

REGULAR MEETING – CITY COUNCIL

-MAY 27, 2003-

Regular meeting of the City Council of the City of Cranston was held on Tuesday, May 27, 2003 in the Council Chamber, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:15 P.M. by former Councilman John Archetto.

Roll Call showed the following members present: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8. Also present was former Councilman Archetto.

Absent: Councilman Ferolito –1.

Also Present: Mayor Stephen P. Laffey; Paul Grimes, Director of Administration; Robin Muksian-Schutt, Deputy Director of Administration; Evan Kirshenbaum, Assistant City Solicitor; Jerome Baron, Director of Finance; Mike Igoe, City Controller; Pat Quinlan, City Council Counsel; Carlo DelBonis, Tax Assessor; Randy Rossi, City Treasurer.

Council President welcomed former Councilman John Archetto, who served on the Council in the 1950’s and who recently celebrated his 98th Birthday. Mayor Laffey presented Mr. Archetto with a Proclamation and the Key to the City. Council President Pastore presented Mr. Archetto with a lapel pin of a Key to the City. Council President acknowledged and thanked Joan Lawton for all her services she gave to the City and for bringing Mr. Archetto’s Birthday to his attention.

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

“PROCLAMATION HONORING FORMER COUNCILMAN JOHN ARCHETTO.”

On motion by Councilwoman McFarland, seconded by Councilman Jackvony, it was voted to approve this Proclamation on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

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II. INTRODUCTION OF UNDOCKETED RESOLUTIONS

“RESOLUTION AUTHORIZING VARIOUS TAX RATES FOR THE TAX CLASSIFICATION.”

Mr. Baron spoke regarding this Resolution and stated the following tax rate classification for

- One-family residential, condominiums and 2-5 family would be \$22.40
- Apartments would be \$29.70
- Vacant residential land would be \$22.40
- Commercial property would be \$29.70
- Motor vehicles would be \$42.44
- Tangible personal property would be \$33.60
- Inventory would be \$15.86
- Industrial would be \$29.70

Mr. DelBonis stated that this is consistent with State Law. Impact on 4-5 units is minimal.

Council President Pastore stated that when he was on the Council in 1995-96, the Homestead Exemption was created, he knew back then, that property tax classification was the proper venue to implement.

Councilwoman McFarland discussed the possibility of a tier system within the classifications.

Councilman Jackvony questioned that the Tangible Personal Property Revenue for 2002-2003 is \$10,081,000 and Homestead is \$7,929,000 and questioned whether these figures are correct. Mr. DelBonis stated that if we kept the Homestead, we would have to tax all Real Estate and Tangible at \$29.70 and we would lose approximately \$1 million. Implementing Tax Classification would allow us to recoup some of that shift.

III. EXECUTIVE COMMUNICATIONS

No Business.

IV. COUNCIL PRESIDENT COMMUNICATIONS

Council President Pastore asked Mr. Igoe to give balance income statement and cash flow balance. Mr. Igoe stated that through April, the City collected \$164,224,720 in revenues, of that \$112,165,621 represents net tax revenues. Through April, the City has expended \$136,954,345, which represents 73.24 of the annual Budget. As of the end of April, the City has cash available for operating purposes of \$11,502,792. Florida Power and Light transferred from the General Fund to the Sewer Fund.

Council President stated that last Friday, he asked the City Clerk to prepare a Call for a Special Council meeting to address the Police and Fire Pension Ordinances and we are targeting this for Monday, June 2, 2003 at 5:00 P.M. for Executive Session to go over any questions the Council may have and place the two Ordinances on the Docket so they can be voted on, if the Council wishes. He stated there would be no public hearing as the public hearing portion was closed on May 20th. He also stated that the purpose of all the questions that have been asked regarding this issue was not to table it in perpetuity, but to have the Council make a decision in a thirty day period. Mayor Laffey stated that he and his Administration are available and look forward to working with the Council on Monday and to provide any information they may need.

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Councilman Jackvony asked to make a point of record and asked for clarification of what the nature of the meeting was between Mr. Quinlan and the members of the various unions. Mr. Quinlan stated that Council President Pastore had been contacted by representatives of the Police and Fire Unions and was asked by Council President Pastore for his opinion. Mr. Quinlan stated that he suggested that it would be more prudent that Counsel meet with Counsel. He and Mr. Gentile and Fire Union met at his office. They had asked him his opinion on the legality. One thing they all agreed with was the Council cannot pass an Ordinance that directly impacts on the collective bargaining agreement. They presented case law. At no point, did he give an opinion on whether the Ordinance was illegal. The only point made was that the Council cannot amend the collective bargaining agreement by Ordinance.

Council President Pastore asked that Mr. Quinlan provide a written statement. Mr. Quinlan responded that he would e-mail his statement to all the council members.

V. COUNCIL MEMBER COMMUNICATIONS

Councilwoman McFarland stated that the Loan Order Resolution on this Docket and the Referendum Question that is going to go on the ballot for the Special Election do not talk about additional funds that we need to finish the new school, especially the Referendum. If we expect this Referendum to pass, shouldn't we explain in detail form what we intend on doing with those funds? Mr. Grimes stated that wording on the Loan Order was written by our Bond Counsel. In wording the Loan Order, you have to be careful not being specific, because of encroaching upon the neutrality of voting on this Referendum. Resolution reducing bonding authority wasn't specifically listed.

Councilwoman McFarland stated that in regard to the Special Council Meeting the Council President is calling for next week, Mr. Grimes stated that he received a draft report from the Buck Consultant of actual savings. Mr. Grimes e-mailed that 300 retired employees would be affected but no actual analysis presented. Councilwoman McFarland stated that it is important for us to have this analysis for Monday night difficult to move forward on this Ordinance.

Council President Pastore stated that hopefully this can be addressed during the executive session. He asked that Mr. Grimes accommodate the request.

Councilwoman McFarland stated that she was at the General Assembly and spoke ton the recording instrument fee bill and real estate conveyance tax. Council President Pastore stated that the City Clerk is also working on this.

Councilman Jackvony ask that the Resolution on the Loan Order retain on the table until after the special election vote.

Council President also stated that he received a letter from Gary Vierra, Republican Committee Chair, dated May 6, 2003 submitted a list of five members from the Republican Party for the Alternate member to the Board of Canvassers. He stated that Councilman Jackvony should make recommendation to the Council on who they would like appointed.

VI. PUBLIC HEARINGS

Darrell Brown, Director of Economic Development, appeared to speak regarding Resolution Supporting Legislation for an Exemption to RIGL 3-7-19 (Park Cinema). He introduced Paul Plourde, co-operating manager and Piyush Patel, co-operating manager, who are available to answer any questions. Council President Pastore stated that he would like to see incorporated into the scope of the agreement that property insurance be procured for this property throughout the tenancy. Mr. Plourde stated that they have dealt with this and that is not a problem. He also stated that the area that is going to be raised is the back of the building. Council Member Fogarty stated that since the Cinema is in her Ward, she has worked hard on this and the business community in the area supports this proposal. Council President Pastore questioned pg. 4, 6.2 “DED”. Mr. Brown stated that the City of Cranston is “DED” (Department of Economic Development). He also stated that he spoke to the Community Development staff and they agreed that this is a project where community development money is suited for and this will also create jobs. Council President Pastore asked what effects would it have on the MOU (Memorandum of Understanding), if we apply for the grant and do not get it. Mr. Plourde stated that this project would still move along. Mr. Brown stated that tax exemption would apply, but he still has to negotiate this with the owner.

Councilwoman Fogarty stated that the owner has agreed to certain restrictions such as no sale of alcohol during school hours. Asked that Council support this Resolution.

Rich Santore, 36 Fort Ave., appeared to speak and asked how many liquor licenses have been issued since this Administration has been in office. City Clerk stated that there have been transfers, but no new licenses have been issued, that she can recall. Mr. Santore stated that this is a good project, but when you extend to one group, other businesses that have been in the City for years should be extended the same thing. This is a good project and it will make money and they should pay their fair share of taxes.

Aram Garabedian, 173 Belvedere Dr., appeared to speak and stated that a packet of what is on the docket should be made available to the public along with the docket. He also spoke regarding Resolution opposing relocation of training school. He stated that current boy’s training school still has outstanding bonds.

Jim Davies, 19 Quail Ridge Rd., appeared to speak and asked if Revaluation is used to raise taxes. Mr. DelBonis stated that Revaluation is not a method of raising taxes, it is a method of equalizing taxes.

Richard Tomlins, 400 Farmington Ave., appeared to speak and asked for an example on how much taxes would be on a home without the tax classification and with tax classification. Mr. Grimes gave example of this.

Francine Newton appeared to speak and asked what the total residential property tax base is. Mr. DelBonis stated last year’s tax roll – single family was \$2,312,783,900 in valuation. The value of property under revaluation compensation is \$3,387,078,900. Percentage in tax base last year was 65.58%, increase of approximately 1 1/2 %.

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VII. UNDOCKETED RESOLUTIONS

“RESOLUTION AUTHORIZING VARIOUS RATES FOR THE TAX CLASSIFICATION.”

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

VIII. DOCKETED RESOLUTIONS

“RESOLUTION OPPOSING THE RELOCATION OF THE STATE TRAINING SCHOOL NORTH OF ROUTE 37. (Sponsored by Councilman McDonough).”

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

“RESOLUTION AMENDING LOAN ORDER NO. 2001-69 (Tabled May 1, 2003)”. (Sponsored by Administration).

This Resolution will remain tabled.

“RESOLUTION SUPPORTING LEGISLATION FOR AN EXEMPTION TO RIGL 3-7-19 (Park Cinema)”. (Sponsored by Administration).

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

“RESOLUTION SUPPORTING LEGISLATION FOR AN EXEMPTION TO RIGL 3-7-19 (Pawtuxet Village).” (Sponsored by Councilwoman O’Hara).

On motion by Councilwoman O’Hara, seconded by Councilwoman McFarland, the above Resolution was adopted on a vote of 8-0 **subject** to the approval of the Pawtuxet Baptist Church and the General Assembly. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

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“RESOLUTION SUPPORTING LEGISLATION FOR AN EXEMPTION TO RIGL 3-7-19 (Pawtuxet Village).” (Sponsored by Councilwoman O’Hara).

On motion by Councilwoman O’Hara, seconded by Councilwoman McFarland, the above Resolution was adopted on a vote of 8-0 **subject** to approval of the governing body of the Pawtuxet Baptist Church. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

“RESOLUTION URGING THE STATE LEGISLATURE TO ENACT LEGISLATION PERMITTING THE CITY TO RETAIN CERTAIN FEES FOR A SPECIFIED PERIOD OF TIME”. (Sponsored by Administration).

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

“RESOLUTION AUTHORIZING AN ADDENDUM TO THE INTER-MUNICIPAL WASTEWATER AGREEMENT BETWEEN CRANSTON AND WEST WARWICK.” (Sponsored by Administration).

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

Under Discussion:

Council President Pastore asked if the City Solicitor has reviewed this Resolution as well as the contract and what is the basis for him signing this contract as Council President. Mr. Grimes stated that he has not spoken to the Solicitor about this and does not have the details. He will have to review this with the Solicitor and get this clarified. It was agreed to continue this to the Special Council meeting on Monday, June 2, 2003. Councilman McDonough asked if this Resolution has to go before the Financial Review Board. Mr. Grimes stated that he will check with the Solicitor, he is not sure if this is an additional expenditure.

Motion to table to the June 2, 2003 Special Council Meeting passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

“RESOLUTION REQUESTING RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO INSTALL AIR QUALITY MONITORING FOR CRANSTON NEIGHBORHOODS AFFECTED BY T.F. GREEN AIRPORT.” (Sponsored by Councilwoman O’Hara).

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

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

4-03-3 “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’ (Tax Classification).”

On motion by Councilwoman McFarland, seconded by Councilman Fung, it was voted to adopt this Ordinance.

Under Discussion:

Councilman McDonough asked what is the verification of passing this Ordinance and the Homestead Ordinance, since they have not gone before the Financial Review Board. Council President Pastore stated that it is not necessary for them to go before the Board. The other Ordinances (Elderly, Veterans, POW and Blind Exemptions) would have to go before the Board and he asked that the Administration refer them to the Financial Review Board. Mr. Grimes stated that the Board did hear the Tax Freeze Legislation. Mr. DelBonis stated that those legislations were scheduled to be heard on May 15 and that meeting was rescheduled to this week. He also stated that these need to be passed tonight, because we need to certify the Tax Roll within the next week or two. If this gets delayed another month, we are not going to get the bills out in time.

Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore—8.

4-03-4 “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’. (Homestead Exemptions).

On motion by Councilwoman McFarland, it was voted to table this Ordinance.

Under Discussion :

Mr. DelBonis asked for a legal opinion because he cannot certify a Tax Roll with both this Ordinance and the Tax Classification Ordinance on the books. Mr. Kirshenbaum stated that several suggestions were put forth and suggested that this be placed on the docket for the Special Council meeting on June 2, 2003. Council President Pastore suggested the Mayor call the Governor to see if they can expedite the signing of the tax classification bill.

Motion to table to the June 2, 2003 Special Council Meeting passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

4-03-5 ‘ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’ (Elderly Exemptions).’

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

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4-03-6 “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’ (Veterans Exemptions).”

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

4-03-7 “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’ (POW Exemptions).”

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

4-03-8 “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’ (Blind Exemptions).”

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

4-03-11 “ORDINANCE IN AMENDMENT OF CHAPTER 16C OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘MOTOR VEHICLE REPAIR BUSINESS.’”

On motion by Councilwoman McFarland, seconded by Councilman McDonough, the above Ordinance was adopted on a vote of 7-0 with 1 abstention. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilman McDonough and Council President Pastore –7. Councilman Lanni abstained.

Councilman Fung asked what the Fire Chief’s opinions were regarding this Ordinance from the last Safety Services and Licenses Committee meeting. City Clerk stated that the minutes of that meeting reflect that the Fire Chief requested more time to review this Ordinance. Councilman McDonough stated that he recalls the Fire Chief suggesting that the motor vehicle repair license be approved subject to the Fire Department’s inspection so it would not be a burden on the Fire Department.

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4-03-12 “ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘SAME-SUNDAYS ONLY BETWEEN 7:00 am AND 1:00 pm’ BY DELETING GRANT AVE., PORTION OF AND BY ADDING RESERVED.”

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

4-03-13 “ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘BY ADDING NEW SUB-SECTION 46.2 ENTITLED ‘SAME-SUNDAYS ONLY BETWEEN 7:00 AM AND 3:00 PM SUNDAYS, NO VEHICLE SHALL REMAIN FOR ANY PERIOD OF TIME WITHIN OR UPON ANY OF THE FOLLOWING STREETS: GRANT AVE., PORTION OF, LINCOLN AVE., PORTION OF.’”

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

4-03-15 ORDINANCE RESCINDING ORDINANCE NO. 2000-11 (Wonderland Property).”

On motion by Councilwoman McFarland, seconded by Councilman Jackvony, it was voted to adopt the above Ordinance.

Under Discussion:

Council President Pastore asked why this Ordinance is being rescinded. Darrell Brown, Director of Economic Development, stated that he is in the process of negotiations with Ocean State Orchestra, a non-profit organization, who is interested in leasing the Wonderland School. He does have a report from the Building Inspector, which he presented, who found the building to be sound.

Motion to adopt passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni and McDonough –7. Council President Pastore was not present for roll call vote.

Gavel was handed over to Vice-Present O’Hara.

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COMMITTEE ON FINANCE

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

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

Gavel was handed back to Council President Pastore.

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

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

“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 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

“RESOLUTION AUTHORIZING SUPPLEMENTAL ABATEMENTS – RECOMMENDED BY CITY ASSESSOR.”

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

“TAX INTEREST WAIVER LIST.”

On motion by Councilwoman McFarland, seconded by Councilman Lanni, the above Tax Interest Waiver List was approved on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

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X. ELECTION OF CITY OFFICIALS

On motion by Councilman Jackvony, seconded by Councilman Fung, it was voted to appoint **MICHAEL LEPIZERRA** as an Alternate member of the **Board of Canvassers** for the remaining term of his predecessor. Motion passed on a vote of 8-0. 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 –8.

XI. REPORT OF CITY OFFICERS

No Business.

XII. NEW BUSINESS

On motion by Councilwoman McFarland, seconded by Councilman McDonough, the following introduced Ordinances be advertised for hearing before the Ordinance Committee on THURSDAY, JUNE 12, 2003 at 7 PM pursuant to Sec. 3.12 of the Charter on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

- 5-03-1 Ordinance in amendment of Chapter 32 of the Code of the City of Cranston, 1970, entitled “Municipal Court.” ORDINANCE COMMITTEE 6/12/2003.
- 5-03-2 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled “Administration” (Part Time Employment). ORDINANCE COMMITTEE 6/12/2003.
- 5-03-3 Ordinance for the purpose of creating a restricting Municipal Indebtedness Account entitled “Scituate Avenue School”. FINANCE COMMITTEE 6/12/2003 and ORDINANCE COMMITTEE 6/12/2003.
- 5-03-4 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 Sachem Ave., portion of. ORDINANCE COMMITTEE 6/12/2003.
- 5-03-5 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 1970, entitled “Motor Vehicles and Traffic”, “Stop Intersections-Enumerated” by deleting Applegate Rd., portion of; “Multi-Way Stop Intersections-Enumerated” by adding Applegate Rd. and Tupelo Hill Dr., 4 way stop. ORDINANCE COMMITTEE 6/12/2003.
- 5-03-6 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 1970, entitled “Motor Vehicles and Traffic”, “Through Trucking Prohibited on Certain Streets” by adding new subsection: Urbana St., portion of, Calvary St., portion of. ORDINANCE COMMITTEE 6/12/2003.
- 5-03-7 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 1970, entitled “Motor Vehicles and Traffic”, “Traffic Prohibited on Certain Streets-Local access only” by adding Lake View Rd., portion of. ORDINANCE COMMITTEE 6/12/2003.
- 5-03-8 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 1970, entitled “Motor Vehicles and Traffic”, “Same-Between 8:00 AM and 5:00 PM” by adding Pershing St., portion of. ORDINANCE COMMITTEE 6/12/2003.

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- 5-03-9 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 1970, entitled “Motor Vehicles and Traffic”, “One Way Traffic on Certain Streets Between Certain Hours” by adding between the hours of 8:00 AM to 9:30 PM and 2:00 PM to 3:30 PM on the days when Chester Barrows School is in session, vehicular traffic shall move in the following specified direction on the following streets: Netherlands Ave., portion of. ORDINANCE COMMITTEE 6/12/2003.
- 5-03-10 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 1970, entitled “Motor Vehicles and Traffic”, “City Hall Parking Area” by deleting section in its entirety and by adding new section entitled “City Hall and Pontiac Ave. Annex Parking Areas”. ORDINANCE COMMITTEE 6/12/2003.
- 5-03-11 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled “Administration”. (Five Year Economic Development Tax Incentive Program for Industrially Zoned Property). ORDINANCE COMMITTEE 6/12/2003.
- 5-03-12 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled “Administration”. (Ten Year Economic Development Tax Incentive Program for Industrially Zoned Property). ORDINANCE COMMITTEE 6/12/2003.
- 5-03-13 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled “Administration”. (Five Year Economic Development Tax Incentive Program for Commercially Zoned Property). ORDINANCE COMMITTEE 6/12/2003.
- 5-03-14 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 1970, entitled “Administration”. (Ten Year Economic Development Tax Incentive Program for Commercially Zoned Property). ORDINANCE COMMITTEE 6/12/2003.
- 5-03-15 Ordinance amending Article IV-B, Freeze of Tax Rate and Valuation for the Elderly, Section 2-33-7 and Section 2-33-8. FINANCE COMMITTEE 6/12/2003 and ORDINANCE COMMITTEE 6/12/2003.
- 5-03-16 Ordinance amending Article IV-B, Freeze of Tax Rate and Valuation for the Elderly, Section 2-33-8. FINANCE COMMITTEE 6/12/2003 and ORDINANCE COMMITTEE 6/12/2003.
- 5-03-17 Ordinance amending Article IV-B, Freeze of Tax Rate and Valuation for the Elderly, Section 2-33-10. FINANCE COMMITTEE 6/12/2003 and ORDINANCE COMMITTEE 6/12/2003.

TAX INCENTIVE APPLICATION FOR *ADAMS & O'BRIEN REALTY, LLC*, 66 Stamp Farm Rd.

Mr. Kirshenbaum stated that he worked with Darrell Brown, Director of Economic Development, on the new Ordinances regarding Tax Incentive Application and the bill states that applicant not only have applied, but they would have had to obtain a certificate of occupancy within a time period.

On motion by Councilman McDonough, seconded by Councilwoman McFarland, it was voted to refer this Tax Incentive Application to the June 12, 2003 Finance Committee meeting. 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.

XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK

No Business.

-MAY 27, 2003-

XIV. PUBLIC HEARINGS ON UNDOCKETED ITEMS

Aram Garabedian, 173 Belvedere Dr., appeared to speak regarding the proposed Police and Fire Pension Ordinances. He stated that it is not political cowardice when you support something to the point you want to slow something down and be prudent. He stated to the Council, that when they meet on Monday, have the courage to make the right decision. Those Ordinances are not correct. If they have to be changed, change the law. Just don't take the City down the road of more litigation.

Ken Rouleau, 66 Nelson Rd., appeared to speak and asked if additional testimony from the parties involved will be allowed on Monday regarding the Police and Fire Pension Ordinances. Council President Pastore stated that public hearing section is completed and this meeting would really be executive session section and not a public hearing.

Paul Valetta appeared to represent the Fire Union. He stated that you have heard from the lawyer, from the Police side, from Mr. Quinlan and from Mr. Garabedian, who is very familiar with the Charter and they all agreed that this is not the way to go. You are going to take this to litigation and you are going to lose. Take all this into consideration when you sit down Monday night to make the decision.

John Capobianco appeared to speak regarding the Police and Fire Pension Ordinances.

Mr. Quinlan stated that he has never given an opinion on whether this Ordinance is either legal or illegal. He only agreed that you cannot pass an Ordinance that alter existing terms of valid existing agreement.

The meeting adjourned at 10:30 P.M.

Maria Medeiros Wall
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).