

SPECIAL MEETING – CITY COUNCIL

-JUNE 2, 2008-

Special meeting of the City Council was held on Monday, June 2, 2008, in the Council Chambers, City Hall, 869 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 6:45 P.M. by Council President Garabedian.

Roll Call showed the following members present: Councilmen Lanni, Lupino, Livingston, Navarro (appeared at 6:55 P.M.), Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland (appeared at 6:55 P.M.) and Council President Garabedian -9.

Also Present: Vito Sciolto, City Solicitor; Charles Garganese, Jr., Assistant City Solicitor; Corsino Delgado, Director of Finance; Patrick Quinlan, City Council Legal Counsel; Steve Woerner, City Council Internal Auditor.

-JUNE 2, 2008-

Clerk read Call of the Meeting:

**CITY OF CRANSTON
RHODE ISLAND**

SPECIAL MEETING OF THE CITY COUNCIL

In Accordance with the Home Rule Charter and Section 3.07 and Section 2.04.060 of the City Code thereof, I hereby call a special meeting of the City Council to be held on

Monday, June 2, 2008 at 6:45 p.m.
Council Chambers, City Hall
869 Park Ave.
Cranston, RI 02910

The following items of business shall be transacted:

- **Resolution requesting the Rhode Island General Assembly to Pass Legislation Crediting Lt. James Pagano two years and nine months of service time.**
- **Resolution memorializing the members of the General Assembly from Cranston to introduce and urge passage of legislation authorizing bonds of the City and to authorize a referendum to be held thereon (Open Space & Development/Restoration Funding).**

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, 2008.

/s. Aram G. Garabedian, Council President

Individuals requesting interpreter services for the hearing-impaired must notify the Office of the City Clerk at 461-1000 Ext. 3197 seventy-two (72) hours in advance of the hearing date."

-JUNE 2, 2008-

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, 2008 at 6:45 P.M. in the Council Chambers, third floor, City Hall, 869 Park Ave., Cranston, R.I. was delivered via electronic mail on the 28th day of May, 2008 and regular mail, postage prepaid to the addresses listed below.

Council President Aram G. Garabedian
173 Belvedere Dr.
Cranston, RI 02920
Aram@blissproperties.net

Council Member Maria A. Bucci
301 Wilbur Ave.
Cranston, RI 02921
MarBC4@aol.com

Councilman Terence Livingston
28 Tucker Ave.
Cranston, RI 02905
Terry@livingstonlaw.us

Councilman Jeffrey P. Barone
16 Samuel Court
Cranston, RI
Jeffreyb22@cox.net

Councilwoman Paula B. McFarland
100 Pomham St.
Cranston, RI 02910
p_mcfarland@verizon.net

Councilman John E. Lanni, Jr.
111 Woodview Dr.
Cranston, RI 02920
john.lanni@yahoo.com

Councilman Anthony J. Lupino
15 Black Oak Court
Cranston, RI 02921
tlupino@cox.net

Councilman Emilio L. Navarro
61 Autumn St.
Cranston, RI 02910
Navarro_emilio@hotmail.com

Councilman Richard Santamaria
20 Burr St.
Cranston, RI 02920
Ritatj10@yahoo.com

/s/ Rosalba Zanni, Assistant City Clerk

-JUNE 2, 2008-

“RESOLUTION REQUESTING THE RHODE ISLAND GENERAL ASSEMBLY TO PASS LEGISLATION CREDITING LT. JAMES PAGANO TWO YEARS AND NINE MONTHS OF SERVICE TIME”

Public speakers:

Paul Valetta, President of Firefighters Union, appeared to speak and presented a handout of what Lt. Pagano’s pension would be.

On motion by Councilman Barone, seconded by Councilman Navarro, it was voted to approve the above Resolution.

Under Discussion:

Councilman Navarro asked to be added as a co-sponsor of this Resolution.

Councilman Lanni asked how much 50% would amount to. Mr. Valetta stated that 50% would be approximately \$35,000; 40% would be approximately \$21,228 and 30% would be approximately \$14,155.

Councilman Lanni was provided with a copy of a State Law which forbids special pensions. He stated that this is what bothers him. If this was to pass to the General Assembly, this Resolution would be in violation of State Law. To pass this and give the Pagano family hope that this will pass at the State level, would be a huge disservice, since it is against State Law. He stated that he would like to see this Resolution tabled for further study until we can get the rest of the General Assembly members on a path to get some sort of legislation passed where it would be legal.

On motion by Councilman Lanni, seconded by Councilman Livingston, it was voted to table the above Resolution.

Councilman Navarro asked for point of order and stated that there is already a motion to approve on the table. Council President Garabedian stated that motion to table could be made at any time.

Mr. Valetta asked Councilman Lanni to remove his motion to table because he would like to respond to some of his statements.

Councilman Lanni removed his motion to table and Councilman Livingston removed his second to the motion.

Mr. Valetta stated that the Pagano family are perfectly aware that this is not a slam dunk that it will be passed at the State. He also stated that he is not attempting to get the General Assembly to repeal a legislation for a special person, neither is the Pagano family. To table this, time is of the essence. The General Assembly will be in recess in two weeks and if this is not acted on now, we would have to wait until next year. He stated that we would not be asking the General Assembly to change any benefits that the firefighters now get. This is why he does not feel this is in violation of State Law. It is simply crediting this firefighter with two years and nine months.

Councilman Livingston stated that this is absolutely a special pension bill. He believes it would be absolutely cruel if this Resolution is passed and give Mrs. Pagano hope that the General Assembly is going to pass special pension bill. He asked who will sponsor the bill at the General Assembly. Mr. Valetta stated that Representative Jacquard stated that he would sponsor it.

-JUNE 2, 2008-

Councilman Lupino asked what is being requested is the right thing to do for the family that is in need. We are not writing the legislation that would grant this. It is no different than any other requests that we made or make to the General Assembly. He thinks we are not giving any false hope to the Pagano family.

Councilman Navarro stated that we need a unanimous vote from the Council on this Resolution. It is the right thing to do. There is no financial impact to the City and a very small impact on the State pension plan. Let the attorneys at the General Assembly decide whether this is legal.

Councilman Barone stated that this Council recently passed a budget and appropriated a \$10,000 increase for the Council Internal Auditor. He asked that the Council put the priorities in order.

Councilman Lanni stated that he knows members of the Pagano family. All he is asking for is to put this on hold and find out if it is legal.

Council Vice-President McFarland stated that she will vote in favor of this Resolution and sending it to the General Assembly and let them determine if this is legal or not.

Council President Garabedian asked Solicitor's opinion or recommendation.

Council Vice-President McFarland stated that this Resolution has been hanging around for a week and at this point, she does not want to hear the legal opinion. All the Council members have email and no opinion has been provided.

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

Under Discussion:

Councilman Livingston stated that this motion is not pertinent at this time since there is a question on the table.

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

Roll call was taken on motion to approve the above Resolution and motion passed on a vote of 6-1 with 2 abstentions. The following being recorded as voting "aye": Councilmen Lupino, Navarro, Council Member Bucci, Councilmen Santamaria, Barone and Council Vice-President McFarland -6. The following being recorded as voting "nay": Council President Garabedian -1. Councilmen Lanni and Livingston abstained.

-JUNE 2, 2008-

“RESOLUTION MEMORIALIZING THE MEMBERS OF THE GENERAL ASSEMBLY FROM CRANSTON TO INTRODUCE AND URGE PASSAGE OF LEGISLATION AUTHORIZING BONDS OF THE CITY AND TO AUTHORIZE A REFERENDUM TO BE HELD THEREON (Citywide Open Space)”

On motion by Councilman Navarro, seconded by Councilman Barone, it was voted to approve the above Resolution. Motion passed on a vote of 8-1. 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. The following being recorded as voting “nay”: Councilman Livingston -1.

The meeting adjourned at 7:25 P.M.

Maria Medeiros Wall
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committee