

REGULAR MEETING – CITY COUNCIL

-JULY 23, 2007-

Regular meeting of the City Council was held on Monday, July 23, 2007 in the Council Chambers, City Hall, 869 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 7:09 P.M. by the Council President.

Roll Call showed the following members present: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian –9.

Also Present: Frank Migliorelli, Deputy Director of Administration; Vito Sciolto, City Solicitor; Corsino Delgado, Director of Finance; Steve Woerner, City Council Internal Auditor; Pat Quinlan, City Council Legal Counsel.

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

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

None.

II. EXECUTIVE COMMUNICATIONS

“REQUEST TO BE PLACED ON DISABILITY PENSION SGT. PAUL MEDEIROS, CRANSTON POLICE DEPARTMENT”

Mr. Migliorelli appeared to speak.

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

“REQUEST TO BE PLACED ON DISABILITY PENSION ACTING CAPTAIN MICHAEL CUDDEMI, CRANSTON POLICE DEPARTMENT”

Mr. Migliorelli appeared to speak and stated that the Administration is withdrawing this request at this time.

No action taken.

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

None.

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III. COUNCIL PRESIDENT COMMUNICATIONS

“ENGAGEMENT LETTER FROM AUDITORS: KOSTIN, RUFFKESS & COMPANY, LLC. FOR FY2007”

No discussion. (Informational purposes for President’s signature).

IV. COUNCIL MEMBER COMMUNICATIONS

Council Vice-President McFarland reminded everyone present that on August 11, 2007, at 11:00 A.M., a ceremony will be held in renaming of the Youth Center to “The Peter T. Pastore, Jr. Youth Center”. Invitations will be mailed out within the next few days.

Councilman Lupino asked for an update on the possibility of the City joining the Interlocal Trust. He spoke to representative from the Trust last week and the Administration has provided them with the information they need and they are working on the analysis of what the costs would be for the City to join the Trust and they will contact the Administration once they are done, which will take approximately two to three weeks.

Councilman Lupino stated that he would like an update regarding where we stand with the Ordinance of Western Cranston Impact Fees. He stated that a meeting was to be scheduled with Veolia Water and Western Cranston Sewer System and he asked who the person is who is in charge of scheduling this meeting.

Councilman Lupino questioned when the first meeting of the Human Resource Commission and Project REDIRECT Commission will be held.

Councilman Navarro asked for update from Administration for the next Council meeting of the appointment of the Zoning Board of Review Alternate member to be made by the Mayor.

Council President Garabedian addressed a flyer regarding Domestic Bank, which was inserted in the July 19, 2007 Cranston Herald, which he stated was an attack on the Council members. He stated that it bothers him that the person who distributed this flyer did not sign his or her name to it. This could be viewed as a violation of State Law by not signing the flyer. This flyer basically states that the Council did not do its job.

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V. PUBLIC HEARINGS

“2007 FEDERAL JAG GRANT PROPOSAL FOR PHYSICAL FITNESS IMPROVEMENT AND COMPUTER EQUIPMENT”

Commander Kevin Lynch appeared to make a presentation and presented a packet outlining how these funds will be expended. Council President Garabedian asked where this grant would come from. Commander Lynch stated that it would come from the Bureau of Justice Assistance.

Councilman Barone asked if this would go before the Board of Contract and Purchase, once the equipment is ready to be purchased. Commander Lynch stated that we would still have to adhere to the Charter and get three bids. Councilman Barone asked how long this takes to get the funds from the grant. Commander Lynch stated within 90 days, we will have availability to expend the funds.

Councilman Lanni asked if this is going to cost the taxpayers any money. Commander Lynch stated, no. Councilman Lanni congratulated the Police Department for the efforts in not having this cost the taxpayers any money.

Council Vice-President McFarland asked that Suzanne Arena be allowed to speak regarding the State Recycling Program, even though it is not listed on the docket.

Suzanne Arena appeared to speak and stated that rather than this going before the Public Works Committee, she suggests that this be discussed in a work session and the representative from the State make a presentation in work session. She stated that there is approximately \$500,000 in grants that the City is losing every year by not advocating the recycling program.

Councilman Navarro asked what Ordinance is in place regarding the recycling and if needed, the Ordinance be amended. **Council President Garabedian** asked that the Administration provide information to the Council of what exists currently in the Code, if any, and then a public hearing will be held and hopefully, we can develop a plan.

Suzanne Arena, 62 Glen View Dr., appeared to speak regarding the insert that was placed in the Cranston Herald last week, which Council President Garabedian spoke of earlier. She stated that this flyer was sent to all Council members via e-mail besides being inserted in the Cranston Herald. She indicated that Tom Cloonan is the person who distributed this flyer. Council President Garabedian stated that the public who receives the Cranston Herald does not know who the person is who put this flyer out there. Councilman Livingston indicated that this is not a docketed item and should be discussed under “Undocketed Items”. Council President Garabedian stated that any Council member can speak under personal privilege. Councilman Lanni stated as a point of personal privilege, he would like to state that the statements made in this flyer are all lies.

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VI. DOCKETED RESOLUTIONS

“RESOLUTION LOAN ORDER AUTHORIZING THE ISSUE OF \$1,500,000 JUDGMENT BONDS OF THE CITY FOR THE SETTLEMENT OF THE SUPERIOR COURT CASE ‘PROVIDENCE WATER SUPPLY BOARD (Plaintiff) VS. CITY OF CRANSTON (Defendant) REACHED IN OCTOBER, 2006: AUTHORIZING THE ISSUE OF \$1,500,000 TEMPORARY NOTES FOR THAT PURPOSE AND AUTHORIZING ADVANCES FROM THE GENERAL TREASURY FOR THAT PURPOSE” (Judgment Bond to settle a Superior Court Case)

On motion by Councilman Livingston, seconded by Councilman Santamaria, it was voted to adopt the above Resolution.

Under Discussion:

Council Vice-President McFarland asked if we are adding \$1.5 million to our borrowing. Mr. Delgado stated, yes, however, the Capital Budget, as it stands, is a wish list. Not every project has been bonded yet. Council Vice-President McFarland asked how many years this bond would go out for. Mr. Delgado stated that it would have a one-year maturity.

Councilman Lanni asked Solicitor to explain how this came about. Mr. Sciolto stated that this is a Judgment that was made in the Fall of 2006. It came about when the City illegally taxed certain water structures of the Providence Water Supply Board. Councilman Lanni stated that the City has to pay \$1.5 million with 12% interest that the prior Administration negotiated in a settlement. Mr. Delgado stated that through the end of May, Cranston owes the Providence Water Supply Board \$1,676,000. This goes back to 2003. Overpaid taxes is \$1,307,000. The City is trying to negotiate a reduction of the interest.

Roll call was taken on motion to adopt the above Resolution and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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“RESOLUTION LOAN ORDER AUTHORIZING THE ISSUE OF \$88,082 BONDS OF THE CITY TO FINANCE THE PURCHASE OF EQUIPMENT FOR THE REPAIR, RESURFACING, CONSTRUCTION AND REHABILITATION OF PUBLIC HIGHWAYS AND STREETS THROUGHOUT THE CITY: AUTHORIZING THE ISSUE OF \$88,082 TEMPORARY NOTES FOR THAT PURPOSE AND AUTHORIZING ADVANCES FROM THE GENERAL TREASURY FOR THAT PURPOSE” (Equipment for the Repairs, Resurfacing, Construction and Rehabilitation to City Streets)

On motion by Councilman Livingston, seconded by Councilman Santamaria, it was voted to adopt the above Resolution.

Under Discussion:

Councilman Livingston asked, for all the Resolutions listed on the Docket, what the funds will be used for and specific projects to be used and timeframe for spending the funds. Mr. Migliorelli stated that this particular Resolution is for repairs of City roads and he could provide the Council with a copy of the list. He also stated that the project will be started within the next few weeks.

Councilman Lanni stated that discussion was held during the Public Works Committee meeting regarding utility companies not repairing the streets correctly after they do their work. He asked what the City’s recourse is concerning payment of part of the cost from the company. Mr. Migliorelli stated that the utilities use sub-contractors. A dollar amount cannot be put on it. He stated that the Solicitor’s Office is working on this. Mr. Sciolto stated that he met with Assistant Solicitor Aubrey Lombardo and an Ordinance will be drafted, particularly dealing with the bonding.

Councilman Livingston asked what is being done to try to force the utility companies to pay for the mess they have already made. Mr. Sciolto stated that if there is an issue, the Council should provide him the information and if there is liability, it can be pursued.

Councilman Navarro asked what type of equipment is being purchased with this money. Ernie DePari, Highway Superintendent, appeared to speak and stated that they are attempting to purchase a new machine for asphalt curbing, trailer and a new roller.

Roll call was taken on motion to adopt the above Resolution and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Barone, Santamaria, Council Vice-President McFarland and Council President Garabedian -9.

“RESOLUTION LOAN ORDER AUTHORIZING THE ISSUE OF \$901,244 BONDS OF THE CITY TO FINANCE THE REPAIR, RESURFACING, CONSTRUCTION AND REHABILITATION OF PUBLIC HIGHWAY AND STREETS THROUGHOUT THE CITY: AUTHORIZING THE ISSUE OF \$901,244 TEMPORARY NOTES FOR THAT PURPOSE AND AUTHORIZING ADVANCES FROM THE GENERAL TREASURY FOR THAT PURPOSE” (Repairs, Resurfacing, Construction and Rehabilitation of City Streets)

On motion by Councilman Livingston, seconded by Councilman Santamaria, it was voted to adopt the above Resolution.

Under Discussion:

Council Member Bucci asked for a list of the streets. Mr. Migliorelli presented this list and stated that this list is recommended by the Engineer and each one depends on the funding and how much is going to cost for each one.

Roll call was taken and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Barone, Santamaria, Council Vice-President McFarland and Council President Garabedian -9.

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“RESOLUTION LOAN ORDER AUTHORIZING THE ISSUE OF \$2,710,000 BONDS OF THE CITY FOR THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, RENOVATION, REPAIR, ALTERATION AND EQUIPPING OF PLAYGROUNDS AND ATHLETIC FIELDS: AUTHORIZING THE ISSUE OF \$2,710,000 TEMPORARY NOTES FOR THAT PURPOSE AND AUTHORIZING ADVANCES FROM THE GENERAL TREASURY FOR THAT PURPOSE” (Repairs, Renovations and Equipment Upgrades to City Playgrounds and Athletic Fields)

On motion by Councilman Livingston, seconded by Council Vice-President McFarland, it was voted to adopt the above Resolution.

Under Discussion:

Council Vice-President McFarland asked if there is a list of the areas to be addressed. Mr. Migliorelli stated that Oakhill Terrace was on the Bond Referendum for playground. Council Vice-President McFarland asked if this area is listed in this bond. Mr. Migliorelli stated that this area is being considered. This bond is not being broken down. We are trying to maintain the majority of these facilities.

Councilman Barone asked if the Administration is considering the \$750,000 for Astro Turf at the Stadium. **Anthony Liberatore**, Director of Parks and Recreation, appeared to speak and stated, yes. Bids were opened last week by the Board of Contract and Purchase. Oakhill Terrace is on the list, but there are other developments in that area going on.

Councilman Livingston asked if any of these projects are in Ward 2. Mr. Liberatore stated that this can be discussed. There is still money left from the last Capital Budget that could be used. Councilman Livingston asked if there could be separate Resolutions, one for renovations and one for the Astro Turf.

Council President Garabedian stated that he himself, would like to see a breakdown of all the projects this bond includes. Mr. Liberatore stated that as to Councilman Livingston’s question, this bond was voted in full for the \$2.7 million by the voters and cannot be separated.

Council Vice-President McFarland stated that these bonds were discussed during the budget process as part of the Capital Budget and much discussion took place, and at that time, the Council should have asked for details of what projects each bond entailed.

Councilman Navarro stated that he is in favor of this and he has full confidence in the Parks and Recreation Director and his department that they are going to spend this money wisely and spend it in the areas where needed.

Councilman Lanni stated that Council Vice-President McFarland is correct when she stated that the Council discussed the Astro Turf issue in great detail during the Capital Budget process. He urged all the Council members to approve this Resolution. Councilman Santamaria asked for status of grant mentioned during the Budget process. Mr. Liberatore stated that the International Amateur Soccer Association has hired a Grant Writer for \$1,500 to write a grant to get us \$150,000 to \$200,000 grant as long as they are granted twelve home games a year they will use the Stadium as their grant request. Status is the grant has been written and submitted. He is looking at six months to hear back. The Association is sponsored by Nike and applied for grant for \$75,000 to Nike, which would go to the coffers of the City.

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On motion by Councilman Navarro, seconded by Council Vice-President McFarland, it was voted to move the question.

Councilman Livingston stated that a motion to move the question cannot be made while he is speaking. A motion to move the question can be made after he is done. Councilman Navarro stated point of order. He asked for Solicitor's opinion regarding Councilman Livingston's statement. Mr. Quinlan stated that the speaker needs to finish speaking and then vote on moving the question can be taken. Councilman Livingston stated that he believes a Resolution can be split. One for playgrounds and one for the turf. He disagrees with statements made by Council members that we should leave it to the Administration or department on how to spend the money. We ought to know how the taxpayers' money is going to be spent so we can answer to the taxpayers when questioned. This has to do with checks and balances. We should always question where the money is being spent on behalf of the taxpayers.

Roll call was taken on motion to move the question and motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Barone, Santamaria, Council Vice-President McFarland and Council President Garabedian -9.

Roll call was taken on motion to adopt the above Resolution and motion passed on a vote of 6-3. The following being recorded as voting "aye": Councilmen Lanni, Lupino, Navarro, Council Member Bucci, Councilmen Santamaria and Council Vice-President McFarland -6. The following being recorded as voting "nay": Councilmen Livingston, Barone and Council President Garabedian -3.

**“RESOLUTION LOAN ORDER AUTHORIZING THE ISSUE OF \$1,541,259 BONDS OF THE CITY TO FINANCE THE PURCHASE OF FIRE AND PUBLIC SAFETY EQUIPMENT: AUTHORIZING THE ISSUE OF \$1,541,259 TEMPORARY NOTES FOR THAT PURPOSE AND AUTHORIZING ADVANCES FROM THE GENERAL TREASURY FOR THAT PURPOSE”
(Purchase Fire and Safety Equipment)**

On motion by Councilman Livingston, seconded by Council Vice-President McFarland, it was voted to adopt the above Resolution.

Under Discussion:

Council President Garabedian asked what type of equipment these would be. Chief Richard Delgado appeared to speak and stated that this would be for a ladder truck in Knightsville and hopefully, an engine in Western Cranston.

Roll call was taken on motion to adopt the above Resolution and motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Barone, Santamaria, Council Vice-President McFarland and Council President Garabedian -9.

VII. REPORT OF COMMITTEES

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

10-06-8 “ORDINANCE IN AMENDMENT OF TITLE 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (Change of Zone-Atwood Ave.)”

Council President Garabedian stated that this Ordinance was to be amended and re-advertised. Since this did not occur, no action will be taken at this time.

5-07-10 “ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF 1992 (Niantic Ave., East Josephine St., Russe St. and Spectacle St.)”

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

5-07-11 “ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (Change of Zone-Niantic Ave.)”

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

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

6-07-1 “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2006 AND ENDING JUNE 30, 2007 (Supplemental Appropriation-American Disability Act)”

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

6-07-2 “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2006 AND ENDING JUNE 30, 2007 (Supplemental Appropriation-Senior Services Nutrition)”

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

7S-07-1 “ORDINANCE TRANSFERRING APPROPRIATIONS AND AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2006 AND ENDING JUNE 30, 2007 (4th Quarter Transfers)”

On motion by Councilman Livingston, seconded by Councilman Santamaria, the above Ordinance was adopted on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8. The following being recorded as voting “nay”: Council Vice-President McFarland -1.

7S-07-2 “ORDINANCE AMENDING THE BUDGET FOR THE FSICAL YEAR COMMENCING JULY 1, 2007 AND ENDING JUNE 30, 2008 (School System Appropriation)”

Councilman Livingston motioned to adopt the above Ordinance. Councilman Lanni seconded the motion for discussion purposes.

Under Discussion:

Council Vice-President McFarland stated that she is disappointed in the Governor and General Assembly for not appropriately appropriating for the School Department. She will be voting against this Ordinance.

Councilman Lanni stated that we don’t control the State Budget. The School Committee is in a dilemma that they need that money. Taxpayers have told us not to touch the Rainy Day Fund. Before any action is made, the School Department has to sit with the Administration and the Council to discuss this. The School Department needs to take its share of responsibility, whether we raise taxes or take money out of the Rainy Day Fund. This Administration, this Council nor the School Department created the situation. The General Assembly created this situation.

Councilman Barone stated that the public needs to know that the Council did not ratify the School contracts. He doesn’t see anyone taking big salary cuts on the School Department side. Before we give the School Department the \$600,000, he would like to make sure that that would definitely not create a Caruolo Action. He will vote in favor of this Ordinance because it is not going to change anything.

Councilman Santamaria stated that in January, the Governor promised each city and town \$1 million more. This promise was not kept.

Council President Garabedian suggested that the Council table this Resolution. He recommended that we initiate a meeting with the School Department and Administration on the subject.

Councilman Lupino stated that the problem is the school Department works backwards because they are forced to guess the amount they will receive from the State. Maybe a formula should be established in funding the Schools.

Councilman Livingston stated that unfortunately, we are in a situation where we have to pass this Ordinance because this will be balancing the books. He will vote in favor of this Ordinance because it is a housekeeping measure.

On motion by Councilman Lanni, seconded by Councilman Livingston, it was voted to move the question. Motion passed on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -8. The following being recorded as voting “nay”: Council Vice-President McFarland -1.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 7-2. The following being recorded as voting “aye”: Councilmen Lanni, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council President Garabedian -7. The following being recorded as voting “nay”: Councilman Lupino and Council Vice-President McFarland -2.

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“AUDIT COMMITTEE REPORT ON AUDITOR GENERAL’S REPORT REGARDING THE CITY FINANCES”

No vote needed.

“RESOLUTION AUTHORIZING REAL ESTATE/TANGIBLE TAX ABATEMENTS – AS RECOMMENDED BY CITY ASSESSOR”

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

“RESOLUTION AUTHORIZING MOTOR VEHICLES TAX ABATEMENTS – AS RECOMMENDED BY CITY ASSESSOR”

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

“TAX INTEREST WAIVER APPROVALS”

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to approve the list of interest waivers as recommended by the Finance Committee. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -9.

“TAX INTEREST WAIVER DENIALS”

On motion by Councilman Livingston, seconded by Councilman Santamaria, it was voted to approve the list of interest waiver denials as recommended by the Finance Committee. Motion passed on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilman Santamaria, Council Vice-President McFarland and Council President Garabedian -8. The following being recorded as voting “nay”: Councilman Barone -1.

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

“RATIFICATION OF SETTLED CLAIMS FOR: Beverly Lacy \$2,500; Jacqueline, William & Jae Pezzullo \$775.00; Jae Pezzullo \$10,000; Migdalia Vasques & her Attorney Andrew Albertino \$5,000”

On motion by Councilman Lupino, seconded by Councilman Santamaria, it was voted to approve the above-listed claims. Motion passed on a vote of 8-0 with 1 abstention. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Livingston abstained.

VIII. ELECTION OF CITY OFFICIALS

“ZONING BOARD OF REVIEW

- **Re-appointment of JOY MONTANARO” (Cont. 6/25/2007 for legal opinion)**

On motion by Councilman Barone, seconded by Councilman Santamaria, it was voted to re-appoint **JOY MONTANARO** as a member of the **Zoning Board of Review**. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -9.

- **Appointment of Steven Minicucci, Esq., as Second Alternate Member (resigning as 4th Alternate Member)**

On motion by Councilman Livingston, seconded by Councilman Lupino, it was voted to accept the resignation of **CRAIG CARDULLO.**, as the Second Alternate Member of the **Zoning Board of Review**. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -9.

On motion by Councilman Barone, seconded by Councilman Navarro, it was voted to appoint **STEVEN MINICUCCI, ESQ.**, as the Second Alternate Member of the **Zoning Board of Review**. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -9.

“PERSONNEL APPEAL BOARD”

No appointments were made.

IX. REPORT OF CITY OFFICERS

None.

IXA. OLD BUSINESS

No business.

X. INTRODUCTION OF NEW BUSINESS

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

Public Works Committee – August 16, 2007

Petition from National Grid for pole location at Echo Lane.

Request for street light design for Helen Estates.

Finance Committee – August 16, 2007

- 7-07-1 Ordinance in amendment of Chapter 3.04 of the Code of the City of Cranston, 2005, entitled “Fiscal Provisions” (Audit Committee).**
- 7-07-3 Ordinance in amendment of Chapter 8 of the Code of the City of Cranston, 2005, entitled “Health and Safety” (Emergency Medical Service Fees).**

Ordinance Committee – August 16, 2007

- 7-07-2 Ordinance in amendment of Chapter 10.32 of Title 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Rangeley Rd. and Deerfield Rd.).**

Ordinance Committee – September 13, 2007

- 7-07-4 Ordinance amending Chapter 17.108 of the Code of the City of Cranston, 2005, entitled “Zoning Board of Review” (District Membership Requirement).**

City Plan Commission – September 11, 2007

- 7-07-4 Ordinance amending Chapter 17.108 of the Code of the City of Cranston, 2005, entitled “Zoning Board of Review” (District Membership Requirement).**

Claims Committee

- *Joan Marie Zawislak
- *Barbara Pettinato
- *Deborah A. Salone

*forwarded only to City Council, Solicitor and Anna Marino

On motion by Council Vice-President McFarland, seconded by Councilman Lanni, the above items were referred to the respective Committees. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -9.

XI. MISCELLANEOUS BUSINESS ON CLERK’S DESK

No business.

XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS

Anthony Liberatore, Director of Parks and Recreation, appeared to speak regarding the Bubble Ice Rink. He stated that two bids have been received. One is for \$423,000 and one is for \$456,000. He had both bids rejected. He met with the Mayor and was asked for his opinion to correct this situation with the Bubble Rink. He advised the Mayor that he would like to be the General Contractor to erect the Bubble Rink. He is working with the Board of Contract and Purchase on this and he has pulled the proper permits. He had gas pipes and trenches installed last week and were inspected and approved by the City. Plumbing and electrical contractor is on board. At this time, he is at \$172,000. This is for all contractors needed to get the Bubble Rink erected.

Council President Garabedian stated that he believes Mr. Liberatore's presence on the job will cost the City a lot less. He is very very pleased Mr. Liberatore was hired as Parks and Recreation Director and he has confidence that this job will get done with his supervision.

Councilman Lupino asked what the gas lines are for, since the rink is just to be used for practices. Mr. Liberatore stated that this is to inflate the dome. Councilman Lupino asked what the cost would be to run the gas line. Mr. Liberatore stated that the gas will only be used when the dome gets a hole in it or when snow gets on it. The gas will only be used when necessary to re-inflate the dome if something happens and it deflates.

Councilman Barone asked Mr. Liberatore who authorized him to be the General Contractor on this project. Mr. Liberatore stated, the Administration. Councilman Barone asked for Solicitor's opinion whether this is a conflict of interest having a City employee acting as a General Contractor on this project. Council President Garabedian stated that it may be terminology of "General Contractor" being used that is causing confusion. Mr. Liberatore, as Director of Parks and Recreation, is coordinating and managing this project as Director of Parks and Recreation. Mr. Liberatore stated that he may have used the wrong terminology.

Councilman Lanni stated that this is an in-house job. The Director of Parks and Recreation is being buried because he is trying to save a lot of money by doing this in-house. Mr. Liberatore indicated that at tomorrow's Board of Contract and Purchase meeting, there will be three bids, three for electrical, three for plumbing and three for gas.

Valerie Schule appeared to speak and stated that the hallway on the third floor, outside the Mayor's Office looks like a garage sale. It is embarrassing and the Council should find it embarrassing. It has been that way since January. Now it is July. The public should not be made to view that month after month.

Suzanne Arena appeared to speak and stated that she is very troubled of former Mayor Laffey having allowed a lot of inappropriate spending. She asked what the Council and Administration is doing to hold the previous Administration accountable. She does not understand, as a taxpayer, why we are not doing anything about this.

Paul Valetta, President of Local 1363 Firefighters Union, appeared to speak and thanked the Council for approving the Resolution regarding purchase of fire and safety equipment. He also thanked the taxpayers for voting for this bond and the Administration for bringing it forward.

The meeting adjourned at 9:30 P.M.

Maria Medeiros Wall, JD
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).