

SPECIAL MEETING – CITY COUNCIL

-JUNE 2, 2003-

A Special meeting of the Cranston City Council was held on Monday, June 2, 2003 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 5:05 P.M. by Council President Pastore.

Roll Call showed the following members present: Councilmen Fung, Jackvony (appeared late), Councilwoman Ellen O’Hara, Council Member Fogarty, Councilwoman McFarland (appeared late), Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

Also Present: Mayor Stephen P. Laffey; Paul Grimes, Director of Administration; Robin Muksian-Schutt; Evan Kirshenbaum, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel; Tim Bliss, Esq., of Tillinghast, Licht, Perkins, Smith and Cohen.

Minutes of the last meeting were approved and dispensed with.

-JUNE 2, 2003-

The City Clerk read the following:

CITY OF CRANSTON
RHODE ISLAND

CALL OF SPECIAL MEETING OF THE CITY COUNCIL

In accordance with the Home Rule Charter and Section 3.07, Section 2-10.2 of the City Code, I hereby call a special meeting of the City Council to be held on Monday, June 2, 2003 at 5:00 P.M. in the Council Chambers, City Hall, 869 Park Ave, Cranston, RI, at which meeting the following items of business shall be transacted:

- Executive Session pursuant to RIGL 42-46-5(a)(2); consideration of possible action on:

Ordinance No. 4-03-1 amending Chapter 24 of the Code of the City of Cranston, 1970, entitled "Police Department".

Ordinance No. 4-03-2 amending Chapter 10 of the Code of the City of Cranston, 1970, entitled "Fire Department".

- Resolution Authorizing an Addendum to the Wastewater Agreement (continued from May 27, 2003).
- 4-03-4 Ordinance amending Chapter 2, Administration (Homestead Exemptions) (Continued from May 27, 2003).

And I hereby request the City Clerk to notify all Council members of the Call of the special meeting.

Executed at Cranston, Rhode Island, this 28th day of May, 2003.

/s/ Peter T. Pastore, Jr.
Council President

-JUNE 2, 2003-

CERTIFICATION

I hereby certify that a true copy of the attached Call of a special meeting of the City Council to be held on Monday, June 2, 2003 at 5:00 P.M. in the Council Chambers, City Hall, 869 Park Ave., Cranston, R.I. was delivered via electronic mail on the 28th day of May, 2003 and regular mail, postage prepaid to the addresses listed below.

Council President Peter T. Pastore, Jr.
14 Firglade Dr.
Cranston, RI 02921
[Ppastore@randolphsavings.com](mailto:ppastore@randolphsavings.com)

Councilman Marc D. Ferolito
mferolito@msn.com

Council Member Cynthia M. Fogarty
Fogarty1@msn.com

Councilman Allan W. Fung
alfung@cox.net

Councilwoman Ellen O'Hara
ellencohara@cox.net

Councilman Kirk McDonough
67 Dellwood Rd.
Cranston, RI 02920
kirkmcdonough@cox.net

Councilwoman Paula McFarland
pmcfarland@prodigy.net

Councilman Randall A. Jackvony
rjackvony@cox.net

Councilman John E. Lanni, Jr.
111 Woodview Dr.
Cranston, RI 02920
Jelan1@aol.com

/s/ Rosalba Zanni
Assistant City Clerk/Clerk of Committees

-JUNE 2, 2003-

Council President Pastore stated that before going into Executive Session, there are some Ordinances from the last meeting that need to be acted on as well as, then going into Executive Session to clarify any questions on the Police and Fire Pension Ordinances. There will be no public hearing, since we have had several public hearings on this issue.

4-03-4 ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED “ADMINISTRATION” (HOMESTEAD EXEMPTIONS).

Mr. Kirshenbaum stated that this Ordinance passed into law without the Governor’s signature.

On motion by Councilwoman O’Hara, seconded by Councilman McDonough, it was voted to remove this Ordinance from the table. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilman Fung, Councilwoman O’Hara, Council Member Fogarty, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –7.

On motion by Councilwoman O’Hara, seconded by Councilman Lanni, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilman Fung, Councilwoman O’Hara, Council Member Fogarty, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –7.

Mr. Kirshenbaum spoke regarding “RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF AN ADDENDUM TO THE INTER-MUNICIPAL AGREEMENT FOR WASTEWATER SERVICES BY AND BETWEEN THE CITY OF CRANSTON AND THE TOWN OF WEST WARWICK”, which was tabled at the last Council meeting. He stated that he is unable to provide a clarification of why the Council President’s signature is required on the Agreement and he asked that this be passed to the next Council meeting. Council President Pastore stated that this Resolution will be left on the table until the next Council meeting. No one objected to leaving this on the table.

Council Member Fogarty read a statement addressing the fact that she has received numerous phone calls at her home as to the fact that she did not attend the May 20, 2003 public hearing regarding the Police and Fire Pension Ordinances. She stated that she did not attend this meeting due to a serious illness in her family. She stated that since then, her dad has passed away and she thanked everyone for their support and understanding during this hard time.

On motion by Councilman McDonough, seconded by Councilwoman O’Hara, it was voted to go into Executive Session pursuant to RIGL 42-46-5(2)(a) ‘Collective Bargaining/Litigation’. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilman Fung, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –8.

The meeting went into Executive Session at 5:15 P.M.
The meeting came out of Executive Session at 6:25 P.M.

On motion by Councilman Fung, seconded by Council Member Fogarty, it was voted to seal the minutes of Executive Session. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Jackvony, Fung, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

-JUNE 2, 2003-

Mr. Grimes stated that he was informed today that there is legislation before the Senate and the House tomorrow, enabling municipal water utilities to charge 8% and any revenues accrued could go to the city or town. Administration's position is that we have to be opposed to this surcharge. He asked if any Council members would like to join the Administration tomorrow in attending this meeting, to contact him after this meeting.

**4-03-2 "ORDINANCE AMENDING CHAPTER 24 OF THE CODE OF
THE CITY OF CRANSTON, ENTITLED 'POLICE
DEPARTMENT'".**

Council President Pastore stated that there is a scrivner's error in this Ordinance that needs to be corrected.

On motion by Councilman Fung, seconded by Councilman Ferolito, it was voted to remove this Ordinance from the table. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Jackvony, Fung, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

On motion by Councilman Fung, seconded by Councilman Jackvony, it was voted to approve this Ordinance and amend by changing the word "Fire" in the fiscal note and throughout the Ordinance to "Police Officers". Motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilmen Jackvony, Fung, Councilwoman O'Hara, Council Member Fogarty, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –8. The following being recorded as voting "nay": Councilwoman McFarland –1.

**4-03-1 "ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF
THE CITY OF CRANSTON, 1970, ENTITLED 'FIRE
DEPARTMENT'".**

On motion by Councilman Ferolito, seconded by Councilman Jackvony, it was voted to remove this Ordinance from the table. Motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilmen Jackvony, Fung, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8. The following being recorded as voting "nay": Councilman Ferolito –1.

On motion by Councilman Fung, seconded by Councilman Ferolito, it was voted to approve this Ordinance. Motion passed on a vote of 8-1. The following being recorded as voting "aye": Councilmen Jackvony, Fung, Councilwoman O'Hara, Council Member Fogarty, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –8. The following being recorded as voting "nay": Councilwoman McFarland –1.

The meeting recessed at 6:45 P.M.

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

Maria Medeiros Wall
City Clerk

(See Stenographic notes of Ron Ronzio, Stenographer).