

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

ORDINANCE COMMITTEE

Regular meeting of the Ordinance Committee was held on Thursday, March 17, 2011 in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 8:00 P.M. by the Chair.

Present: Councilman Paul H. Archetto, Chair
Councilman Steven A. Stycos, Vice-Chair
Councilman Emilio L. Navarro
Councilman James E. Donahue
Council Vice-President Robert J. Pelletier
Council President Anthony J. Lupino

Also Present: Robin Muksian-Schutt, Director of Administration
Evan Kirshenbaum, Assistant City Solicitor
Steven Woerner, City Council Internal Auditor
Patrick Quinlan, City Council Legal Counsel
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

On motion by Council Vice-President Pelletier, seconded by Council President Lupino, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

CORRESPONDENCE:

None.

OLD BUSINESS:

PUBLIC HEARINGS/NEW BUSINESS:

1-11-05 Ordinance in amendment of Chapter 2.72 of the Code of the City of Cranston, 2005, entitled “Juvenile Hearing Board” (Membership Composition). Cont. 2/17/2011. [\[click here to view\]](#)

Judge Raymond Coia, Chair of Juvenile Hearing Board, appeared to speak and stated that he has been Chair of this Board for six years. He indicated that the Ordinance states three alternates, but on line 37 of the Ordinance, it states two, which was the original language. This should be corrected.

Chair asked that line 37 be amended to “three”.

Judge Coia indicated that come December 1st, there will be five openings for re-appointments, three alternates and two regular members.

Council Vice-President Pelletier asked Judge Coia if this Ordinance would benefit the Juvenile Hearing Board. Judge Coia stated that personally, he thinks it would be a hindrance because now you will have nine adults facing a young juvenile, which may be intimidating. He also stated that by increasing the membership to nine would change his quorum requirement. If the Council wishes to pass this Ordinance, he can make it work.

Judge Coia addressed the female/male requirement. He stated that in the six years he has been a member of this Board, there has never been a close vote in a decision. The members deliberate and always are in agreement in their votes. He does agree that it is good to have a female on this Board, especially when there is a female juvenile before the Board.

Councilman Donahue asked Judge Coia for demographics of the violators that come before the Board. Judge Coia stated the following statistics:

- New cases for 2010 -14 females and 7 males
- 1 black and 20 whites
- In 2009 – 16 males and 9 females
- 2 blacks and 1 Hispanic and 1 Asian

Tara Sprague, Tucker Ave., retired medical social worker, appeared to speak and stated that she is present to lobby for half of this Board for females. The reason is young women deserve to have older women in that position to help them.

On motion by Councilman Stycos, seconded by Councilman Navarro, it was voted to recommend approval of this Ordinance.

Under Discussion:

Council President Lupino stated that he will not be supporting this Ordinance because we cannot dictate the sex of a board member. He does not have a problem with having women on this board. Why stop at this board and not all boards and why not just sex, why not race.

Solicitor stated that since the last meeting, he did some research as to the gender preference. The Courts would look at showing some evidence as to what the government's substantial achievement would be in achieving its goal. At this time, he does not see evidence before this Committee to do this.

Chair stated that he feels there are merits for both arguments. What he does not agree with is increasing the membership to nine members. Another problem he has is it mandates that females be appointed to the Board. What if there are no females that are qualified. He would be in favor of amending the Ordinance to "may" instead of "shall", which would help.

Roll call was taken on motion to recommend approval of this Ordinance and motion failed on a tie vote. The following being recorded as voting "aye": Councilmen Archetto, Stycos and Navarro -3. The following being recorded as voting "nay": Councilman Donahue, Council Vice-President Pelletier and Council President Lupino -3.

1-11-06 Ordinance in amendment of Chapter 6.08 of the Code of the City of Cranston, 2005, entitled "Dogs and Other Animals" (Animals Debarking). Cont. 2/17/2011.
[\[click here to view\]](#)

No one appeared to speak in favor or to oppose.

Councilman Navarro asked that this Ordinance remain tabled due to language still being worked on.

On motion by Councilman Navarro, seconded by Council Vice-President Pelletier, it was voted to continue this Ordinance. Motion passed unanimously.

Municipal Court Proposed Session Schedule for 2011. [\[click here to view\]](#)

On motion by Council Vice-President Pelletier, seconded by Council President Lupino, it was voted to approve the above scheduled. Motion passed unanimously.

The meeting adjourned at 9:00 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees