

REGULAR MEETING – CITY COUNCIL

-JUNE 25, 2007-

Regular meeting of the City Council was held on Monday, June 25, 2007 in the Council Chambers, City Hall, 869 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 7:17 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: Ernest Carlucci, Director of Administration; 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

“ZONING BOARD OF REVIEW ALTERNATE – MAYOR’S APPOINTMENT”

Council President Garabedian stated that the Administration has notified him that there will be no appointment made to this Board at this time.

III. COUNCIL PRESIDENT COMMUNICATIONS

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

Mr. Carlucci presented legal fees reports.

IV. COUNCIL MEMBER COMMUNICATIONS

Council President Garabedian informed the Council members that on June 7, 2007, there was an article in the Cranston Herald in reference to the proposed development on Phenix Ave., which stated that he is a financial partner. He considers it a personal affront to him that he is being reported that he is a financial partner of the proposed project on Phenix Ave. He contacted the editor of the newspaper and indicated that he found this highly offensive, and that he would have appreciated being contacted prior to the article appearing in the newspaper based on rumor so that they had the correct facts. He stated that he is not a financial partner, but a Trustee and as such has no financial interest and has not received one penny from this Trust.

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Council Vice-President McFarland stated that she neglected to have an item placed on the docket for this evening, but Chris Wilheight from RI Chapter of Sierra Club is present and asked that he be allowed to address the Council. Mr. Wilheight appeared to make a brief presentation regarding "CoolCities" and presented handouts. He stated that if the Council wishes, he can attend at a later time to make a more in-depth presentation. Council Vice-President McFarland stated that she has his e-mail and she will contact him, along with the Council President and Administration, in order to schedule another meeting in order for the Council to get a better understanding of these initiatives.

Councilman Navarro announced that through a Committee put together by the Mayor's Office and himself, a fireworks celebration will be held on July 3, 2007 at Cranston High School West, with food and entertainment from 7:00 P.M. to 9:00 P.M. and fireworks at 9:00 P.M. He indicated that there were various sponsors who donated to this event.

Council Member Bucci asked Administration for update on the repairs to the Natick Ave. bridge. Mr. Carlucci stated that the City has contacted FEMA and they have looked at the bridge and federal money is available. The City has also contacted Wolfgang Bauer of West Warwick to see if we could work together with West Warwick to try to combine funds to repair this bridge. This bridge is in very bad shape and we are looking at over \$1 million to do this project.

Councilman Lupino asked for an update on the possibility of the City joining the Interlocal Trust. Mr. Carlucci stated that he has spoken to the representative from the Interlocal Trust and they sent forms which were handled by the Finance Department. The Trust representative picked up the forms today and will be doing an analysis to see if it is worth it for us to join the Trust.

Councilman Livingston asked for an update on Yardworks. Mr. Carlucci stated that the Administration sent the Code Compliance Officer to the site numerous times. Every time the Code Compliance Officer goes to the site, they seem to be in compliance. The complaints continue to come in, but we do not find any violations. We will continue to send the Code Compliance Officer to the area.

Councilman Barone asked for status update on the hiring of Public Works Director. Mr. Carlucci stated that we have received five new applications and we have scheduled interviews with three of them and they will be done this week.

Councilman Barone asked of update on the appeal on the firing of the Crossing Guards by former Mayor Laffey. Mr. Carlucci stated that there is still no activity at this time, and that the appeal was filed in a timely fashion.

V. PUBLIC HEARINGS

Judge Fred Joslyn, Municipal Court Judge, appeared to speak regarding Ordinance 4-07-6 and presented a packet. He stated that the cost for the metal detector scanner is approximately \$4,400, including a service contract. Cost of uniforms for operator is \$155, for total of \$19,555. Council Vice-President McFarland asked if we have been able to work out the details with the Colonel and the Union as to the part-time person to man the detector, because Municipal Court has been manned by a Police Officer. Councilman Livingston stated point of order, which is, there is nothing before the Council regarding this issue at this time. If Judge Joslyn wishes to pursue this, an Ordinance can be introduced and advertised which would then be properly before the Council.

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4-07-6 “ORDINANCE AUTHORIZING THE CITY TO UTILIZE WESTERN AND EASTERN CRANSTON IMPACT FEES FOR VARIOUS EQUIPMENT AT NEW STATION”

Council Vice-President McFarland motioned to amend this Ordinance to add cost of scanner in the amount of \$5,000. She indicated that there was also need for physical fitness room for the Police Officers. Councilman Livingston asked Mr. Woerner if Impact Fees can be used for scanner. Mr. Woerner stated that there may be an issue where the judiciary is different than Police. Councilman Lupino indicated that there was a motion made with no second. Council Vice-President McFarland asked if physical fitness can be considered under Impact Fees. Mr. Woerner stated that physical fitness for Officers could fall under Impact Fees.

Councilman Barone asked if we have the amount stated in the Impact Fee Ordinance. Mr. Delgado stated that current balance in Impact Fees are \$267,000 available in Eastern and \$60,038 in Western.

Council Vice-President McFarland asked Major Blackmar to give the Council the number and then when the time comes, she will make a motion to amend this Ordinance. Council President Garabedian indicated that if it is a substantive change, the Ordinance would have to be re-advertised and then come back before the Council.

On motion by Councilman Livingston, seconded by Councilman Lanni, it was voted to refer this Ordinance to the Finance Committee.

Under Discussion:

Major Ronald Blackmar, appeared to speak and stated that the Impact Fees are set aside to pay for consultant fees. He will bring forward next month an itemized estimate on the cost for the gym. The funds in this Ordinance are for things we have already committed to. Councilman Lanni questioned whether the Council didn't already appropriate \$400,000 and now we are looking at another \$100,000 and asked if we are building a Taj Mahal. This bothers him. We have just increased taxes in the City. He would like to see a financial statement on this and refer this Ordinance back to Committee. Councilman Barone questioned how the Council can vote on this Ordinance if we are not sure where the funds will be coming from.

Roll call was taken on motion to refer Ordinance 4-07-6 to Finance Committee 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.

(Ordinance was subsequently adopted on a reconsideration vote of 5/4 see Docketed Resolutions for discussion and vote)

VI. DOCKETED RESOLUTIONS

**“RESOLUTION OPPOSING HOUSE BILL 6406 AND SENATE BILL 996-
WATER SURCHARGE OF 8% FROM PROVIDENCE WATER SUPPLY
BOARD TO ITS CUSTOMERS IN THE CITY OF CRANSTON” (Sponsored by
Council President Garabedian, Council Vice-President McFarland and Councilman
Barone).**

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

Under Discussion:

Council President Garabedian stated that this bill did not pass at the General Assembly and they are in session at this time. Councilman Barone stated that even though the General Assembly session is over, this bill not only included the 8% increase for water, but an increase tax on cable and an increase on tax for hydrant rentals. He would like to see this Resolution passed to ensure that the Administration and the Mayor do not support the cost. It is important that this Council let the Cranston Delegation know how we feel. Council Vice-President McFarland stated that the Cranston Delegation knows exactly how we feel on this and this is the same exact legislation as last year's. They clearly stood behind us and they know full-well what our intentions are.

Roll call was taken and motion passed on a vote of 8-0 with 1 abstention. The following being recorded as voting “aye”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Santamaria abstained.

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to reconsider the vote regarding Ordinance 4-07-6. Motion passed on a vote of 6-3. The following being recorded as voting “aye”: Councilmen Lupino, Livingston, Navarro, Santamaria, Barone and Council Vice-President McFarland -6. The following being recorded as voting “nay”: Councilman Lanni, Council Member Bucci and Council President Garabedian -3.

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WESTERN AND EASTERN CRANSTON IMPACT FEES FOR VARIOUS
EQUIPMENT AT NEW STATION”**

Councilman Livingston motioned to approve Ordinance 4-07-6 and Councilman Barone seconded the motion. No roll call was taken. Discussion ensued.

On motion by Councilman Navarro, seconded by Councilman Livingston, it was voted to move the question regarding Ordinance 4-07-6. Motion passed on a vote of 5-4. The following being recorded as voting “aye”: Councilmen Lupino, Livingston, Navarro, Barone and Council Vice-President McFarland -5. The following being recorded as voting “nay”: Councilman Lanni, Council Member Bucci, Councilman Santamaria and Council President Garabedian -4.

On motion by Councilman Livingston, seconded by Councilman Navarro, it was voted to approve Ordinance 4-07-6. Motion passed on a vote of 5-4. The following being recorded as voting “aye”: Councilmen Lupino, Livingston, Navarro, Barone and Council Vice-President McFarland -5. The following being recorded as voting “nay”: Councilman Lanni, Council Member Bucci, Councilman Santamaria and Council President Garabedian -4.

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VII. REPORT OF COMMITTEES

COMMITTEE ON ORDINANCE (Paula McFarland, Chair)

10-06-2 “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘VEHICLES AND TRAFFIC’ (Richland Rd., Crothers Ave., Stevens Rd., Riverfarm Rd., Calaman Rd., Vale Ave., Ausdale Rd., Handy Ave., Reservoir Ave.)”

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

Under Discussion:

Council Vice-President McFarland stated that she supports this Ordinance not just for this particular location, but for other areas in the City. Council President Garabedian stated that we are going backwards in time by talking about two-hour limit. Councilman Barone asked that this Ordinance be passed now and if the project at Domestic Bank is completed, this Ordinance can be re-evaluated and amended. Councilman Santamaria asked what the status is regarding this project. **Timothy Dodd, Esq.**, appeared to represent Domestic Bank, and stated that the Council had imposed today as a review date. Curbing and sidewalk has been installed and fencing is in the process of being installed. This Friday, the first layer of asphalt will be started. July 7 or 14, 2007 is the target date for the completion of the project. Councilman Lupino stated that on several occasions, he has driven by the bank and has counted the cars on the streets, and the most he has counted is approximately 60 cars, the lot holds 54. Attorney Dodd stated that once the over 50 cars are off the street, the Bank has committed to put no more than one employee vehicle in front of each home. The Bank has also committed to a key monitor or enforcer, who would be Mr. Guglielmino of the Bank, when cars need to be moved. Councilman Lupino stated that the issue at hand from the very beginning was whether the Bank and its employees were good neighbors, and if they were not, they need to be instructed by the Bank’s owner to be good neighbors to the residents.

On motion by Councilman Lanni, seconded by Council Member Bucci, it was voted to table this Ordinance. Motion failed on a vote of 4-5. The following being recorded as voting “aye”: Councilmen Lanni, Livingston, Council Member Bucci and Council President Garabedian -4. The following being recorded as voting “nay”: Councilmen Lupino, Navarro, Santamaria, Barone and Council Vice-President McFarland -5.

Councilman Navarro stated that he still sees cars parked in front of homes from one end of the street to another. He questioned where the Bank has showed good faith. This project was to be completed in 90 days, not be reviewed in 90 days which is why he supports this Ordinance.

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

Council Vice-President McFarland asked that while Council President Garabedian speaks, the Solicitor review and give his opinion on Domestic Bank's use of Bickford's parking lot for their parking requirements.

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Council President Garabedian stated that he has faithfully worked to make this project work. He also stated that we know the work is getting done, and it is almost done. He is disappointed that this Council is even taking up this two-hour parking. He asked that the permitted parking that was proposed by Councilman Navarro two months ago be followed. He asked the Council to reconsider this Ordinance as the permit parking is far superior. Council Vice-President McFarland quoted Section 17.64.010(b) and stated that the Bank is in violation of this Section and they are also in violation of (g) of this same Section.

On motion by Councilman Livingston, seconded by Councilman Navarro, it was voted to move the question. 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. Council Member Bucci was not present for roll call vote.

Council Vice-President McFarland asked that the Administration send an Inspector to the area and address the issue of one business entity using another businesses' property for commercial parking and issue Cease and Desist if they're in violation.

Roll call was taken on motion to adopt this Ordinance and motion failed on a vote of 4-4 due to lack of majority vote of the Council. The following being recorded as voting "aye": Councilmen Navarro, Santamaria, Barone and Council Vice-President McFarland -4. The following being recorded as voting "nay": Councilmen Lanni, Lupino, Livingston and Council President Garabedian -4. Council Member Bucci was not present for roll call vote.

4-07-7 "ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (CHANGE OF ZONE-SCITUATE AVE.)"

On motion by Councilman Livingston, seconded by Councilman Barone, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmen Lupino, Livingston, Navarro, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -7. Councilman Lanni and Council Member Bucci were not present for roll call vote.

5-07-6 "ORDINANCE IN AMENDMENT OF CHAPTER 10.12 OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC' (HARCOURT ST., MORGAN ST. AND MARLOW ST)"

On motion by Councilman Barone, seconded by Councilman Livingston, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmen Lupino, Livingston, Navarro, Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -7. Councilman Lanni and Council Member Bucci were not present for roll call vote.

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

**4-07-6 “ORDINANCE AUTHORIZING THE CITY TO UTILIZE
WESTERN AND EASTERN CRANSTON IMPACT FEES FOR
VARIOUS EQUIPMENT AT NEW STATION”**

(Ordinance was adopted on a vote of 5/4 following a motion to reconsider. See Discussion under Public Hearings and subsequent vote under Docketed Resolutions.)

**5-07-1 “ORDINANCE AUTHORIZING THE CITY TO UTILIZE
WESTERN AND EASTERN CRANSTON POLICE IMPACT FEES
(Harbor Master Vessel)”**

On motion by Council Vice-President McFarland, seconded by Councilman Santamaria, the above Ordinance was adopted 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. Council Member Bucci was not present for roll call vote.

**5-07-2 “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL
YEAR COMMENCING JULY 1, 2007 AND ENDING JUNE 30, 2008
(2007 Budget Stabilization-Police Station Sale)”**

On motion by Council Vice-President McFarland, seconded by Councilman Barone, the above Ordinance was adopted 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. Council Member Bucci was not present for roll call vote.

**5-07-3 ORDINANCE AMENDING THE BUDGET FOR THE FISCAL
YEAR COMMENCING JULY 1, 2006 AND ENDING JUNE 30, 2007
(Fire Grant-Supplemental Appropriation)”**

On motion by Councilman Barone, seconded by Councilman Santamaria, the above Ordinance was adopted 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. Council Member Bucci was not present for roll call vote.

**5-07-4 ORDINANCE IN AMENDMENT OF CHAPTER 8 OF THE CODE
OF THE CITY OF CRANSTON, 2005, ENTITLED ‘HEALTH AND
SAFETY’ (Emergency Medical Service Fees)”**

On motion by Council Vice-President McFarland, 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.

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

On motion by Councilman Barone, 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 Barone, seconded by Councilman Navarro, 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 Council Vice-President McFarland, 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 APPROVAL FOR ROBERT DUPRE”

On motion by Councilman Barone, seconded by Councilman Navarro, it was voted to approve the interest waiver for Mr. Dupre 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 Barone, it was voted to approve the list of interest waiver denials 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 DENIAL FOR ALFRED VELTRI”

Councilman Livingston indicated that the docket should list this as approval of interest waiver.

On motion by Councilman Livingston, seconded by Councilman Navarro, it was voted to approve the interest waiver for Mr. Veltri 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.

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VIII. ELECTION OF CITY OFFICIALS

“CONSERVATION COMMISSION – Council Advice and Consent

- **Appointment of RICHARD BROWN**
- **Re-appointment of GILBERT PARRILLO**
- **Re-appointment of MARIE SWEET”**

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, it was voted to approve the above appointment and re-appointments to the Conservation Commission. 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.

“ZONING BOARD OF REVIEW

- **Alternate STEVEN MINICUCCI, ESQ.**
- **Re-appointment of JOY MONTANARO”**

On motion by Councilman Livingston, seconded by Council Member Bucci, it was voted to appoint STEVEN MINICUCCI, ESQ., as an Alternate Member of the Zoning Board of Review. Motion passed on a vote of 8-0 with 1 abstention. The following being recorded as voting “aye”: Councilmen Lanni, Livingston, Navarro, Council Member Bucci, Councilmen Santamaria, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Lupino abstained.

On motion by Councilman Santamaria, seconded by Council Member Bucci, 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.

On motion by Councilman Barone, seconded by Councilman Navarro, it was voted to appoint GARY J. VIERRA as a member of the Personnel Appeal Board. Motion failed on a vote of 1-8. The following being recorded as voting “aye”: Councilman Barone -1. The following being recorded as voting “nay”: Councilmen Lanni, Lupino, Livingston, Navarro, Council Member Bucci, Councilman Santamaria, Council Vice-President McFarland and Council President Garabedian -8.

On motion by Councilman Livingston, seconded by Councilman Santamaria, it was voted to appoint SHULE as a member of the Personnel Appeal Board. Motion passed on a voted 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 “aye”: Councilman Barone -1.

Council Vice-President McFarland asked for reconsideration on the re-appointment of JOY MONTANARO as a member of the Zoning Board of Review. By Law, there is a limit of two terms for members. Mrs. Montanaro originally filled an unexpired term, and was then reappointed. As such she has held two terms and cannot be reappointed.

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On motion by Councilman Lupino, seconded by Councilman Livingston, it was voted to reconsider the vote of the re-appointment of JOY MONTANARO as a member of the Zoning Board of Review. Motion passed on a vote of 6-3. The following being recorded as voting "aye": Councilmen Lanni, Lupino, Livingston, Navarro, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting "nay": Council Member Bucci, Councilmen Santamaria and Barone - 3.

On motion by Councilman Livingston, seconded by Councilman Santamaria, it was voted to continue this re-appointment to next month's meeting in order to obtain a legal opinion of whether Ms. Montanaro can be re-appointed or not. 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.

Council President Garabedian announced the following members of the Council as members of the Human Resource Commission: Councilmen Lanni, Santamaria and Council Vice-President McFarland.

IX. REPORT OF CITY OFFICERS

Councilman Navarro asked that Mr. Woerner, as a member of the Audit Committee, discuss what measures are being taken to make sure errors, such as the levy, that occurred in the past do not occur again. Mr. Woerner stated that this was discussed in Audit Committee.

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:

Finance Committee – July 12, 2007

- 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).**
- 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).**

Ordinance Committee – August 16, 2007

- 6-07-3 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Large Scale Retail Development).**
- 6-07-4 Ordinance amending the Comprehensive Plan of 1992 (40 Sockanosset Crossroad).**
- 6-07-5 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone-40 Sockanosset Crossroad).**

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City Plan Commission – August 7, 2007

- 6-07-3 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled “Zoning” (Large Scale Retail Development).**
- 6-07-4 Ordinance amending the Comprehensive Plan of 1992 (40 Sockanosset Crossroad).**
- 6-07-5 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled “Zoning” (Change of Zone-40 Sockanosset Crossroad).**

Claims Committee

- *Cheryl Anderson
- *Janet DelBonis
- *Judith A. Paige
- *Karen Carloni
- *Daniel Nuey
- *Eleanor Jordan
- *Frank Pettinato

*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 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.

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XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS

Suzanne Arena, 62 Glenview Dr., appeared to speak and asked if the City has looked at the possibility of hiring outside counsel to represent the City for the Concrete Plant litigation. Councilman Lanni stated that this was discussed in Executive Session and should not be discussed in Public Session. Ms. Arena asked if the City fines companies for violations of not meeting standards. She asked for an investigation on a shell house being constructed on the property near the Concrete Plant. She stated that notices to the neighbors were to be sent out and they were not. The hearing was not held because the required notices were not sent by the Inspections Department.

Joe Capirchio, 33 Vervena St., appeared to speak and stated that he is a retired City worker and ex-President of the Cranston City Workers. He addressed the Administration and stated that he has heard rumors that some jobs will be challenged with the Labor Board as far as being in the Union or not. He stated that five to eight years ago, former Mayor Trafficante opposed 53 positions and 28 were ruled out. At that time, there were 220 members in the Union, now it is down to approximately 160. If the City takes these people back to the Labor Board, the Union will gain another 20-25 positions, which he thinks the Council should act on. There are a lot of positions that are not in the Union. The O'Leary and Laffey Administration chose to make those positions administrative and not unclassified, which reviewing the Charter, he does not think 78 unclassified positions are allowed in the Charter. Mr. Migliorelli stated to Mr. Capirchio, that if he is speaking of certification 3538 violation at the Labor Board. He believes that the people met with DOT approximately a month and a half ago and those positions were reiterated, there was Union representation, Union involved, discussion and some people in the certification that declared to be non-union members that are in the Union. There were some that are declared to not be in the Union that are and vice-versa and the City is dealing with that, with the Teamsters Union right now. Mr. Capirchio reiterated that there are a couple that don't belong in the Union, but there are about 30 that belong in the Union. Mr. Migliorelli stated that we have 3538 certification.

Marie Sweet, 174 Gladstone St., appeared to speak and thanked the Council for re-appointing her and Gilbert Parrillo and appointing Richard Brown to the Conservation Commission.

John DeGenova, Fire Marshall for the City of Cranston, appeared to speak and stated that the capacity sign for the Council Chambers has been removed. He stated that the sign is for the Chambers and needs to be on the rail side of the wall. He will place another sign in the Chambers tomorrow and he asked that it not be removed. He asked that no one write on it. Council Vice-President McFarland stated that she called the Fire Chief and was told it could be removed and she placed it outside the door of the Chambers, but she did not write on it. Mr. DeGenova stated that placing it on the door, it is subject to being tampered with. It faces out in the hallway and it looks like that the capacity notice is for the hallway. He asked that if there is a specific area that the Council would like the sign placed, he be advised. Council Vice-President McFarland stated to Mr. DeGenova, to place the sign in the areas below the lights. Mr. DeGenova asked that the Council adjourn this evening in memory of the ten firefighters who died last week, nine in North Carolina and one in New York City.

-JUNE 25, 2007-

Robert Murray, Esq., appeared to speak and stated that as a matter of housekeeping, the Council adopted two Ordinances for the Alternate members of the Zoning Board of Review. He suggested that the Council rescind one of the Ordinances. As to Ms. Arena's remarks regarding notices that were not sent out, his client submitted an application and was advertised for hearing for last month by the Zoning Board of Review. He was advised by Councilman Navarro that notices were not sent out. Mistakes happen. It was agreed for a continuance to July and notices were sent out for that hearing date.

Richard Tomlins, 400 Farmington Ave., appeared to speak and stated that as to Impact Fees, every fee that comes into the City effects taxes. We need more public discourse as to what is going on, financially, in the City.

A moment of silent prayer was held in memory of the ten firefighters who died last week.

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).