. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

**X. INTRODUCTION OF NEW BUSINESS**

On motion by Council Vice-President McFarland, seconded by Councilman Barone, the following introduced Ordinances be advertised for hearing before the Ordinance Committee on Thursday, February 16, 2006 at 7:00 P.M. pursuant to Sec. 3.12 of the Charter. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

- 1-06-2 Ordinance authorizing the Purchasing Agent to sell property located at Oaklawn Ave. (Chateau Chatillion Apts. Oaklawn Ave).
- 1-06-7 Ordinance establishing standard operating procedures within the Finance Department (Annual Budget Posting).
- 1-06-8 Ordinance establishing standard operating procedures within the Finance Department (Monthly Financial Report Postings).
- 1-06-9 Ordinance establishing standard operating procedures within the Finance Department (Monthly Bond Balances).
- 1-06-10 Ordinance establishing standard operating procedures within the Finance Department (Comprehensive Financial Annual Reports).
- 1-06-11 Ordinance establishing standard operating procedures within the Finance Department (Rating Agency Reports).
- 1-06-12 Ordinance establishing standard operating procedures within the Finance Department (Actuary Reports).

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On motion by Councilman Lanni, seconded by Councilman Livingston, the following introduced Ordinances be advertised for hearing before the Safety Services and Licenses Committee on Monday, February 6, 2006 at 7:00 P.M. pursuant to Sect. 3.12 of the Charter. Motion passed on a vote of 9-0. The following being recorded as voting "aye": The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

- 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.).
- 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" (Mapleton St., Tennyson Rd. and Pontiac Ave.).
- 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 Member Fogarty, seconded by Councilman Barone, the following introduced Ordinances be advertised for hearing before the Finance Committee on Thursday, February 16, 2006 at 6:30 P.M. pursuant to Sect. 3.12 of the Charter. Motion passed on a vote of 9-0. The following being recorded as voting "aye": The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

- 1-06-1 Ordinance authorizing the City to Utilize Western Cranston Impact Fees for the Briggs Farms Phase III Project. (Use of Impact Fee Revenue for Construction of Briggs Farm Phase III).
- 1-06-3 Ordinance ratifying the LIUNA (Laborer's International Union of North America) Contract, Local Union 1322.
- 1-06-4 Ordinance amending the Budget for the Fiscal Year commencing July 1, 2005 and ending June 30, 2006 (State Revenue Sharing Appropriation).
- 1-06-5 Ordinance amending the Budget for the Fiscal Year commencing July 1, 2005 and ending June 30, 2006 (Teamsters CBA).
- 1-06-6 Ordinance amending the Budget for the Fiscal Year commencing July 1, 2005 and ending June 30, 2006 (Teamsters CBA Salary Schedule).

City Clerk stated that included in the Council's packets is Ordinance 1-06-17, but the sponsor is withdrawing this Ordinance, she asked the Council to disregard it.

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

**“ORDINANCE 2004-7 IN AMENDMENT OF CHAPTER 10 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘FIRE DEPARTMENT’ (Establishing a Revolving Loan Fund for EMTC Training).” (For review sunset December 31, 2004.**

Ms. Schutt stated that as of now, no one has applied for this fund. City Clerk stated that if the Council wishes to continue this program, this Ordinance would need to be re-introduced. Councilman Fung asked that the Administration draft another Ordinance for next month's meeting.

The following petitions were referred to the Claims Committee:  
Petitions for Sabrina Zaniol and David Schiapo.

Petition for Abandonment of a portion of Carlsbad St. REFERRED TO PUBLIC WORKS COMMITTEE.

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

**Tracy Gilbert**, 133 Fordson Ave., appeared to speak regarding the flood that occurred in October. She stated that she is totally disappointed that nothing has been done about the flood on Fordson Ave. All the residents are looking for an answer, timeframe, and reassurance that something is going to get done.

**Joseph Green**, 208 Pontiac Ave., appeared to thank the Fire Union for helping his family during the holidays for their donations.

**Paul Valetta**, President of Firefighters Union, appeared to speak. He stated that as a member of the Diversity Advisory Commission, there are members who are qualified as firefighters, who are minority, one Spanish man and a woman. If the Mayor would hire, there are people qualified. The Fire Department is down nineteen people and 49 who are available to retire before June 30, 2006. There is a full list of eligible members who could be hired. Mr. Valetta announced that the Council is invited to attend an arbitration hearing to testify on January 31, 2006 at 9:00 AM at the Sheraton Hotel on Post Rd., Warwick. This grievance has to do with the Mayor not making any hiring, since there are nineteen less men and the impending retirees.

**Steve Callahan**, 133 Amanda St., appeared to speak regarding the EMTC Revolving Loan Fund. He stated that this fund is not working, since the Mayor is not hiring and this is not being utilized. He also stated that he is upset that the public waits for hours to speak at a Council meeting and when the time comes for the public to speak, the Administration members are gone and he asked who do the public ask the questions to. He asked that Veolia should be asked to appear before this Council to address questions from the public regarding the flood that occurred in October.

**-JANUARY 23, 2006-**

**XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS (Cont.)**

**Michael Imbruglia**, 25 Briarcliffe Rd., appeared to thank the Council for re-appointing him to the Board of Contract and Purchase.

**Richard Martin**, 72 Fletcher Ave., appeared to thank the Council for overriding the Mayor's veto on Ordinance 12S-05-1.

**Mark Lucas**, 28 Riverfarm Rd., appeared to ask the Council to invite the residents to fight to keep Horton School open, since the School Committee is proposing to close it.

**Steven Gilbert**, 133 Fordson Ave., appeared to thank the Council for the override on the Mayor's veto for Ordinance 12S-05-1. He also clarified that if there were any misconceptions, his wife, Tracy, is not a US Citizen, so she cannot vote and she is not fighting for the flood victims for political reasons. He clarified this so there is no lingering cloud in what she is doing. He also thanked the Fire Department for all their help to the flood victims.

The meeting adjourned at 10:30 P.M.

Maria Medeiros Wall  
City Clerk

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).