

REGULAR MEETING – CITY COUNCIL

-JUNE 26, 2006-

Regular meeting of the City Council was held on Monday, June 26, 2006 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:08 P.M. by the Council President.

Roll Call showed the following members present: Councilmen Pisaturo, Fung, Livingston (appeared at 7:10 P.M.), Council Member Fogarty, Council Member Bucci (appeared at 7:10 P.M.), Councilmen Lanni, Barone, Council Vice-President McFarland (left meeting at 10:55 P.M.) and Council President Garabedian –9.

Also Present: Paul Grimes, Director of Administration; Robin Muksian-Schutt, Deputy Director of Administration; Nancy Garcia-Ponte, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel; Mike Igoe, City Controller; Steve Woerner, City Council Internal Auditor; Marco Schiappa, Director of Public Works.

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

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

“CRANSTON WEST BASEBALL TEAM DIVISON 1 STATE CHAMPIONS”

Council President Garabedian and Council Vice-President McFarland presented Citations to the members of the team.

“CITATIONS TO CRANSTON GIRLS SCOUTS TROOP 28”

Council Member Fogarty presented Citations to the members.

II. EXECUTIVE COMMUNICATIONS

“REQUEST TO BE PLACED ON PENSION CAPTAIN DAVID P. PETTINATO, CRANSTON FIRE DEPARTMENT”

Mr. Grimes appeared to speak.

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

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**“REQUEST TO BE PLACED ON PENSION CAPTAIN DAVID HANSEN,
CRANSTON FIRE DEPARTMENT”**

Mr. Grimes appeared to speak.

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

**“REQUEST TO BE PLACED ON PENSION LIEUTENANT STEPHEN
CIAMBRONE, CRANSTON FIRE DEPARTMENT”**

Mr. Grimes appeared to speak.

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

Findings of Human Bones

Mr. Grimes addressed the issue of the findings of human bones in the Sockanosset Crossroads area last week and asked Lynn Furney of the Planning Department to speak regarding this issue. Ms. Furney stated that she attended a brief meeting today with the members of the Archeological Historical Preservation and Public Archeological Lab, who has been retained by RI Department of Transportation to do a study of how many burials there are in this area. The finding of the bones was due to the large amount of rain we have had and drainage issue. When Route 37 was built, the contractor or DOT should have moved the bodies or should have been aware that there was a cemetery in that area. If it is found to be necessary to do excavation, the Council will have to get involved, since there is an Ordinance regarding this. Councilman Lanni questioned why some of the bodies were moved years ago by DOT and not others. Ms. Furney stated that this is a question that should be posed to DOT. Councilman Livingston asked who the contractor was that did not do their job. Ms. Furney stated that she does not know, but DOT should

Cyanide Poisoning of Firefighters

Mr. Grimes stated that there is a joint initiative between the IAFF and the City, which will be subject to ratification by the Council in July . The two parties are willing to split the costs for an air supply rehab unit.

Paul Valetta, President of Firefighters Union, appeared to speak and stated that the need for this truck is due to a recent study done indicating that there is a potential increase in cyanide poisoning, which means the firefighters have to wear their protective gear from when they arrive at a fire, during the fire and when cleaning up after the fire. There has to be a vehicle specifically for firefighters to go to after going through two bottles of air to be checked for cyanide poisoning. What is being used right now is a rescue, which puts it out of use. Councilman Barone asked where the vehicle would be stored. Mr. Valetta stated that depending on the height of the vehicle, it would be probably stored at the headquarters or Garden City station. Councilman Barone asked what the timeframe is to purchase this vehicle. Mr. Valetta stated that it would take approximately three to four months to do.

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Resolution seeking reimbursement from the Mayor for costs related to distribution of political message with the City's tax bills

Mr. Grimes stated that this letter is sent out every year with the tax bills by the Administration. At the bottom of the letter is a cut out check list. This check list is a list of warning signs for the residents of Cranston. These warning signs are what the residents, as electors of the City, need to know when are City is in trouble. The Resolution states that this is a political document. This document does not reach all homes in the City. This was sent only to the residents who do not have a mortgage or who have sewers, because if residents have a mortgage, the tax bills are sent to the mortgage company and if residents do not have sewers, they do not receive a sewer bill. Mr. Grimes indicated that the O'Leary Administration sent out a similar letter separate from the tax bills.

Resolution opposing House Bill 8236 Water Surcharge

Mr. Grimes also appeared to speak regarding "Resolution opposing House Bill 8236 Water Surcharge of 8% from Providence Water Supply Board to water customers in the City of Cranston" and stated that since the General Assembly is in not in session, this Resolution does not need any action.

Councilman Pisaturo asked to take out of order "Resolution seeking reimbursement from the Mayor for costs related to distribution of political message with the City's tax bills". No one objected.

"RESOLUTION SEEKING REIMBURESMENT FROM THE MAYOR FOR COSTS RELATED TO THE DISTRIBUTION OF POLITICAL MESSAGE WITH THE CITY'S TAX BILLS"

Councilman Pisaturo stated that if "Mayor Laffey" was taken out of the text, next to the skull and bones, he would not have a problem with this issue. This makes it look like the Mayor is the only one who is concerned about those issued stated.

Councilman Barone stated that this Administration was responsible for getting the City back on track, financially. It is the Mayor's job to let the people know what the warning signs are to keep the City out of trouble. This is not a political ad.

Councilman Lanni stated that this is a political ad, paid for by the taxpayers of the City.

Councilman Fung stated that this was never brought up as a political ad when the previous Administration sent the same letter in separate mailing.

Councilman Livingston stated that he received numerous calls and comments from his constituents who were offended by this letter.

Council Member Fogarty stated that she also has received numerous calls and comments from her constituents regarding this letter.

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

Council President Garabedian stated that there is no authority given to the Mayor spending taxpayers' money to send out letters with skulls and bones. This is political because in the Cranston Herald, the Mayor is quoted as using the same messages he states in the letter sent to the taxpayers.

Gavel was handed back to the Council President.

On motion by Council President Garabedian, seconded by Councilman Lanni, the above Resolution was adopted on a vote of 7-2. The following being recorded as voting "aye": Councilmen Pisaturo, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting "nay": Councilmen Fung and Barone -2.

Council President Garabedian asked to take out of order "Auburn/Eden Park Neighborhood Beautification Issues". No one objected.

Auburn/Eden Park Neighborhood Beautification Issues

Kevin Fitta, 131 Shirley Blvd., appeared to speak and presented an overview of suggestions and proposals of beautifying this area made by the "Concerned Citizens of Cranston". He stated that some of the things the City can do to help this organization is placing the trash cans back on Rolfe St. and re-instituting the 50/50 tree program.

Mary Lou Carlomusto, 128 Shirley Blvd., appeared to speak and asked who residents would complain to regarding people who violate the signage Ordinance. Council President Garabedian stated that this issue can be taken up at the Public Works Committee meeting in July and invite the Building Inspector to attend because his department is the one who would violate or warn the property or business owners.

Janice Harrall, 56 Shirley Blvd., appeared to speak regarding Adopt-A-Spot at the intersection of Pontiac Ave. and Rolfe St. She stated that she has been waiting for an answer from Dave Ferguson, Traffic Engineer, since last year because there were a group of citizens who were willing to adopt that spot. She has still not heard from Mr. Ferguson. She was told that the City is waiting to hire an engineer before this question can be answered.

Carol Stenmark appeared to speak and stated that at the entrance to Garden City from Pontiac Ave., at the Pocasset River, there is a chain link fence at both sides and debris is caught in that fence, grass is tall. She does not know who is responsible to clean this out.

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III. COUNCIL PRESIDENT COMMUNICATIONS

Cranston Ice Rink –

*Status Report on Repair and Renovations
Report on Status of Investigation of Cause of January Fire
Status of Installation of New Bubble Ice Rink*

Mr. Schiappa appeared to speak and stated that we are nearing the completion or repairs. We are a few weeks of getting done and open again for business. The bubble rink is scheduled to be delivered and installed in August or beginning of September and start to be used in mid-September. There is no land acquisition with the bubble rink.

Council President Garabedian handed gavel to Councilman Pisaturo.

Council President Garabedian stated that he has been advised that the material was tested only on one side and not the back side. He is introducing an Ordinance, which would disallow the same material to be placed in the ice rink, since this is highly questionable. He asked months ago that the Public Works Committee receive monthly updates on the status of the ice rink repairs and this has not happened. The Council President noted that Assistant Fire Chief James Gumbley, acting Fire Chief at the time, was in the audience and asked that he address this matter.

Mr. Grimes stated that the investigation is ongoing. This is somewhat contradictory in what the State Fire Marshall has found. The State Fire Marshall, Police Department and Fire Department are all working very well together. Chie DelGado stated to him for the City Administration and City Council not to discuss this any further, since the investigation is still ongoing. The City will provide whatever resources that are needed to make sure that the investigation is completed and a cause is determined.

Councilman Barone stated that months ago, he brought to the attention of Colonel Pare of the State Police, the fact that Council President Garabedian tested the material himself and Colonel Pare agreed with him that Council President Garabedian should not have interfered with the investigation and by this Council discussing this further, it would interfere with the investigation. Council President Garabedian stated that what he did, he did in good conscience. He did not interfere with an investigation and he called Colonel Pare himself and notified him of what he was doing.

Councilman Livingston stated that as a former prosecutor, he does not see any crime that would have been committed. He questioned, if the fire was accidental, why would the State investigate. Mr. Grimes stated that the material in question had been cited for inspection months before. In the State Fire Marshall's report, the cause is unknown, arson cannot be ruled out.

Council Vice-President McFarland stated that the March 9, 2006 letter from Ltd. Blessing was not signed. She questioned when a signed copy will be sent to the Council. The letter also indicated that it was a "draft" letter. Mr. Grimes stated that this was what was sent to the City, electronically.

Council Vice-President McFarland asked why the Cranston Police Department is involved in the State Police investigation when the State is taking control. Mr. Grimes stated that the Cranston Police Department along with the Cranston Fire Department and State Fire Marshall, have been involved all along. The State Police is the temporary oversight authority.

Council Vice-President McFarland stated that the City Council should have been kept updated, in Executive Session, on the status of the investigation. She also questioned the issue of credit of fees from the rink management and stated that this decision has never been made and the Council was never involved in this.

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James Gumbley, 69 Pheasant Hill Lane, Assistant Fire Chief, appeared to speak. He stated that he was the Acting Fire Chief at the time of this fire. Any conclusions the State Fire Marshall has made are based on faulty information as they're based on their inspection the wrong light fixture. They were given the wrong evidence. There are photos that were taken to prove this. The conclusions reported in the Providence Journal were premature. The investigation conducted by the Cranston Fire Department was done in an honorable and professional manner. The Cranston Fire Department was not involved in collecting evidence. The Cranston Police Department collected the evidence. The light fixture involved was burnt beyond recognition and the light fixture collected for evidence and examined by the State Fire Marshall was intact. The material involved in the fire burnt readily and was draped throughout the ice rink. After the fire there was very little of this material left.

Paul Valetta, President of Firefighters Union, appeared to speak and stated that a witch hunt was started on the Cranston Fire Department inspectors the night of this fire. The State Fire Marshall, the Cranston Police Department and the City fire inspector were all present the night of the fire and all concurred that the material was flammable. If Council President Garabedian is guilty of tampering with evidence, so is the Mayor, because he went in quicker than Council President Garabedian by sending the material out of State to be tested. He suggested holding an Executive Session of the City Council and bring in the Fire inspector and the Fire Chief and any other members involved and discuss this. He questioned why the Fire Chief and the Police Colonel are not present. Mr. Schiappa is not qualified to address this issue. Mr. Gumbley has a lot of integrity and if tomorrow, he is accused by this Administration, he hopes every member of the City Council comes out and supports Mr. Gumbley.

Councilman Fung questioned if this Council can hold an Executive Session to discuss this as to conflicting reports. Solicitor Ponte stated that the Council can hold an Executive Session, but the Solicitor's Office would have to defer to those departments. She quoted that Executive Session can be held pursuant to RIGL 42-46-5(A4), if they felt that this discussion would or would not interfere with the investigation. Mr. Schiappa appeared to make a presentation regarding material to be installed. Council Vice-President McFarland stated that Mr. Schiappa has folders full of documents and she asked that copies be made available for the Council members and this issue be discussed in Executive Session at a future meeting.

IV. COUNCIL MEMBER COMMUNICATIONS

“AUBURN/EDEN PARK NEIGHBORHOOD BEAUTIFICATION ISSUES”

This item was discussed earlier in the meeting, under “Executive Communications”.

Councilman Pisaturo stated that he received an e-mail from someone who is interested in helping with the Sign Ordinance regarding the Women's Health Center.

Council Vice-President McFarland stated that the City recently lost former Council President Peter Pastore and in a conversation with Councilman Barone, she would like to make sure that his memory is honored. She suggested forming a sub-committee in looking at the possibly the Teen Center or the new Police Department that is under construction, or some other building in the City, and having one of them named in his behalf. Council President Garabedian suggested having the Public Buildings Committee take this under consideration.

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Use of City Property for Political Activities

Council Member Fogarty stated that she has been contacted by people in Ward 2 regarding a party recently held at Aqueduct Park. She contacted Mr. Clarkin, Director of Parks and Recreation, and he told her that there was an application to hold this event at this park and the Parks and Recreation Advisory Board approved this application. She stated that she has concerns about having a political function on a City park. Ms. Schutt stated that this issue came to her as a barbecue and an announcement of candidacy. She asked Mr. Clarkin if the City has ever denied anyone from using City property for an event and Mr. Clarkin stated to her that the City has never denied anyone. She checked the City Code and found nothing that precluded this type of event on City property and she felt she had no authority to preclude that. Council Member Fogarty stated that there are Council members that serve on the Parks and Recreation Advisory Board and she asked how those Council members felt regarding this. Councilman Barone stated that he serves on the Parks and Recreation Advisory Board and that issue never came up. Ms. Schutt stated that if the Council feels they wish to address this issue, she suggested that an Ordinance be drafted addressing it. **Emilio Navarro**, 61 Autumn St., Ward 2 Candidate for City Council, appeared to speak and stated that it was his announcement that Council Member Fogarty is speaking of. He stated that he went through the proper procedures and process to be at this park. There is no Ordinance prohibiting him and there was nothing done wrong. There was no fundraising event taking place at this location. Council Member Fogarty stated that she did not accuse Mr. Navarro of doing something wrong. She stated earlier that he did follow procedures and was approved to use the park.

V. PUBLIC HEARINGS

Mark Lucas, 28 Riverfarm Rd., appeared to speak in favor of proposed Ordinance 5-06-4 and stated that this area would be a great area for a traffic calming tables.

Jeffrey Kelly, 26 Mystery Farms Rd., appeared to speak and suggested that the Attorney General's Office convene a grand jury to bring up the matter of the Ice Rink fire to bring out the truth for the citizens of Cranston.

**2006 JAG/National Accreditation Initiative Presentation by Captain Palumbo,
Cranston Police Department**

Captain Palumbo appeared to speak and stated that the Cranston Police Department has applied for and is a candidate for the 2006 Justice Assistance Program. This grant holds \$29,218, which requires no money from the City or the Department. Council Vice-President McFarland stated that the concern she has is the Overtime. Although we have a grant, will this Overtime be continuous ongoing basis. If the grant is going to pay for Overtime this year, who is going to pay for Overtime next year? Captain Palumbo stated that these are the upfront costs that we are incurring and he cannot estimate the future costs. \$10,000 in this grant will pay for Overtime over a three-year period. Council Vice-President McFarland stated that the Council added a \$75,000 year job last year and the Overtime has not changed. We keep adding positions and we keep seeing Overtime. Captain Palumbo stated that as to the positions, this would have to be addressed to the Chief.

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VI. DOCKETED RESOLUTIONS

“RESOLUTION OPPOSING HOUSE BILL 8236 WATER SURCHARGE OF 8% FROM PROVIDENCE WATER SUPPLY BOARD TO WATER CUSTOMERS IN THE CITY OF CRANSTON”

Councilman Pisaturo stated that this Resolution should be removed from the docket, since the General Assembly has recessed and this issue is moot.

On motion by Councilman Livingston, seconded by Councilman Pisaturo, the above Resolution was removed from the docket. Motion passed on a vote of 7-2. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni and Barone -7. The following being recorded as voting “nay”: Council Vice-President McFarland and Council President Garabedian -2.

VII. REPORT OF COMMITTEES

COMMITTEE ON ORDINANCE

(Paula McFarland, Chair)

4-06-11 “ORDINANCE IN AMENDMENT OF TITLE 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (SCHEDULE OF USES-CONCRETE)”

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

4-06-12 “ORDINANCE AUTHORIZING THE PURCHASING AGENT TO CONVEY PROPERTY LOCATED ALONG DYER AVE., IN EXCHANGE FOR TITLE TO PROPERTY LOCATED ALONG CRANSTON ST. (Arlington Library)”

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

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, it was voted to amend the above Ordinance by removing the language that was amended at the May 22, 2006 Council meeting and re-advertise for the July City Council meeting. Motion passed on a vote of 5-4. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Barone, and Council Vice-President McFarland -5. The following being recorded as voting “nay”: Council Member Fogarty, Council Member Bucci, Councilman Lanni and Council President Garabedian -4.

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, the above Ordinance was approved as amended. Motion passed on a vote of 5-4. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Barone, and Council Vice-President McFarland -5. The following being recorded as voting “nay”: Council Member Fogarty, Council Member Bucci, Councilman Lanni and Council President Garabedian -4.

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4-06-17 "ORDINANCE IN AMENDMENT OF TITLE 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Joy Homestead Local Historic District)"

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

5-06-1 "ORDINANCE IN AMENDMENT OF TITLE 2 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MUNICIPAL COURT' (Sessions-Time-Place)"

On motion by Council Vice-President McFarland, seconded by Councilman Lanni, the above Ordinance was adopted on a vote of 7-2. The following being recorded as voting "aye": Councilmen Pisaturo, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting "nay": Councilmen Fung and Barone -2.

COMMITTEE ON FINANCE (Cynthia M. Fogarty, Chair)

5-06-2 "ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2006 AND ENDING JUNE 30, 2007 (Inspections Department)"

On motion by Council Member Fogarty, seconded by Councilman Lanni, it was voted to approve the above Ordinance.

Under Discussion:

Council Vice-President McFarland stated that this Ordinance was referred without recommendation so the Administration, she and Council President Garabedian could meet with employees to discuss this and to date, that meeting was not held. She went online on the "Institute for Code Compliance" website and there is testing ability for this position and the City is a member of this Institute. She spoke to the Building Inspector and he did agree that this position, along with any other positions in his office that deal with Code Compliance, be tested through this Institute. She asked that this Ordinance be passed as it is drafted. Mr. Grimes stated that the tests that Council Vice-President is referring to is for certification. That is not civil service exam. The Permit Technician position does not lend itself to an exam easily. The Field Inspector's position is a position that we will be giving up. This Ordinance would take that position out. The Administration, the department and personnel want to keep all the positions intact and advance the department at the same time. Council Vice-President McFarland stated that funding for the training for this employee has not been addressed. All the Administration is doing is creating new positions. Roll call was taken on motion to approve and motion passed on a 6-3 vote. The following being recorded as voting "aye": Councilman Pisaturo, Council Member Fogarty, Council Member Bucci, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting "nay": Councilmen Fung, Livingston and Barone -3.

"TAX INTEREST WAIVER LIST"

On motion by Council Member Fogarty, seconded by Councilman Pisaturo, it was voted to approve the Tax Interest Waiver List as recommended by the City Treasurer. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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City Council Internal Auditor Reports:

Performance Audit of the Police Detail System and April 2006 Financial Statements.

Mr. Woerner appeared to speak and stated that he looked at two things: the financial stability of funds, which is very stable and the equitability of the details and it is equitable. He also looked at the financial statements to see the status of where we are to make sure that we can fund \$3 million for the Stabilization Fund for next year and there is.

Council President Garabedian asked that a public meeting on regarding the proposal to make Wayland Avenue a one-way street, be held before the Public Works Committee at the July 13, 2006 meeting.

**COMMITTEE ON PUBLIC WORKS
(John E. Lanni, Jr., Chair)**

“RESOLUTION INSTITUTING PROCEEDINGS FOR ABANDONMENT OF A PORTION OF PETTACONSETT AVENUE.”

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

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

5-06-3 “ORDINANCE IN AMENDMENT OF CHAPTER 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (Cool Spring, Carnation and Scenic Dr.)”

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

5-06-4 “ORDINANCE IN AMENDMENT OF CHAPTER 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (Ausdale Rd. and Vale Ave.)”

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

5-06-5 “ORDINANCE IN AMENDMENT OF CHAPTER 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (Castleton Dr.)”

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

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COMMITTEE ON CLAIMS
(Councilman Michael S. Pisaturo, Chair)

“COUNCIL RATIFICATION OF SETTLED CLAIMS FOR:

JOSEPH PAPA, \$1,143.31; DOROTHY GOUTARD \$138.41; DOUGLAS & WENDY BREENE \$2,399.92; NATIONWIDE (DANIEL PISCIONE) \$5,251.00; JACQUELINE, WILLIAM AND JAE PEZZULLO \$775.00; SANDRA BERGANTINO \$280.00.

On motion by Councilman Pisaturo, seconded by Council Vice-President McFarland, it was voted to ratify all the above-listed settled claims except for Douglas Wendy Breene. Roll call was taken on motion and motion passed on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Livingston was not present for roll call vote.

On motion by Councilman Pisaturo, seconded by Councilman Lanni, it was voted to approve the claim of Douglas and Wendy Breene. Motion passed on a vote of 6-2. The following being recorded as voting “aye””: Councilman Pisaturo, Council Member Fogarty, Council Member Bucci, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting “nay””: Councilmen Fung and Barone -2. Councilman Livingston was not present for roll call vote.

VIII. ELECTION OF CITY OFFICIALS

“BOARD OF CANVASSERS”

On motion by Council Vice-President McFarland, seconded by Councilman Lanni, it was voted to appoint **EDMOND J. LEMOI** as a member of the **Board of Canvassers** to fill the unexpired term of Fred Joslyn, effective July 1, 2006. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Livingston was not present for roll call vote.

IX. REPORT OF CITY OFFICERS

No. Business.

IXA. OLD BUSINESS

“RESOLUTION AUTHORIZING THE ABANDONMENT OF A PORTION OF TERRACE AVE.”

City Clerk stated that applicant’s attorney has requested a one-month continuance.

On motion by Councilman Fung, seconded by Councilman Barone, it was voted to continue this Resolution at the request of the petitioner’s attorney. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Livingston was not present for roll call vote.

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“RESOLUTION NO. 2006-36 AUTHORIZING THE ABANDONMENT OF A PORTION OF CARLSBAD ST.” (Approval of Schematic Plans and Easement Issue)”

On motion by Councilman Fung, seconded by Councilman Barone, it was voted to approve these plans and easement issue. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Livingston was not present for roll call vote.

“RESOLUTION NO. 2006-44 AUTHORIZING THE ABANDONMENT OF RICHFIELD AVE.”

On motion by Councilman Pisaturo, seconded by Councilman Lanni, it was voted to approve this Resolution on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8. Councilman Livingston was not present for roll call vote.

X. INTRODUCTION OF NEW BUSINESS

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

Safety Services & Licenses Committee – July 10, 2006

- 6-06-14 Ordinance in amendment of Title 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Cranston St. and Burnham Ave.).
- 6-06-15 Ordinance in amendment of Title 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Natick Ave. and Phenix Ave.).
- 6-06-16 Ordinance in amendment of Chapter 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Waite Ave. Closure).
- 6-06-17 Ordinance in amendment of Chapter 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Julia Street Closure).

Public Works Committee – July 13, 2006

- 6-06-1 Ordinance in amendment of Title 15 of the Code of the City of Cranston, 2005, entitled “Buildings and Construction” (Building Code-Public Buildings).
- 6-06-5 Ordinance in amendment of Chapter 9.08 of the Code of the City of Cranston, 2005, entitled “Public Peace, Morals and Welfare” (50/50 Tree Program).
- 6-06-6 Ordinance in amendment of Chapter 12 of the Code of the City of Cranston, 2005, entitled “Streets, Sidewalks and Public Places” (Sidewalk 50/50 Program).

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Finance Committee –July 13, 2006

- 6-06-7 Ordinance in amendment of Title 13.08.150 of the Code of the City of Cranston, 2005, entitled “Sewer Service System” (Establishing a Revolving Loan Fund for Connecting to the City Sewer System).
- 6-06-8 Ordinance authorizing the City to utilize Western Cranston Road Impact Fees for the 2006 Citywide Infrastructure Program (Use of Impact Fee Revenue for Paving of Roadways in Western Cranston).
- 6-06-9 Ordinance amending the Capital Budget for the Fiscal Year Commencing July 1, 2006 and ending June 30, 2007 (Police Station).
- 6-06-10 Ordinance transferring appropriations and amending the Budget for the Fiscal Year commencing July 1, 2005 and ending June 30, 2006 (Supplemental Appropriation).
- 6-06-11 Ordinance transferring appropriations and amending the Budget for the Fiscal Year commencing July 1, 2005 and ending June 30, 2006 (4th Quarter Transfers).
- 6-06-12 Ordinance in amendment of Title 3 of the Code of the City of Cranston, 2005, entitled “Revenue and Finance” (Ten Year Tax Incentive Program for Taco, Inc.).
- 6-06-19 Ordinance amending the Budget for the Fiscal Year commencing July 1, 2005 and ending June 30, 2006 (Budget Stabilization).

Tax Incentive Application for Trolley Barn Associates for former Trolley Barn Site.

Ordinance Committee –July 13 , 2006

- 6-06-2 Ordinance in amendment of Title 2 of the Code of the City of Cranston, 2005, entitled “Administration and Personnel” (Police Commander).
- 6-06-3 Ordinance in amendment of Title 2 of the Code of the City of Cranston, 2005, entitled “Administration and Personnel” (Police Commander II).
- 6-06-13 Ordinance approving, ratifying and adopting that certain Master Agreement by and between Taco, Inc. and the City of Cranston relating to the Abandonment of a portion of Carlsbad Street and the improvement of two intersections.

City Council – July 24, 2006

- 6-06-4 Ordinance in amendment of Title 17.72 of the Code of the City of Cranston, 2005, entitled “Zoning” (Signs).

Ordinance Committee August 17, 2006

- 6-06-18 Ordinance in amendment of Title 17 of the Code of the City of Cranston, 2005, entitled “Zoning” (Zone Change-1138 Pontiac Ave.).

On motion by Councilman Fung, seconded by Councilman Barone, it was voted that the above Ordinances be heard for public hearings before their respective Committees as read by the City Clerk. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone and Council President Garabedian - 7. Councilman Livingston and Council Vice-President McFarland were not present for roll call vote.

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Claims of:

- * John A. Dekevich
- * William Holman
- * Danah Mattera
- *David DeSpirito

Referred to Claims Committee.

REQUEST FROM COX COMMUNICATIONS FOR INSTALLATION OF SERVICES FOR JEFFERSON @ INDEPENDENCE PLACE”

“POLE LOCATION FROM NATIONAL GRID FOR SUMMIT DR.”

“POLE LOCATION FROM NATIONAL GRID FOR MARINE DR.”

“POLE LOCATION FROM NATIONAL GRID FOR WEBBER ST.”

“POLE LOCATION FROM NATIONAL GRID FOR KOUTSOGIANE DR.”

“POLE LOCATION FROM NATIONAL GRID FOR PONTIAC AVE.”

“POLE LOCATION FROM NATIONAL GRID FOR GREENFIELD ST.”

“POLE LOCATION FROM NATIONAL GRID FOR WARWICK AVE.”

Referred to Public Works Committee.

XI. MISCELLANEOUS BUSINESS ON CLERK’S DESK

No business.

XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS

Steven Callahan, 135 Amanda St., appeared to speak regarding sewer backup in his home that occurred October, 2005. He stated that the cleaning company was called off from cleaning his home. Mr. Schiappa was present to answer any questions. Councilman Pisaturo stated to Mr. Callahan that his claim was reviewed and decided by the Claims Committee and he should be receiving a letter in the mail. If he would like to readdress this issue, he can appear before the Claims Committee at that time.

Paul Valetta, President of Firefighters Union, appeared to speak and updated the Council on two grievances. He stated that the vacancy position issue has been settled and by July 15th 15 firefighters will be hired. This was decided approximately two weeks ago. The hiring list was extended for this group of firefighters coming in. The second grievance was a cancer grievance and the Union did not lose this case. This will be taken to Superior Court.

The meeting adjourned at 11:10 P.M.

Maria Medeiros Wall
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).