

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

REGULAR MEETING – CITY COUNCIL

-JANUARY 24, 2011-

Regular meeting of the City Council was held on Monday, January 24, 2011 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:00 P.M. by the Council President.

Roll call showed the following members present: Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

Also Present: Robin Muksian-Schutt, Director of Administration; Gerald Cordy, Deputy Director of Administration; Evan Kirshenbaum, Assistant City Solicitor; Robert Strom, Director of Finance; Patrick Quinlan, City Council Legal Counsel; Steve Woerner, City Council Internal Auditor.

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

Providence Journal First Team All State

Robert Allen, CHSW Senior, Boys Cross County;
Michaela Hackett, CHSW Sophomore, Girls Cross Country
Robert Bell, CHSE Senior, Football
Robert Reardon, CHSE Senior, Football

Councilman Santamaria presented Citations to the above students.

II. PUBLIC HEARINGS

PRESENTATION BY RI HOPE ON AVAILABLE ASSISTANCE FOR FLOOD VICTIMS

Lisa Cipolla and **Jason Olevski** of RI Hope, appeared to make a presentation and indicated that they will be attending the Flood Committee meeting on January 31st to make a presentation before that Committee also.

III. RESOLUTIONS

None.

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IV. REPORT OF COMMITTEES

FINANCE COMMITTEE

(Vice-President Robert J. Pelletier, Chair)

RESOLUTION AUTHORIZING REAL ESTATE AND TANGIBLE TAX ABATEMENTS

On motion by Councilman Donahue, seconded by Councilman Favicchio, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9. [\[click here to view\]](#)

RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS

On motion by Councilman Favicchio, seconded by Councilman Stycos, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9. [\[click here to view\]](#)

TAX INTEREST WAIVER APPROVALS AS RECOMMENDED BY CITY TREASURER

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to approve the above list of Tax Interest Waiver Approvals as recommended by City Treasurer.

Under Discussion:

Councilman Stycos stated that he met with Mr. Strom last week regarding two requests on this list (Ida Campagnone and Robert Hambarzumyan) and he asked Mr. Strom to address these two requests to the Council members. Mr. Strom stated that one of the requests is due to an illness, according to a doctor's notice and this is the first time they have made this request. The second request is an for a motor vehicle from an Estate, where the person died 2 ½ years ago.

On motion by Councilman Navarro, seconded by Councilman Archetto, it was voted to remove these two requests from the list.

Under Discussion:

Councilman Stycos indicated that reason for this is one of the requests is a cronic illness, according to the doctor's notice and the second request is the waiver was requested 2 ½ years after the person's death. He stated that this issue needs to be looked into.

Motion to remove these two requests from the list passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to approve the remaining requests of Tax Interest Waivers on this list. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

On motion by Councilman Santamaria, seconded by Councilman Pelletier, it was voted to refer the requests for Tax Interest Waiver from Ida Campagnone and Robert Hambarzumyan to the Finance Committee. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

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SAFETY SERVICES & LICENSES COMMITTEE
(Richard D. Santamaria, Jr., Chair)

12-10-1 ORDINANCE AMENDING CITY CODE SEC. 10.32.020 ADDING A STOP SIGN AT FRANKFORT ST. AND SPECK AVE. (As amended in Committee 1/10/2011)

On motion by Councilman Archetto, seconded by Councilman Pelletier, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9. [\[click here to view\]](#)

CLAIMS COMMITTEE
(Steven A. Stycos, Chair)

RATIFICATION OF SETTLED CLAIMS FOR: Mark & Michele Foster \$260.00; Mary Cardinale \$907.36; Stephen Mackie as attorney for the Marie Louise Koutsogiane Trust \$18,000.

Councilman Stycos indicated that the Foster claim has to do with branches falling on wires; the Cardinale claim has to do with a boulder damaging a vehicle and the Koutsogiane claim is due to the City improperly inspected sewer line. Solicitor stated that a release waiver is signed by the claimant releasing the City in wrongdoing. He also indicated that the claims should not be discussed in public session, since they were discussed in Executive Session by the Claims Committee. Mr. Quinlan stated that he agrees with the Solicitor and the appropriate way to handle these claims is have limited discussion and not discuss liability.

On motion by Councilman Stycos, seconded by Councilman Santamaria, it was voted to approve the above claims. Motion passed on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -8. The following being recorded as voting “nay”: Councilwoman Luciano -1.

Illegal sewer line tie-ins

Councilman Navarro stated that as Chair of the Public Works Committee, he asked that a show cause hearing be scheduled regarding illegal sewer line tie-ins. Solicitor stated that his recommendation is that Councilman Navarro issue a show cause hearing. Council President Lupino asked if this should be in Executive Session. Solicitor indicated that this would be Chairman Navarro’s choice. Briefing the Council in Executive Session would be appropriate, however, hearing should be in Public Session so the Council can vote in public and the person can respond appropriately in Public Session.

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V. PUBLIC HEARINGS

(open to any matters)

Leonora Costello, 1590 Plainfield Circle, appeared to speak sewer backups at their home, the first was in 2004. Council President Lupino indicated to Mrs. Costello that they need to go through the Claims process. He suggested that Mrs. Costello meet with the Solicitor and Administration on this issue. Solicitor Kirshenbaum stated that when he spoke to Mrs. Costello during the Summer, he asked that she send him all information pertinent to her issue and he would bring it to the Claims Committee so the Committee could give him some direction as to how they would like him to proceed with it.

Thomas Costello, 1590 Plainfield Circle, also appeared to speak regarding the sewer backups at his home. He said he would like all information the City has under the Freedom of Information Act. Mr. Quinlan stated that Mr. Costello would have to provide a written request and under the law, there are exceptions. The Administration cannot act until they receive a written request.

Aram Garabedian, 173 Belvedere Dr., former Council President, appeared to speak and stated that when he served as Council President, he introduced legislation amending the Charter for collective bargaining for all School Department employees. Those Charter referendums passed. He reminded the Council members that it is important that the City taxpayers be their top priority.

John Lanni, 111 Woodview Dr., former Council President, appeared to speak and stated that one of his last actions as Council President was he sent a certified letter to the School Department, Superintendent Nero and Chairman Traficante, stating that the Charter changes that affect the schools allowed City Council to ratify all contracts with fiscal notes was in effect. In discussing this with Mr. Quinlan he was advised that the City Council could not ratify current contracts because they are in the middle of negotiations, however, all future contracts have to be ratified by the City Council. Mr. Lanni also spoke as to what occurred during the Inauguration as to the appointment of Council President and stated that he is a lifelong Democrat and he did not like what transpired, however, we have to put animosity aside and work together for the benefit of the City.

Paul Valetta, President of Firefighters Union, appeared to speak and stated that, recently, the Cranston Fire Chief made a decision with the Town of Johnston, which the Union does not think it is right, and is asking that the Administration and the Council look into this. The Fire Chief in Johnston retired and the Mayor made himself Chief. The problem the Cranston Fire Union has is Cranston accepted Johnson use our command staff to respond to Johnston, if needed. The Cranston Fire Union has come to the table numerous times and has given up raises for three years, among other items. we have gotten involved with the Johnston situation and it will cost the City of Cranston money. Johnston will be saving money and they want our deputy Chiefs to respond to them. This is involving us in a labor dispute between the Johnston Mayor and his staff. This is not right. This has to be addressed with the Cranston Fire Chief.

VI. ELECTION OF CITY OFFICIALS

AUDIT COMMITTEE:

Michael Farina, Re-Appointment (Business Management)

Roy Damiano, Re-Appointment (CPA)

On motion by Councilman Santamaria, seconded by Councilman Archetto, it was voted to re-appoint **MICHAEL FARINA** and **ROY DAMIANO** as members of the *Audit Committee*. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

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JUVENILE HEARING BOARD:

Vincent Turchetta, Appointment (Alternate)

On motion by Council Vice-President Pelletier, seconded by Councilman Santamaria, it was voted to appoint VINCENT TURCHETTA as an *Alternate* member of the *Juvenile Hearing Board*.

Under Discussion:

Councilman Stycos stated that at this point, the members are all male. He asked that this appointment be tabled and when the Ordinance amending this Board is discussed next month, this appointment can then be made.

On motion by Councilman Stycos, seconded by Councilman Archetto, it was voted to table this appointment.

Council President Lupino stated that this motion is out of order, since there is a motion on the table already. Councilman Navarro agreed that the composition should definitely be looked at, but this is an Alternate position. Mr. Turchetta fits the criteria and should be appointed as an Alternate and not be held up.

Roll call was taken on motion to approve the above appointment and motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -8. The following being recorded as voting "nay": Councilman Stycos -1.

BOARD OF CONTRACT AND PURCHASE:

Manuel Miguel (Minority Reappointment)

Matthew Coppa (Minority Appointment)

Council President Lupino stated that no vote is needed on the above appointments, since they are made by the respective parties.

VII. REPORT OF CITY OFFICERS

None.

VIII. EXECUTIVE COMMUNICATIONS

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

No discussion was held or report presented.

CRANSTON FIRE DEPARTMENT: LT. JAMES B. DAWBER, REQUEST TO BE CONTINUED IN SERVICE FOR ONE YEAR

Ms. Schutt appeared to speak.

On motion by Councilman Santamaria, seconded by Council Vice-President Pelletier, it was voted to approve the above request. Motion passed on a vote of 8-0. The following being recorded as voting "aye": The following being recorded as voting "aye": Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -8. Councilwoman Luciano was not present for roll call vote.

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Monthly Police Activity Report

Ms. Schutt presented monthly update on Police activity. She indicated that the Fire update will be provided at a later date.

Ms. Schutt addressed the statement made by Mr. Valetta earlier regarding the Cranston Fire Chief responding to Johnston and stated that the Chief is not an issue to the Administration, since he does not received Overtime. She will check into the issue of whether it would trickle down the command staff. The Administration will look into the issue of costs to the City of Cranston for our deputies responding to Cranston. She will report back on this issue at the next Committee meeting or next Council meeting or she will send update to the Council President for him to share with the remainder of the Council members.

IX. COUNCIL PRESIDENT COMMUNICATIONS

- **Appointment of Committee Chairs and Vice-Chairs.**
 - *Claims Committee* – Stycos (Chair); Vice-Chair to be announced.
 - *Safety Services and Licenses* – Santamaria (Chair); Archetto (Vice-Chair)
 - *Public Works* – Navarro (Chair); Santamaria (Vice-Chair)
 - *Finance* – Pelletier (Chair); Stycos (Vice-Chair)
 - *Ordinance* – Archetto (Chair); Stycos (Vice-Chair)

Council President Lupino announced the above appointments of Chairs and Vice-Chairs to Council Committees. He asked that Councilman Stycos report back at the next meeting on the appointment of Vice-Chair of Claims Committee.

- **179 Kearney St.**

Council President Lupino stated that he received a call from the Mayor right before Christmas and was told that the status on this issue is proceeding well. Council President Lupino asked that this be kept on the Docket until he sees some improvement there.

X. COUNCIL MEMBER COMMUNICATIONS

Council Vice-President Pelletier:

Moccasin Trail Status update on water runoff.

Mr. Cordy stated that the Building Official has been to the site and reports that all vegetation is intact and he will continue to monitor the site.

Councilman Navarro:

- *Safe Routes to School* (SRTS)
- *Snow Plowing*: Crosswalk blockage and violation notices.

Councilman Navarro stated that due to the large amount of snow, all crosswalks in school areas were or are blocked. This is a serious issue. He indicated that the Safe Routes to Schools Program is a great program and he would like to enhance it. Maybe this issue should be referred to the Public Works Committee to be addressed. Mr. Cordy stated that Officer Davis is present this evening to respond to any specific questions the Council may have.

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Officer Alan Davis of Traffic Division and Coordinator for the City for Safe Routes to Schools Program, appeared to speak. He stated that Police Officers handed out flyers to 100 homes near twelve of the schools. A few years ago, some of the schools were approached and ideas were brought up regarding snow removal. They were amazed to find out that not every school has a snow blower, which this would alleviate some of the issues.

Councilman Stycos asked if when looking at future Grant proposals, we could look at the City purchasing sidewalk plow. Officer Davis stated that the Grant guidelines are for a two-mile radius of a school and this would not benefit all the schools.

Councilman Navarro asked that the snow plow issues near and around schools be placed on the Public Works Agenda.

Council President Lupino asked that Mr. Ferguson, Traffic Engineer, through the Administration, give a formal list or presentation about the infrastructures of what Wards they will be in. Officer Davis stated that primarily, per the Grant, they would be at Park View and Bain Middle Schools. Council President Lupino stated that he would still request that Mr. Ferguson provide this list to the City Council.

Councilman Santamaria:

- *Salt Barn chronological update* from March 22, 2010.

Councilman Santamaria stated that between March 22, 2010 and August 4, 2010, there is a five month gap and after October 15, 2010, another two month gap. He questioned these gaps. Mr. Cordy stated that as to the March through August gap, in March, we had a big storm and it took a long time to recover from that storm. Once we recovered, there were a number of things that occurred, such as dealing with the budget process. As to the October gap, we were not satisfied with the project and it was assigned to Mr. Ventetuolo, the Acting Public Works Director to head this project. Mr. Ventetuolo has moved that forward nicely, until we realized design was three feet higher than allowed by Zoning and we had to go for a Variance.

Councilman Santamaria asked if Beta Engineering is still involved in this project. Mr. Cordy stated that they have submitted final drawing, but does not know if they have received their final payment on this.

- *Taping of Council Meetings*

Councilman Santamaria asked what the status is on taping of Council meetings and when this will be up and running. Council President Lupino stated that the City Clerk has been checking into some options and he also has been checking into other options. Council President Lupino indicated that we have been able to accomplish, at no cost, through the Clerk's Office and IT Department, creating links to the website to view documents, such as Ordinances and Resolutions, listed on Council Dockets.

XI. OLD BUSINESS

None.

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XII. INTRODUCTION OF NEW BUSINESS

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

Safety Services and Licenses Committee – February 7, 2011

- 1-11-01** Ordinance in amendment of Title 10, entitled “Vehicles and Traffic”, Chapters 24 and 32, of the Code of the City of Cranston, 2005 (Undocumented Stop and Yield Signs). [\[click here to view\]](#)
- 1-11-02** Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Stop, Hobson Avenue at Frankfort Street). [\[click here to view\]](#)
- 1-11-03** Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Garden Hills Parkway and Garden Hills Drive, 3-Way Stop). [\[click here to view\]](#)

Public Works Committee – February 17, 2011

Resolution urging the Mayor to look into the feasibility of creating pedestrian access between the Post Office and Auburn Library. [\[click here to view\]](#)

Request from National Grid for pole location at Ashbrook Dr. and Arbor Dr.

Finance Committee – February 17, 2011

- 1-11-04** Ordinance in amendment of Chapter 3.12 of the Code of the City of Cranston, 2005, entitled “Taxes Generally” (Tax Bill Recycling Notice). [\[click here to view\]](#)
- 1-11-08** Ordinance authorizing the City to utilize Western Road Impact Fees for the construction of a Salt Barn. [\[click here to view\]](#)

Resolution urging the Governor and members of the General Assembly to approve a plan to accelerate the allocation of the proposed phase-in of the State School Funding Funds. [\[click here to view\]](#)

Ordinance Committee – February 17, 2011

- 1-11-05** Ordinance in amendment of Chapter 2.72 of the Code of the City of Cranston, 2005, entitled “Juvenile Hearing Board” (Membership Composition). [\[click here to view\]](#)
- 1-11-06** Ordinance in amendment of Chapter 6.08 of the Code of the City of Cranston, 2005, entitled “Dogs and Other Animals” (Animals Debarking). [\[click here to view\]](#)
- 1-11-07** Ordinance in amendment of Chapter 6.08 of the Code of the City of Cranston, 2005, entitled “Dogs and Other Animals” (Animals Confinement in Motor Vehicles). [\[click here to view\]](#)

Claims Committee

- *Property damage claim of Steven DiSciullo from incident on December 27, 2010.
- *Subrogation notice from Progressive Northern Insurance Co. for their insurer Stephen Nault for property damage claim from incident on April 9, 2010.
- *Property damage claim of Dorothy Miller from incident on December 31, 2010.
- *Property damage claim of Samuel Ranallo from incident on December 27, 2010.
- *Personal injury claim of Salsia Rodriguez from incident on December 26, 2010.
- *Property damage claim of Sharon Fratantuono from incident on December 27, 2010.
- *Property damage claim of Anthony Ferrara, Jr. from incident on December 27, 2010.
- *Property damage claim of Michael Psikakos from incident on January 12, 2011.
- *Property damage claim of Peter and Laurie DeCesaro from incident on January 12, 2011.
- *Property damage claim of Karl and Lisa Anastasi from incident on January 11, 2011.
- *Property damage claim of John Meloccaro from incident on January 12, 2011.
- *Property damage claim of Brandi Sullivan from incident on January 19, 2011.
- *Property damage claim of Robert Schmiegel from incident on January 18, 2011.

*forwarded only to City Council, Solicitor and Anna Marino

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On motion by Council Vice-President Pelletier, seconded by Councilman Santamaria, the above items were referred to the respective Committees. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilwoman Luciano, Councilmen Donahue, Stycos, Navarro, Archetto, Santamaria, Favicchio, Council Vice-President Pelletier and Council President Lupino -9.

XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK

CONSERVATION EASEMENT for 684 Natick Ave. (Awaiting Executed Copy)

Mr. Cordy stated that the Planning Director is working on final detail with National Resources.

This item will be continued.

TEAMSTERS, LOCAL 251, Nutrition Workers Overtime MOU. (Awaiting Dated Executed Copy)

Mr. Cordy stated that the Administration is still waiting for updated executed document.

This item will be continued.

The meeting adjourned at 9:05 P.M.

Maria Medeiros Wall, JD
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist)