

REGULAR MEETING – CITY COUNCIL

-JUNE 23, 2008-

Regular meeting of the City Council was held on Monday, June 23, 2008 in the Council Chambers, City Hall, 869 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 7:25 P.M. by the Council President.

Roll Call showed the following members present: Councilmen Lanni, Lupino, Livingston, Navarro, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian –8.

Absent: Council Member Bucci -1.

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

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

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

“CITATION FOR WILLIAM GUGLIETTA, FORMER CRANSTON MUNICIPAL COURT AUXILIARY JUDGE”

Council President Garabedian stated that this will be continued to next month’s meeting.

II. EXECUTIVE COMMUNICATIONS

“MAYOR’S RECOMMENDATION PURSUANT TO SECTION 6.19 OF THE CRANSTON CITY CHARTER-EMERGENCY APPROPRIATIONS”

Mr. Migliorelli appeared to speak.

The **City Clerk** read **Mayor Napolitano's** recommendation.

Council President Garabedian asked if any members of the public would like to speak regarding this issue.

Suzanne Arena, 62 Glen View Dr., appeared to speak and stated that based on what she heard, she holds the Mayor negligent on the following: buying swamp land from Cullion Concrete. The Mayor knew this was a problem from the start and she does not support this Resolution.

Steven Bloom, 54 Ingleside Ave., appeared to speak and urged the residents of the City to call the Mayor and the Council and urge them to settle with the School Department. Settling would save money in legal expenses, it would restore objectivity to the budget process and the position of the City would be strengthened with the Unions.

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“ADVICE AND CONSENT OF MAYOR’S APPOINTMENT OF KYLE L. BRIDGEFARMER AS BUILDING OFFICIAL. To be referred to Finance Committee”

Mr. Migliorelli appeared to speak and stated that this item will be advertised and acted on at the Finance Committee meeting.

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

Mr. Migliorelli presented report.

“REQUEST TO BE PLACED ON PENSION DET. CHARLES MULLINS, CRANSTON POLICE DEPARTMENT”

Mr. Migliorelli appeared to speak.

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

“REQUEST TO BE PLACED ON PENSION OFFICER JOSEPH SCICHLONE, JR., CRANSTON POLICE DEPARTMENT”

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

“REQUEST TO BE PLACED ON PENSION OFFICER MICHAEL CASTELLI, CRANSTON POLICE DEPARTMENT”

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

“REQUEST TO BE PLACED ON PENSION DET. JOHN LAMANTIA, CRANSTON POLICE DEPARTMENT”

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

“REQUEST TO BE PLACED ON PENSION DET. JOSEPH COONEY, CRANSTON POLICE DEPARTMENT”

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

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**“REQUEST TO BE PLACED ON PENSION SGT. ANTONIO BUONANNO,
CRANSTON POLICE DEPARTMENT”**

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

**“REQUEST TO BE PLACED ON PENSION DET. GLENN GILKENSON,
CRANSTON POLICE DEPARTMENT”**

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

**“RESOLUTION PURSUANT TO RECOMMENDATION OF THE MAYOR
UNDER SECTION 6.19 OF THE CRANSTON CITY CHARTER (School
Department FY 2008)”**

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

Under Discussion:

Councilman Barone questioned where the money would come from. Mr. Woerner stated that the bulk of the funds would come from the Cumulative Surplus Fund. Councilman Barone asked what the balance in this fund is at this time. Mr. Woerner stated \$18 million. Mr. Delgado stated that at the end of June, the balance would be \$20.5 million counting the \$4.9 million. Councilman Barone asked how the payment plan from the School Committee would work because this is not a settlement. **Matt Oliverio, Esq.**, attorney for the City in this case, appeared to speak and stated that Councilman Barone is correct, this is not a settlement. The School Department and the financial settlement experts will come up with a re-payment plan to repay this obligation. The Auditor General has to approve this plan or can ratify it. He will review the situation and the finances and will either approve the plan or ratify it.

Councilman Livingston asked if we can be assured that this money will not be counted as bottom line appropriation. Attorney Oliverio stated that he feels very strongly that if the School Committee took the position that this go towards maintenance of effort, they would lose that argument.

Councilman Lanni stated that it is not the City that is bankrupt, it is the School Committee and School Department that is currently bankrupt. They knew back in May there was going to be a structural deficit and they were not going to have money to pay their bills. It is a shame that they waited to the last minute. He asked if the City Treasurer will continue to handle the School Department’s books until this loan is paid. Attorney Oliverio stated that it depends on what is anticipated this coming year. If the School Department advises the City that there may be a potential deficit for FY 2008-09, the Treasurer has authority under RIGL 16.91 to assume control of the finances.

Council President Garabedian handed gavel to the Council Vice-President.

Council President Garabedian stressed to the School Committee members that they had to follow the Oath they took when they were elected, because the Charter provides a section for removal. He stated that the School Department’s payroll and benefits are 86% of the City budget. Steps have to be taken by elected officials. Cutting programs and sports will not show any significant savings.

The gavel was handed back to the Council President.

Councilman Navarro asked if the School Department has balanced the 2008-09 budget. Attorney Oliverio stated that, per their legal counsel, they did, assuming that they would be receiving the \$4.9 million towards maintenance of efforts.

Councilman Lupino motioned to amend the above Resolution by striking out the words “and personnel” on pg. 2, second paragraph. Councilman Lanni seconded the motion for discussion purposes. Motion failed on a vote of 3-5. The following being recorded as voting “aye”: Councilmen Lupino, Navarro and Council Vice-President McFarland -3. The following being recorded as voting “nay”: Councilmen Lanni, Livingston, Santamaria, Barone and Council President Garabedian -5.

Roll call was taken on motion to adopt the above Resolution and motion passed on a vote of 7-1. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Santamaria, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting “nay”: Councilman Barone -1.

III. COUNCIL PRESIDENT COMMUNICATIONS

“APPOINTMENTS TO DIVERSITY ADVISORY COMMITTEE:

**Councilman Navarro
Rosalind Kurzer
Michael Megrđichian”**

Council President Garabedian announced the above members as his appointments to the Diversity Advisory Committee.

IV. COUNCIL MEMBER COMMUNICATIONS

Councilman Livingston stated that he has received phone calls from the Harbor Master stating that he has been short on his pay of approximately \$240. He questioned Administration what is going on with that. Mr. Delgado stated that his research indicates that the Harbor Master started in April and we are still paying the former Harbor Master until March. Councilman Livingston stated that at the next Finance Committee meeting, he would like a printout of each bi-weekly pay made to the Harbor Master.

Councilman Lupino asked for a status update on the RFP for the former Police Station property. Mr. Migliorelli stated that within 15 days or sooner, the RFP will be going out.

Councilman Lupino addressed the legal analysis provided by the Administration and he stated that he has asked in the past for a year-to-date accounting. This report just lists the expenses for month to month period. He again is asking for a year-to-date.

Status report on Safe Routes to School Grant – Councilman Navarro

Councilman Navarro asked for an update on the Safe Routes to School Grant. Officer Al Davis of the Traffic Division, appeared to speak and explained what this program is and presented a packet to the Council. He stated that he, Dave Ferguson, the City Traffic Engineer, and Officer Matthew Tite of the Accreditation Division, set out working on a grant proposal using the three Middle Schools as anchor schools to get the money into the City as much as possible. We applied for three separate grants that total \$500,000 and we ended up getting two of the three grants, full or partially funded, totaling \$297,000 sitting in a fund in DOT that is 100% reimbursable grants. We received a 20% return of 2,000 surveys sent out to homes of children that walk to school, identifying structural problems. This money is sitting in an account and him being a Police Officer, is not in a position to approve the spending of this money. The School Department, the Administration and the Council need to take the next step on getting this implemented. DOT is looking for infrastructure coordinator and a structure coordinator to sign off on a memorandum of agreement.

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Councilman Navarro stated that the City needs to do everything it can to bring that money into the City coffers, knowing it will be fully reimbursed.

Council President Garabedian suggested that the Administration gather all the information and then put a plan together either by Ordinances or Resolution to implement this.

Council Vice-President McFarland stated that she and the Council members have received a letter regarding the Cranston employment applications and those people who have been or are being deployed to Iraq, preference points given on reference. This letter was copied to the Administration. Currently, the policy of giving credits to servicemen is updated up to 2002. We need to amend this policy. Mr. Migliorelli stated that this could be done by Ordinance. Council Vice-President McFarland handed the letter to Mr. Migliorelli to have the Administration draft an Ordinance addressing this.

Council Vice-President McFarland asked for an update on the abolishment of the Engineering Division and the bumping rights and how it will be handled, since we are nearing July 1, 2008. Mr. Migliorelli stated that at this time, we are looking at qualifications of where and if a person can bump to. There are two different views between the Personnel Director and the Union regarding the bumping and this is being discussed. Council Vice-President McFarland asked when a decision will be made. Mr. Migliorelli stated, hopefully, this week.

Council Vice-President McFarland stated that as she stated at the last meeting, the legal expense analysis is incomplete the Council needs detail information on which cases are involved. She also received a letter from the Public Library Board of Trustees acknowledging the hard work the Council puts in.

Council Vice-President McFarland stated that due to her work schedule she will not be available on Mondays for the month of July.

Councilman Barone stated that last month he and the other Council members received a letter from Wallick & Associates. He asked at the Finance Committee meeting what this was for and Solicitor Lombardo did not know and she was going to ask Solicitor Sciolto. Mr. Sciolto stated that he has not had a chance to research this, but will call Attorney Wallick and he will have an answer for Councilman Barone tomorrow.

Councilman Barone stated that Michael DiBiase was allowed rental of the second floor of the hallway of the Hamilton Building in June. He referred to Section 7.08 of the Charter and asked why this did not come before the Council for approval by Resolution. Councilman Lupino stated that the gentleman approached him to rent the former Police Station, when he was told how much it would cost, he stated that he could not afford it. He then recommended to Mr. DiBiase the Hamilton Building. He was advised that it would only be needed to take a few shots of the hallway and not necessarily rent the space. He called Mr. Carlucci and Council President Garabedian and was given permission. An amount was reached of approximately \$250.00 to use the second floor hallway after hours or on a Saturday as long as the City was provided with proof of liability insurance, proof of comprehensive insurance and produce separate check to pay for overtime if needed. Councilman Lupino stated that George David, Building Maintenance Superintendent, advised him of approximately how much overtime would be. He ran it by Mark Marchesi, Purchasing Agent. Mr. DiBiase went to the Purchasing Department on June 14th, the day he was going to use the space, and presented two checks, one for \$250 and one for \$75 for overtime. He did run overtime and a second check was received today to cover the entire overtime cost. Councilman Lupino stated that he takes full responsibility and did not realize a Resolution of the City Council was needed. Councilman Barone stated that he agrees that revenues is good for the City. He asked what can be done to prevent this from happening again. Council President Garabedian stated that he agrees that this should be done by Resolution and going forward, any use of City property, be done by Resolution.

V. PUBLIC HEARINGS

Ernest DePari, Highway Superintendent, appeared to speak in favor of “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 (DPW-Division of Highway Maintenance Equipment Replacement and Purchases”. He stated that he realizes it is too late to get these trucks by bond, when winter comes and the job is not done good or a truck breaks down, when the finger pointing starts, he does not want them pointed at him. There needs to be a way to address this, either by lease purchase or some other way.

Council Vice-President McFarland stated that this issue should have been addressed during the budget process, where we could have created a line item for possibly lease purchase.

Anthony Sylvia, Director of Public Works, appeared to speak and stated that the reason the lease purchase line item was deleted from the Operating Budget in the 09 Fiscal Year, is because the lease that was in place to repay the vehicles we currently have was completed. If needed, we would need to maximize our use of outside vendors.

VI. DOCKETED RESOLUTIONS

“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 (DPW-Division of Highway Maintenance Equipment Replacement and Purchase)”

On motion by Councilman Lupino, seconded by Council Vice-President McFarland, the above Resolution was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Santamaria, Council Vice-President McFarland and Council President Garabedian -6. Councilmen Livingston and Barone were not present for roll call vote.

VII. REPORT OF COMMITTEES

COMMITTEE ON FINANCE (Terence Livingston, Chair)

“RESOLUTION AUTHORIZING REAL ESTATE TAX ABATEMENTS”

On motion by Council Vice-President McFarland, seconded by Councilman Santamaria, the above Resolution was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Santamaria, Council Vice-President McFarland and Council President Garabedian -6. Councilmen Livingston and Barone were not present for roll call vote.

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“RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS”

On motion by Councilman Santamaria, seconded by Councilman Navarro, the above Resolution was adopted on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Santamaria, Council Vice-President McFarland and Council President Garabedian -6. Councilmen Livingston and Barone were not present for roll call vote.

“TAX INTEREST WAIVER OF SANTE MARINUCCI. Approval Recommended by Committee 6/12/2008”

On motion by Council Vice-President McFarland, seconded by Councilman Lupino, it was voted to approve the interest waiver for Sante Marinucci as recommended by Committee. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Santamaria, Council Vice-President McFarland and Council President Garabedian -6. Councilmen Livingston and Barone were not present for roll call vote.

“TAX INTEREST WAIVER DENIALS – RECOMMENDED BY THE CITY TREASURER, EXCEPT FOR GAIL SEARS DEFELICE”

On motion by Council Vice-President McFarland, seconded by Councilman Lupino, it was voted to approve the list of interest waiver denials as recommended by City Treasurer except for Gail Sears DeFelice (referred back to Committee for July 17, 2008). Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Santamaria, Council Vice-President McFarland and Council President Garabedian -6. Councilmen Livingston and Barone were not present for roll call vote.

“TAX INTEREST WAIVER APPROVALS – APPROVED BY CITY TREASURER”

On motion by Council Vice-President McFarland, seconded by Councilman Santamaria, it was voted to approve the list of interest waiver approvals as recommended by City Treasurer. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Santamaria, Council Vice-President McFarland and Council President Garabedian -6. Councilmen Livingston and Barone were not present for roll call vote.

“CHIEF JAMES GUMBLEY – PERSONNEL SERVICES CONTRACT”

On motion by Councilman Lupino, seconded by Councilman Lanni, it was voted to approve this contract.

Under Discussion:

Chief Gumbley appeared to speak. Councilman Navarro indicated that Chief Gumbley will be paying 20% co-pay for his healthcare. Councilman Lanni congratulated Chief Gumbley for his contribution of the co-share.

Roll call was taken and motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -7. Councilman Livingston was not present for roll call vote.

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

“CLASS BV ALCOHOLIC BEVERAGE LICENSE – ARDENTE’S BAR & GRILL, 1785 CRANSTON ST.”

On motion by Councilman Lanni, seconded by Councilman Barone, it was voted to approve the above liquor license.

Under Discussion:

Councilman Lupino stated that there already exists a liquor license at this address. He asked how many licenses can be awarded to an address. Council President Garabedian indicated that the previous business, Jimmy D’s, is in Receivership. Councilman Lupino asked where Jimmy D’s liquor license is. Mr. Sciolto stated that the key thing is Jimmy D’s is in Receivership and since that business is no longer in operation, he does not see any problems with approving this license at this location. Councilman Lupino asked if the parking becomes an issue of the owner if he wants to lease out the back room, since the applicant is only using the front room.

Carlo Testa, property and owner of the building, appeared to speak and stated that the parking spaces at this time are going to be used for this business and if he leases out the back room, it would be usually a business that would close early, five or six in the evening.

Councilman Santamaria stated that he drove through the Knightsville area and there are seventeen liquor establishments. He questioned how many more do we need. Councilman Lanni stated that Knightsville is similar to Federal Hill. This area have developed as an attraction that draws people from all over the State for fine restaurants and businesses.

Councilman Barone stated that the previous tenant was a big problem but urged the Council members not to base their judgment on the past tenant.

Roll call was taken and motion passed on a vote of 6-2. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Barone, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting “nay”: Councilmen Navarro and Santamaria -2.

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

“RATIFICATION OF SETTLED CLAIMS FOR: Jacqueline, William & Jae Pezzullo \$775.00; Katie Volino \$202.50; Travelers Insurance for Guy Schofield \$1,104.03; Amica Insurance for Samuel Torman \$1,828.50; Ryan Flodin \$35.47; Billy Cox \$50.00.

On motion by Councilman Lupino, seconded by Councilman Barone, it was voted to approve the above-listed claims. Motion passed on a vote of 7-0 with 1 abstention. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Navarro, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -7. Councilman Livingston abstained.

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VIII. ELECTION OF CITY OFFICIALS

ZONING BOARD OF REVIEW – Re-appointment of Steven Minicucci -2 Alternate

On motion by Councilman Livingston, seconded by Councilman Santamaria, it was voted to re-appoint **STEVEN MINICUCCI** as a Second Alternate member of the **Zoning Board of Review**. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -8.

IX. REPORT OF CITY OFFICERS

None.

IX. OLD BUSINESS

None.

X. 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 – June 7, 2008

6-08-3 Ordinance in amendment of Chapter 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles & Traffic” (Brayton Ave., Oaklawn Ave. and Roseview Dr.)

Public Works Committee - July 17, 2008

Request from National Grid for pole location at Randall St.

Request from CLCF Soccer to name two new soccer fields at Chafee Athletic Complex on Hope Rd. to Lyle E. Perra and Anthony Tribelli.

Finance Committee, July 17, 2008

6-08-1 Ordinance transferring appropriations and amending the Budget for the Fiscal Year commencing July 1, 2007 and ending June 30, 2008 (4th Quarter Transfers).

6-08-2 Ord. amending the Budget for the Fiscal Year commencing July 1, 2007 and ending June 30, 2008 (Supplemental Appropriation).

Tax Incentive Application for Pumpkin Patch Realty LP, 1150 New London Ave. for property located at 210 Comstock Parkway.

Ordinance Committee, July 17, 2008

6-08-4 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled “Zoning” (Change of Zone-10 Budlong Rd.).

City Plan Commission – July 8, 2008

6-08-4 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled “Zoning” (Change of Zone-10 Budlong Rd.).

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Claims Committee

- *Thomas & Susan Kemble
- *Doris & Jude St. Jean
- *Mark Lapin
- *Nicole Fox
- *Eleftherios Simijis a/k/a Terry
- *Ideal Auto Body, Inc.

*forwarded only to City Council, Solicitor and Anna Marino

On motion by Councilman Barone, seconded by Councilman Navarro, the above items were referred to the respective Committees. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -8.

XI. MISCELLANEOUS BUSINESS ON CLERK’S DESK

“STATE FARM CEMETERY – CARPIONATO’S REFUSAL TO PERMIT PLACEMENT OF BURIAL MARKERS BY STATE DOT”

On motion by Councilman Lanni, seconded by Councilman Barone, it was voted to suspend the Rules to have DOT speak. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -8.

Mike Hebert, RI DOT, appeared to speak and stated that they will begin reburial tomorrow. Operation will take approximately three days. They are also present this evening to hear from Carpionato to hear the results of the study they asked that they were going to do.

Council President Garabedian asked if the City has received any information from Carpionato. City Clerk stated that she received an email requesting a continuance.

Council Vice-President McFarland apologized to the representatives from DOT for having to wait all night and no one from Carpionato is present. She asked that if this is to come back again, it be placed at the beginning of the Docket. City Clerk stated that this is the only place it can be placed on the Docket. The Council can take it out of order.

Lynne Furney, Senior Planner, appeared to speak and stated that Carpionato has not even taken the initiative to contact the archeological firm who did the study for DOT.

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to continue this item for one month and have the City Clerk contact Carpionato to appear at next month’s Council meeting and ask why nothing has been done since the last meeting. Motion passed on a vote of 7-1. The following being recorded as voting “aye”: Councilmen Lanni, Livingston, Navarro, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting “nay”: Councilman Lupino -1.

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“2-08-5 ORDINANCE IN AMENDMENT OF CHAPTER 15.04 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘BUILDING CODE’ (Historic Certificate of Occupancy)” . Mayor’s Veto filed 5/8/2008.

On motion by Councilman Navarro, seconded by Councilman Livingston, it was voted to continue this Ordinance for one more month. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -8.

XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS

Suzanne Arena, 62 Glen View Dr., appeared to speak and stated that the residents from the Garden City Dr. area have called her and stated to her that there are signs of no trucks allowed, but RIPTA buses are going through. She questioned why the RIPTA buses are allowed. Ms. Arena also stated that there are nine municipalities who are doing the pay as you throw program. She would like more discussion on this because there is a lot of money out there.

Councilman Lanni stated that as to the first item Ms. Arena spoke of, the capacity of the bridge, the buses are given exemption by DOT which is being done with the Pawtucket bridge. He suggested to Ms. Arena that she check with DOT to see if this is the case at this location. Ms. Arena asked what can be done with the speeding. Councilman Lanni stated that Pontiac Ave. is a State road and the City can’t do anything such as placing speed bumps. Councilman Barone suggested introducing an Ordinance prohibiting buses on Garden City Dr. Councilman Lanni stated that State Law allows RIPTA to travel on any street at any time. Mr. Quinlan agreed with the statement made by Councilman Lanni.

Council Vice-President McFarland spoke regarding the pay as you trash, the Administration did a PR on this in the newspaper and she asked the City Clerk to send the Administration a letter asking them to take initiative in this.

The meeting adjourned at 10:10 P.M.

Maria Medeiros Wall, JD
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).