

## **REGULAR MEETING – CITY COUNCIL**

**-MARCH 24, 2003-**

Regular meeting of the City Council of the City of Cranston was held on Monday, March 24, 2003.

The meeting was called to order in the Council Chamber, City Hall, at 7:00 P.M. by the Council President.

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

Also Present: Mayor Stephen P. Laffey; Paul Grimes, Director of Administration; Robin Muksian-Schutt, Deputy Director of Administration; Jametta Alston, City Solicitor; Evan Kirshenbaum, Assistant City Solicitor; Jerome Baron, Director of Finance; Mike Igoe, City Controller; Pat Quinlan, City Council Counsel.

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

### **I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS**

No business.

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## **II. INTRODUCTION OF UNDOCKETED RESOLUTIONS**

### **“RESOLUTION FOR THE PURPOSE TO RESOLVE THE DEPARTMENT OF ENVIRONMENT’S ENFORCEMENT ACT REGARDING UNDERGROUND STORAGE TANK FACILITIES”.**

Council President Pastore stated that he spoke to the Solicitor and this cannot take effect until an Ordinance is passed. No one objected to hearing this Resolution.

Ms. Alston gave a brief explanation of this Resolution. She stated that violations were found approximately three years ago and these violations have been remedied. Councilman McDonough asked if the State does not pay the City for violations they received, why should we pay the State? This is why he is going to vote no on this Resolution.

### **“RESOLUTION URGING MEMBERS OF THE GENERAL ASSEMBLY IN SUPPORT OF BLASTING LEGISLATION”.**

No one objected to hearing this Resolution.

Councilman Ferolito gave overview of this Resolution. He stated that what Representatives Montanaro and Lanzi have proposed at the State level is limiting blasting time at the quarry. They are also trying to increase liability insurance to \$1 million.

### **“RESOLUTION DESIGNATING APRIL 12, 2003 AS CRANSTON EARTH DAY”.**

No one objected to hearing this Resolution.

Councilwoman McFarland urged everyone to spend April 12 in trying to clean up the City.

## **III. EXECUTIVE COMMUNICATIONS**

No business.

## **IV. COUNCIL PRESIDENT COMMUNICATIONS**

Council President Pastore inquired of Mr. Grimes if he is aware of Section 15.05 of the City Charter requires that City Solicitor provide a listing to the Council of all consultants on services engaged. He asked that this be reported at the next Council meeting and he expects to receive a list of all services engaged thru the end of March and it would be appreciated if received a week before the April meeting including breakdown of all legal services including bond counsel. Mr. Grimes asked for a minute to consult with the Solicitor. Council President Pastore read Section 15.05 of the Charter that’s what he was looking for the update on. Mr. Grimes stated he will make this available to the City Clerk.

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## **V. COUNCIL MEMBER COMMUNICATIONS**

Councilman Jackvony asked Administration how Homestead Exemption works if a resident moves in during half the year. If paying full bill, shouldn't they get full exemption. Mr. Grimes referred this question to Mr. Baron. Mr. Baron stated that supplemental is based on date of ownership – homestead would be the same date. Councilman Jackvony asked if that would be July 1, 2002. Mr. Baron stated it would be same date used for supplemental. Councilman Jackvony stated he has been receiving calls. Mr. Baron stated they would be paying a portion of taxes, pro-rated. Council President Pastore stated escrowing and realigning of dollars would be at time of conveyance.

Council Member Fogarty stated tax date is December 31 not middle of the year and there is some confusion involving the tax date. Mr. Baron stated bills are being sent to last owner.

Councilwoman McFarland stated that the Senior Center has been closed in the evening and asked what is the detailed liability since there are no events being held during the evenings. Mr. Grimes stated that there were 87 incidents of vandalism at the Center in the last two years and it is too much of a risk for the City to hold the Center open at night.

Councilwoman O'Hara stated that she would like from the Administration for the upcoming budget hearing as part of the budget package, a list of the current bonding and any offset left in the bonds.

Councilman McDonough asked Administration if there is a schedule of street sweeping. Mr. Grimes stated that there is a list of the schedule on the website, but he will check on this to make sure it is on the website.

Council President Pastore stated that he asked last month that on a monthly basis Mr. Baron give the following information: balance sheet, income statement and cash flow. Mr. Baron stated that the current collection of property taxes, with the exception of supplemental tax, appears to be on target. With cash flow, it appears to be no need for Cash Anticipation borrowing. Within the Sewer Fund, there will be a shortfall in revenue of approximately \$600,000 - \$700,000 based on over-budgeting revenues. Collection appears to be OK. As for the snow budget, there appears to be approximately \$100,000 overspent. There is a separate account of approximately \$140,000 to cover this, all the bills have not been received yet.

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## **VI. PUBLIC HEARINGS**

### **(Limited to Docketed and Undocketed Resolutions and Ordinances)**

**Marie Sweet**, Gladstone Street, member of the Conservation Commission, appeared to speak regarding Earth Day Resolution. She stated that areas targeted for cleanup are Howard Industrial Park, Bike Path, Fay Field, Gansett Avenue near Bain and the Youth Center. A signup table will be placed at the Youth Center for volunteers to signup.

**Jeffrey Kelly**, 26 Mystery Farms Dr., appeared to speak regarding "Resolution for the Purpose to Resolve the Department of Environment's Enforcement Act Regarding Underground Storage Tank Facilities". He stated that he agrees with Councilman McDonough's statement about the State paying the City before the City pays the State. He stressed that we make sure we have certification that that site is clean before we sign anything. He also spoke regarding "Resolution Urging Members of the General Assembly in Support of Blasting Legislation". He asked if anyone has met with Tilcon Gammino. Councilman Ferolito stated that Tilcon has been at every meeting that has occurred, and they have agreed to a lesser blasting standard. He asked where we are now to the Budget that was passed last year. Council President Pastore stated that there is a \$1 million gap consolidated between the Sewer Enterprise Fund and the General Fund plus a gap on the School side. Mr. Kelly asked why the last three Resolutions under "Undocketed Resolutions" do not have sponsors and others do. Council President Pastore stated that these Resolutions came in late last week and did not have time to circulate to the Council, they are sponsored by the Administration.

**Richard Case**, 75 Hollow Tree Dr., appeared to speak in favor of "Resolution Ratifying the CBA Teamsters Local 251 and City of Cranston". He also spoke regarding "Resolution Asking the General Assembly to Support Fire Arm Restrictions" and asked that this be looked at more and by passing this Resolution, you would be eliminating due process. Councilman Fung stated that what this Resolution would be doing is clarifying a conflict in two different statutes.

**Joseph Capirchio**, 33 Vervena St., appeared to speak regarding "Resolution for the Purpose to Resolve the Department of Environment's Enforcement Act Regarding Underground Storage Tank Facilities". He stated that all sites have been remediated regarding the underground storage. Ms. Alston concurred that all remediations have been made and there is a settlement agreement attached to the Resolution that addresses these issues.

**Albert Benetti**, 24 Concord Ave., appeared to speak regarding "Resolution Ordering the Repair and Reopening of the Cranston Animal Shelter". He asked where the funds will come from to reopen the Shelter. Mr. Grimes stated that work there is proceeding, assessment is pretty much complete. We are not prepared to open the Shelter yet, since there are cracks in the structure and there are still a number of things that need to be done before it is reopened. He also spoke regarding "Resolution Directing Administration to Perform a Health Care Cost Liability Calculation". He suggested that all the premium based plans be looked at. He also spoke regarding "Resolution Asking the General Assembly to Support Fire Arms Restrictions". By passing these types of laws, you have to make sure that you do not infringe upon the rights of the law abiding citizens.

**Resident** of 30 Lowe Ave., Warwick, appeared to speak regarding "Resolution Ordering the Repair and Reopening of the Cranston Animal Shelter" and "Resolution Establishing an Animal Control Advisory Committee".

**Grant Derderian** appeared to speak regarding "Resolution Urging the General Assembly to Pass Legislation Increasing the Penalty on Delinquent Property Taxes to Eighteen Percent". He asked the Council to deny this Resolution. This would be increasing burden to the taxpayers. He also spoke in opposition of "Resolution Ratifying the CBA Teamsters Local 251 and City of Cranston".

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**Richard Adamo**, 21 Buxton Dr., appeared to speak. He asked why the Mayor invited the press into the Animal Shelter. Mayor Laffey stated that the conditions at the Shelter was nothing like he has seen before. All animals need to be treated humanely, and what he saw there was not humanely. He sees nothing wrong in bring the media over to see any public building at any time. Mr. Adamo asked if the media will be invited when the Shelter reopens. Mayor Laffey stated that he will be more than happy to invite the press to see whatever happens to the Shelter. Mr. Kelly asked that another tax bill be sent to him changed to a tax bill not a Supplemental Tax.

**Karen DeSantis**, 39 Briarhill Dr., appeared to speak and stated that everything is about money. She stated that the taxpayers have hired the Council and the Mayor to monitor the taxpayers' money and do the right thing and apparently none of these people know how.

**Ron Galipeau**, 41 Westfield Dr., appeared to speak and asked who is accountable for the maintaining of the Shelter. This is why he is a firm believer of a Forensic Audit. He asked where the workers that worked at the Shelter are working now. Mr. Grimes stated that one is on suspension, which was pre-existing; three are Animal Control Officers; and one is a laborer, which helps clean up and repair some of the problems there. They are currently working out of the Police Station. Councilman Fung stated that he supports Resolution for the Animal Shelter. Mr. Galipeau is in support of investigation of what happened.

**Resident** of 147 Sheldon St., appeared to speak regarding the closing of the Animal Shelter and asked why so many animals were put down, since the State Veterinarian said most of the animals were healthy. She also stated that the Police Station is in deplorable condition and nothing has been done about that. Ms. Schutt stated that the Ordinance on the books states that dogs can only be held for up to seven days, many were held for several months. As to the conditions of the Police Station, the City has received a report from OSHA stating that the Police Station is in full compliance.

**Tom Ricci**, 75 Knight St., appeared to speak and recommended privatizing the Animal Shelter, saving salaries and a lot of money to the City.

**James McElroy**, 54 Tome St., appeared to speak regarding "Resolution Directing Administration to Perform a Health Care Cost Liability Calculation". He asked what the cost is to the City for all City employees for health coverage and how many departments have full health care coverage with the City. Mr. Grimes stated that this year including Schools and Administration is costing the City \$24 million. Police and Fire have free health care. Teachers as of July 1 of this year will no longer have health co-pay. Councilman Jackvony encouraged everyone to attend the Town Meeting on Wednesday, March 26, 2003 when the Mayor will outline the specific cuts and to attend the subsequent budget hearings.

**Christina Trainor** appeared to speak and asked what the urgency was to close the Animal Shelter, since the Administration knew about the conditions there for about two months. She suggested creating a fundraising committee to help with the repair of the Shelter. Councilman Jackvony stated that this is a good idea, but he cannot establish a fundraising committee himself, but he is working with the Administration to try to establish a fund where the money would go directly to the Animal Shelter. Councilwoman McFarland suggested that we join forces with the Providence Rescue League to come up with some kind of fund raising effort.

**Anna Bedrosian**, 147 Sheldon St., appeared to speak regarding problems at the Animal Shelter.

**Raymond Palazzolo**, 102 Teepee Trail, appeared to speak and asked where the Mayor's vigor is to the taxpayers he showed earlier with the Animal Shelter when it comes time to make cuts and help the citizens survive in the City that we love.

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## **VII. UNDOCKETED RESOLUTIONS**

### **“RESOLUTION FOR THE PURPOSE TO RESOLVE THE DEPARTMENT OF ENVIRONMENT’S ENFORCEMENT ACT REGARDING UNDERGROUND STORAGE TANK FACILITIES”.**

On motion by Councilman Ferolito, seconded by Councilman Fung, the above Resolution was adopted on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore – 8. The following being recorded as voting “nay”: Councilman McDonough –1.

### **“RESOLUTION URGING MEMBERS OF THE GENERAL ASSEMBLY IN SUPPORT OF BLASTING LEGISLATION”.**

On motion by Councilman Ferolito, seconded by Councilwoman O’Hara, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

### **“RESOLUTION DESIGNATING APRIL 12, 2003 AS CRANSTON EARTH DAY”.**

On motion by Councilwoman McFarland, seconded by Council Member Fogarty, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

## **VIII. DOCKETED RESOLUTIONS**

### **“RESOLUTION CREATING THE HEALTH AND SAFETY BUILDINGS COMMITTEE”**

On motion by Councilwoman McFarland, seconded by Councilman McDonough, the above Resolution was adopted on a vote of 6-3. The following being recorded as voting “aye”: Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –6. The following being recorded as voting “nay”: Councilmen Fung, Jackvony and Ferolito –3.

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**“RESOLUTION ORDERING THE REPAIR AND REOPENING OF THE CRANSTON ANIMAL SHELTER”.**

Councilman McDonough asked who is in charge of the maintenance of the Animal Shelter. He is concerned with redundancy. Ben Nascenzi, Building Inspector, stated that he supports this Resolution 100%. It will give more accountability of a City building to the citizens of Cranston. Councilman Jackvony asked if there have been any thoughts of placing a time limit on the Animal Control Advisory Committee. Councilwoman McFarland stated that this is an Ad Hoc Committee, which the Resolution states that this Committee will issue it's report within six months. Councilman Jackvony stated that his concern is the makeup of this Committee. He wants to make sure there is bi-partisan representation. As to his appointment by the Council President as Chair of this Committee, he suggests maybe Mr. Nascenzi should be appointed Chair. Councilwoman McFarland stated that this is a Council Committee and not Administration's Committee. The Building Inspector could bring his expertise before this Committee. She also stated that there is no vote involved because this is an Ad Hoc Committee.

Council President Pastore announced that Councilwoman McFarland and Councilman Ferolito will be the Council President's appointments to this Committee.

On motion by Councilwoman McFarland, seconded by Councilwoman O'Hara, it was voted to adopt the above Resolution.

Councilwoman McFarland suggested amending this Resolution stating that 90 days would be more appropriate. Councilman Jackvony stated that he would like more information regarding the “no kill” from one of the Council Members who is sponsoring this Resolution. Councilwoman McFarland stated that she feels the 90 days is appropriate to get RFP out. Councilman Lanni stated that the 30 days was due to a conversation between himself and the Building Inspector, which he felt was enough time to open the Shelter, however, the 90 days is sufficient time. As to the “no kill”, added to the Resolution is based on past practice. He supports this bill and would like the Shelter open ASAP. Councilman Ferolito stated that one option to consider would it be more prudent for us to join forces with Warwick, who are building a new facility. With this Resolution, you have no other options. He questioned whether it is cost effective to fix this building and get it up to Code and not look at other options that would save taxpayers money. Councilman Fung asked Ms. Alston what the legal issue is regarding this Resolution. Ms. Alston stated that a concern with this Resolution is that a Resolution is simply an expression of opinion and it is not mandatory and it is not an Ordinance. A Resolution is not binding. The Council does not have power to order when a task should be completed – as stated in the Resolution. The best way to do this is by Ordinance.

On motion by Councilwoman McFarland, seconded by Councilwoman O'Hara, it was voted to amend this Resolution as follows: **change “30” days to “90” days.** Motion passed on a vote of 6-3. On motion by Councilman McDonough, seconded by Councilman Lanni, the above Resolution was adopted as amended on a vote of 6-3. The following being recorded as voting “aye”: Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –6. The following being recorded as voting “aye”: Councilmen Fung, Jackvony and Ferolito –3.

On motion by Councilman McDonough, seconded by Councilman Lanni, the above Resolution was adopted as amended on a vote of 6-3. The following being recorded as voting “aye”: Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –6. The following being recorded as voting “aye”: Councilmen Fung, Jackvony and Ferolito –3.

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**“RESOLUTION RATIFYING THE CBA TEAMSTERS LOCAL 251 AND CITY OF CRANSTON”.**

Councilwoman McFarland stated that there is no fiscal impact on this Resolution. Councilman Jackvony asked what “drive” means in the agreement. Ms. Alston referred to Article 2, Section 5, “all voluntary contribution to a program that they have”. Steve Labree, Business Agent for the Teamsters Union, appeared to speak and stated that “drive” is a form of Political Action (PACT). Council President Pastore asked if there were any objections from the Administration as to the amendment and if they agree that there is no fiscal impact. Mr. Grimes stated that there are no objections and the Administration is in favor of this. There is no fiscal impact. Mr. Baron concurred that there is no fiscal impact.

On motion by Councilwoman McFarland, seconded by Council Member Fogarty, the above Resolution was adopted on a vote of 8-0 with 1 abstention. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, McDonough and Council President Pastore –8. Councilman Lanni abstained.

**“RESOLUTION ESTABLISHING AN ANIMAL CONTROL ADVISORY COMMITTEE”.**

On motion by Councilman Fung, seconded by Councilman Jackvony, it was voted to adopt the above Resolution.

On motion by Councilman Fung, seconded by Councilman Jackvony, it was voted to amend this Resolution as follows: after the third paragraph, add another bullet to state: “this Committee study the no kill potential operation of the Cranston Animal Shelter as a no kill shelter”. Motion failed on a vote of 3-6. The following being recorded as voting “aye”: Councilmen Fung, Jackvony and Ferolito –3. The following being recorded as voting “nay”: Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –6.

On motion by Councilman Lanni, seconded by Councilman McDonough, it was voted to amend the above Resolution as follows: fourth bullet, delete the first bullet that reads: “one representative from the Mayor’s Administration”; second bullet becomes first bullet and change “one” City Council Member representative of the Majority Party to “two”; third paragraph amend to read as follows: “two” representatives from licensed, reputable animal shelter operators” and add “**or RI licensed veterinarian appointed one by the Mayor and one appointed by the City Council**”. Last paragraph, delete the last sentence and add “**no reorganization of the Animal Control Shelter shall take effect until authorized by the City Council**”. Motion passed on a vote 6-3. The following being recorded as voting “aye”: Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –6. The following being recorded as voting “nay”: Councilmen Fung, Jackvony and Ferolito –3.

Roll call was taken on motion to adopt this Resolution as amended by Councilman Lanni and seconded by Councilman McDonough and motion passed on a vote of 6-3. The following being recorded as voting “aye”: Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –6. The following being recorded as voting “nay”: Councilmen Fung, Jackvony and Ferolito –3.

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**“RESOLUTION ASKING THE GENERAL ASSEMBLY TO SUPPORT FIRE ARM RESTRICTIONS”.**

Councilman Jackvony asked Colonel Chalek how by passing this Resolution it will address any loopholes. Colonel Chalek stated that the statute gives local authority after the process. This would set same criteria, same standard, statewide. A legitimate reason he would consider not issuing a permit to someone is – if someone says to him he wishes to carry a firearm because these are dangerous times and feels better carrying a firearm.

On motion by Councilwoman McFarland, seconded by Councilman Fung, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

**“RESOLUTION DIRECTING ADMINISTRATION TO PERFORM A HEALTH CARE COST LIABILITY”.**

Councilwoman McFarland stated that this needs to be placed in an Ordinance form, since there is a cost effect. Councilman Jackvony stated that an Ordinance will be following. Councilwoman McFarland asked if we are going to be looking at the School Department also and if we have asked the School Department to pass a Resolution on their end. She also asked if we have looked at the cost to go from a self-insured fund to a premium based plan. Councilman Jackvony stated that perhaps we could incorporate these suggestions into the Ordinance. Councilwoman McFarland asked if we could do a component in the RFP to see what the cost would be. Mr. Baron stated that this would not be an actuarial project, it would be a healthcare project.

On motion by Councilman Jackvony, seconded by Councilman Fung, it was voted to amend this Resolution as follows: sixth paragraph, second line, after the word “calculate”, delete “for the current fiscal budget no later than April 15, 2003 and thereafter” and after the word “annually”, add **“in accordance with GASB”** and delete the rest of the line. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

On motion by Councilman Jackvony, seconded by Councilman Fung, the above Resolution was adopted as amended on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

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**“RESOLUTION URGING THE GENERAL ASSEMBLY TO PASS LEGISLATION AUTHORIZING CITIES AND TOWNS TO ASSIGN TAX LIENS”.**

Council President Pastore stated that when the City sells properties, we should know what the City is getting for that asset and the Council should approve the sale of the asset.

On motion by Councilwoman McFarland, seconded by Councilman McDonough, it was voted to amend the above Resolution as follows: after the fourth paragraph, add another paragraph to read as follows: **“Be it further resolved, that upon passage by the General Assembly, the Mayor shall introduce all supporting Ordinances, to assign said liens and shall require the approval of the City Council to approve all sale and assignments of said liens”.** Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

On motion by Councilman Fung, seconded by Councilwoman McFarland, the above Resolution was adopted as amended on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

**“RESOLUTION URGING THE GENERAL ASSEMBLY TO PASS LEGISLATION INCREASING THE PENALTY ON DELINQUENT PROPERTY TAX TO EIGHTEEN PERCENT”.**

Council Member Fogarty asked what the amount of delinquent taxes is. Mr. Baron stated the following: \$7.5 million in Auto of 17,000 accounts; \$1,250,000 in Tangible of 475 accounts, excluding this fiscal year. Council Member Fogarty stated that this City has had an 11% tax increase, a 12% supplemental tax and by adding this penalty would cause an extreme hardship for the taxpayers. Mr. Baron stated that this penalty increase would be just bringing it equal to other Cities and Towns. It would give us the option if we so choose, to increase the interest to 18%.

On motion by Council Member Fogarty, seconded by Councilwoman McFarland, it was voted to amend this Resolution by adding “up to” 18%. Motion passed on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8. The following being recorded as voting “nay”: Councilman McDonough –1.

On motion by Councilman Fung, seconded by Councilman Ferolito, it was voted to adopt this Resolution as amended on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore –8. The following being recorded as voting “nay”: Councilman McDonough –1.

**“RESOLUTION URGING THE GENERAL ASSEMBLY TO PASS LEGISLATION AUTHORIZING CITIES AND TOWNS TO REQUEST VERIFICATION OF TANGIBLE PROPERTY VALUATIONS”.**

On motion by Councilman Fung, seconded by Councilman Lanni, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

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**VIIIA. OLD BUSINESS**

**1-03-2           ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED 'ADMINISTRATION' 'BOARD OF CONTRACT AND PURCHASE.'**

Councilwoman McFarland stated that no language has been submitted to her and if the Solicitor has the language, it can be submitted, but she would like to continued this Ordinance. Ms. Alston stated that after speaking with Councilwoman McFarland, she agrees that the Council President should approve the private citizen as the Chair of this Board. This would be a substantive change and it would have to be re-advertised.

On motion by Councilwoman McFarland, seconded by Councilwoman O'Hara, it was unanimously voted to amend this Ordinance as follows and table it and re-advertised: **"Chair of Board of Contract and Purchase shall be selected by the public members and approved by the Council President"**.

**IX.   REPORT OF COMMITTEES  
COMMITTEE ON ORDINANCE**

**2-03-1           "ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2002 AND ENDING JUNE 30, 2003. (HIGHWAY SUPERINTENDENT)."**

On motion by Councilwoman McFarland, seconded by Councilman Ferolito, it was voted to approve this Ordinance. Motion failed on a vote of 4-5. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara and Councilman Ferolito -4. The following being recorded as voting "nay": Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore -5.

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

On motion by Councilwoman McFarland, seconded by Councilman Jackvony, the above Ordinance was tabled on a vote of 8-1. The following being recorded as voting "aye": Councilman Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, McDonough and Council President Pastore-8. The following being recorded as voting "nay": Councilman Fung -1.

**2-03-3           'ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED 'MOTOR VEHICLES AND TRAFFIC', 'STOP INTERSECTIONS-ENUMERATED' BY ADDING BEECHWOOD DR., PORTION OF.'**

On motion by Councilwoman McFarland, seconded by Councilman Ferolito, the above Ordinance was adopted on a vote of 9-0. . The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwomen O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore -9.

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**2-03-7           “ORDINANCE AMENIDNG ORDINANCE NO. 2003-8 AMENDING  
THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1,  
2002 AND ENDING JUNE 30, 2003.”**

On motion by Councilwoman McFarland, seconded by Councilman McDonough, the above Ordinance was adopted on a vote of 9-0. . The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

**COMMITTEE ON FINANCE**

**“RESOLUTION AUTHORIZING TAX ABATEMENTS – RECOMMENDED BY  
CITY ASSESSOR (REAL ESTATE ABATEMENTS).”**

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore – 8. Councilman McDonough was not present for roll call vote.

**“RESOLUTION AUTHORIZING TAX ABATEMENTS – RECOMMENDED BY  
CITY ASSESSOR (MOTOR VEHICLE ABATEMENTS).”**

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilmen Ferolito, Lanni and Council President Pastore –7. Councilman McDonough and Councilwoman McFarland were not present for roll call vote.

**“RESOLUTION AUTHORIZING HOMESTEAD ABATEMENTS–  
RECOMMENDED BY CITY ASSESSOR.”**

On motion by Councilwoman O’Hara, seconded by Council Member Fogarty, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilmen Ferolito, Lanni and Council President Pastore –7. Councilman McDonough and Councilwoman McFarland were not present for roll call vote.

**“TAX INTEREST WAIVER LIST”**

On motion by Councilwoman O’Hara, seconded by Council Member Fogarty, the above list of tax interest waivers were approved on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilmen Ferolito, Lanni and Council President Pastore –7. Councilman McDonough and Councilwoman McFarland were not present for roll call vote.

**COMMITTEE ON PUBLIC WORKS**

**“RESOLUTION INSTITUTING PROCEEDINGS FOR THE ABANDONMENT  
OF A PORTION OF EAST JOSEPHINE STREET.”**

On motion by Councilman Lanni, seconded by Council Member Fogarty, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwomen O’Hara, Council Member Fogarty, Councilmen Ferolito, Lanni and Council President Pastore –7. Councilman McDonough and Councilwoman McFarland were not present for roll call vote.

**-MARCH 24, 2003-**

## **X. ELECTION OF CITY OFFICIALS**

On motion by Councilwoman O'Hara, seconded by Council Member Fogarty, it was voted to appoint **COUNCILMAN MARC FEROLITO** as a member of the **AUDIT COMMITTEE**. Motion passed on a vote of 9-0 with one abstention. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore -9.

## **XI. REPORT OF CITY OFFICERS**

No Business.

## **XII. NEW BUSINESS**

On motion by Councilwoman McFarland, seconded by Councilman Lanni, the following introduced Ordinances be advertised for hearing before the Ordinance Committee on THURSDAY, APRIL 17, 2003 at 7 PM pursuant to Sec. 3.12 of the Charter on a vote of 9-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore -9.

3-03-1 Ordinance authorizing the Mayor to terminate the Purchase and Sales Agreement between the City of Cranston and Cranston Printworks for the site of a Municipal Police Station/Headquarters. FINANCE COMMITTEE 4/17/2003 and ORDINANCE COMMITTEE 4/17/2003.

3-03-2 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled "Administration" (Board of Contract and Purchase). ORDINANCE COMMITTEE 4/17/2003.

On motion by Councilwoman McFarland, seconded by Councilman Jackvony, the following introduced Ordinance be advertised for hearing before the Ordinance Committee on THURSDAY, APRIL 17, 2002 at 7 PM pursuant to Sec. 3.12 of the Charter on a vote of 9-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni and Council President Pastore -9.

3-03-3 Ordinance for the purpose to resolve the Department of Environment's enforcement act regarding Underground Storage Tank Facilities. FINANCE COMMITTEE 4/17/2003 and ORDINANCE COMMITTEE 4/17/2003.

## **XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK**

No Business.

**-MARCH 24, 2003-**

**XIV. PUBLIC HEARINGS ON UNDOCKETED ITEMS**

None.

The meeting adjourned at 11:00 P.M.

Maria Medeiros Wall  
City Clerk

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist.)