

REGULAR MEETING – CITY COUNCIL

-MARCH 27, 2006-

Regular meeting of the City Council was held on Monday, March 27, 2006 in the Cranston High School East Auditorium, 899 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 7:15 P.M. by the Council President.

Roll Call showed the following members present: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian –8.

Absent: Councilman Lanni -1.

Also Present: Paul Grimes, Director of Administration; Robin Muksian-Schutt, Deputy Director of Administration; Evan Kirshenbaum, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel; Jerome Baron, Director of Finance; Mike Igoe, City Controller; Steve Woerner, City Council Internal Auditor.

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

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

“CRANSTON HIGH SCHOOL WEST BASKETBALL TEAM DIVISION ONE R.I. STATE CHAMPIONSHIP FINALISTS”

Citations were presented to the team members.

“CRANSTON HIGH SCHOOL EAST CHOIR”

Citations were presented to the members.

II. EXECUTIVE COMMUNICATIONS

“REQUEST TO BE PLACED ON PENSION ROLL LIEUTENANT STEVEN SODERLUND, CRANSTON FIRE DEPARTMENT”

On motion by Councilman Pisaturo, seconded by Councilman Barone, it was voted to approve the above request. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -7. Council Member Bucci was not present for roll call.

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“REQUEST TO BE CONTINUED IN SERVICE FOR ONE YEAR *CHIEF RICHARD DELGADO*, CRANSTON FIRE DEPARTMENT”

On motion by Council Vice-President McFarland, seconded by Councilman Barone, it was voted to approve the above request. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -7. Council Member Bucci was not present for roll call.

III. COUNCIL PRESIDENT COMMUNICATIONS

Council President Garabedian presented a letter dated March 27, 2006 from Municipal Court Judge Michael Napolitano giving his resignation effective April 14, 2006, since he will be a candidate for Mayor of the City. Council Vice-President McFarland asked that since there have been several people who have come forward with interest in this position, she recommends forming an advisory panel made up of two Council members from the majority party and one member from the minority party to review resumes and submit two names to the full City Council to be appointed for this position. Since the current Judge is resigning effective April 14, 2006, the Council should set a one-week time for resumes to be submitted to the Clerk’s Office and copies be forwarded to the Council members.

Councilman Barone stated that he is very surprised to get this letter with a two-week notice. He asked that the Judge be asked if he could extend his resignation due to the heavy schedule with the budget process coming up.

Councilman Livingston stated that per the Charter, the Probate Judge can fill in and the Probate Judge should be asked to fill in until a replacement is made.

Councilman Pisaturo stated that since the Municipal Court budget hearing is scheduled for April 18, 2006, he asked that a letter be sent to the Municipal Court Judge asking him to bring the Probate Judge up to speed on the Municipal Court budget, since the hearing for that department is scheduled after his resignation.

Councilman Fung questioned if the appointments to this Advisory Committee can be made at this time.

Council President Garabedian appointed Councilman Barone, Council Vice-President McFarland and himself to this Advisory Committee.

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“PROVIDENCE WATER SUPPLY BOARD PRESENTATION-SERVICE SHUT OFF FOR NON-COMPLIANCE WITH MANDATORY AMR METER INSTALLATION”

Ricky Caruolo and **Dennis Salema** of Providence Water Supply Board, appeared to speak. Mr. Caruolo stated that there are approximately 3300 accounts remaining to be connected. These property owners have been sent two notices in the past and a third notice will be sent out within the next two weeks giving them 20 days to schedule an appointment. If they do not schedule an appointment within that time period, water service will be shut off and there will be a \$64 shut off fee. This is regulated by the Public Utilities Commission and mandated by the PUC. He presented a sample of the notice that will be sent to the property owners. He stated that the reason he is before the City Council is to ask for any assistance the Council members can provide Providence Water Supply Board to help with any of their constituents to complete this conversion. The City of Cranston is 86% completed. It is no cost to the property owners to do the conversion. Providence Water is just asking to have access to the water meter.

Councilman Pisaturo stated that in reading the sample of the notice Mr. Caruolo presented, the PUC is not mandating that service be terminated, they are giving Providence Water Supply Board the option to terminate service. He finds this a callous and dangerous policy especially if the person is elderly or sick. He asked that Providence Water Supply Board not have a blanket policy that they try to find out why these people are not responding.

Council Vice-President McFarland asked who would get these notices if the person is a tenant. Mr. Caruolo stated that the notice will be sent to the responsible property owner.

Mr. Caruolo stated that a list of people who will be terminated will be sent to City Hall prior to termination. Council Vice-President McFarland asked that once this list is sent to the Administration, the Administration, forward it through e-mail, to the City Council members, so they can do their due diligence to try to approach the person in their ward regarding this. Councilman Fung suggested that Mr. Caruolo send this list the week prior to the termination date.

IV. COUNCIL MEMBER COMMUNICATIONS

“CLOSURE OF YOULDEN AVE.”

Councilman Livingston stated that this Ordinance was passed at the January Council meeting. Once it was advertised, he received a number of calls from constituents stating that they were not given notice. He presented a petition of people objecting to the closure of this street. There are members of the public in the audience who wish to speak on this issue at the proper time. Ms. Schutt stated that if the advertisement is deemed to have been improper, the Administration is willing to re-introduce this Ordinance and let it go through the process. Councilman Livingston asked that this Ordinance be re-advertised. City Clerk stated that the Solicitor’s opinion was that individual notices to the abutters was not required. Council President Garabedian allowed one member of the public to speak for the rest of the members in the audience. **Margaret McKenna**, 78 Perkins Ave., appeared to speak and stated that she and her neighbors were never notified that this was going to take place. Every resident on Perkins and every resident on Youlden is totally against this closure.

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“SCHOOL COMMITTEE RESOLUTION NO. 06-3-7 REGARDING NORWOOD AVE. SCHOOL”

Council Vice-President McFarland spoke regarding the School Department renaming of this School. She stated that as we went through Orchard Farms School, only the City Council can name a School facility by Resolution of the School Committee. She asked the City Clerk to forward correspondence to find out the intention of the naming of this facility, program or room within the facility.

Deb Salone, Executive Director of Cranston Alternate Education, appeared to speak and stated that she asked School Committee member, Debra Greifer, to introduce this as a Resolution. The plan is to place a plaque in the School and a sign outside the School. They do not want to change the name of the School, they want to add a line to it stating “Catherine M. Ciarlo Campus”. Council Vice-President McFarland asked that Ms. Salone send a letter along with the Resolution from the School Committee to the City Clerk, to be introduced at the next Council meeting.

Council Vice-President McFarland stated that there have been e-mails sent out regarding a situation at 103 Speck Ave. for minimum housing violation. There is a garage that is in very bad condition. She questioned when the City is going to follow-up and have this issue resolved. She presented pictures of this garage to the Administration and asked that this be addressed.

V. PUBLIC HEARINGS

Ralph Bozzi, owner of property on Lake St., appeared to ask questions regarding the Abandonment for Carlsbad St. He asked if this is on the docket for this evening. Council Vice-President McFarland stated that the Abandonment of Carlsbad St. has been continued in Committee to next month. Attorney for Taco appeared to speak and stated that letters were sent to everyone within the 400’ radius and a little beyond and Mr. Bozzi would have received this notice.

John Tancredi, property owner, appeared to speak regarding Ordinance 3S-06-1. He stated that his tenant has a business and parks in the street and if this Ordinance is passed, his tenant will lose parking and he cannot afford losing a tenant.

Richard Crowell, 27 Basil Crossing, appeared to represent residents who are in favor of Ordinance 1-06-16. He presented a 200-page binder to the Council members. He also presented a document from an expert, Suzanne Courtemanche and her resume.

Suzanne Courtemanche, President of Pine River Consulting, appeared to speak and gave her background experience. She stated that she was retained by Western Cranston Citizens Group Responsible for Zoning to look at a construction project in that area. She explained the difference between concrete and cement plant. She also explained the substances and products emitted from this type of plant. She stated that a concrete plant operation would be a hazard to the employees of the plant as well as the people in the immediate area. She suggested that the Ordinance should also state “concrete plant”.

Council Vice-President McFarland stated that an air emission policy is needed in the City and she is working with the Administration to do this to protect our neighborhoods.

Mark Tetreault, 7 Hummingbird Lane, Director and Treasurer and member of the Western Cranston Citizens Group Responsible for Zoning, appeared to speak. He stated that this organization challenged the Zoning Board and raised funds for legal representation.

Representative Carol Mumford appeared to represent District 41 in Cranston and Scituate and spoke in favor of Ordinance 1-06-16.

Representative James Davey, 19 Quail Ridge Rd., appeared to speak in favor of Ordinance 1-06-16. He stated that he lives in a district that has a concrete plant. Placing a plant at the proposed location, would create a hazardous condition to the people in the area. Noise is also a factor.

Scott Kendrow, 40 Hummingbird Lane, appeared to speak and stated that he has family and neighbors who are concerned about quality of life and long-term health issues associated with a concrete, asphalt or cement plant.

VI. DOCKETED RESOLUTIONS

“RESOLUTION DIRECTING THE LEGAL COUNSEL TO THE CITY COUNCIL TO BRING A MANDAMUS OR QUO WARRANTO PROCEEDING AGAINST THE MAYOR OR TO SEEK A DECLARATORY JUDGMENT ON BEHALF OF THE CITY COUNCIL AS TO ORDINANCE NO. 2006-15”

On motion by Councilman Livingston, seconded by Council Vice President McFarland, the above Resolution was adopted on a vote of 6-2. The following being recorded as voting “aye”: Councilmen Pisaturo, Livingston, Council Member Fogarty, Council Member Bucci, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting “nay”: Councilmen Fung and Barone -2.

“RESOLUTION AMENDING THE COMPOSITION OF THE STUDY SUB-COMMITTEE TO STUDY THE DRAINAGE AND FLOOD ISSUES IN THE CITY OF CRANSTON”

Council President Garabedian explained that this Resolution is to amend the composition of this Committee. He has spoken to the Town of Johnston regarding the need, especially as to the Pocasset River. The Committee will undertake a study on how to mitigate the problems with this River.

Councilman Livingston motioned to adopt the above Resolution. Council Member Fogarty seconded the motion.

Under Discussion:

Councilman Barone stated that he will be voting in opposition. There have been committees formed in the past, which have cost the City monies and nothing has ever been resolved. He also feels there is a conflict with the public members named, as two of the three residents have claims pending against the City and he feels they would not be able to be impartial. Councilman Barone stated that he feels that we need to look at the results of prior studies and their reports.

Council President Garabedian stated that the Committee will be making a recommendation. It is not unusual to have stakeholders involved; this brings everyone to the table. He also stated that he will be appointing Council Member Bucci, Councilmen Lanni and Fung to this Committee.

Roll call was taken on motion to adopt and motion passed on a vote of 6-2. The following being recorded as voting “aye”: Councilmen Pisaturo, Livingston, Council Member Fogarty, Council Member Bucci, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting “nay”: Councilmen Fung and Barone -2.

“RESOLUTION REQUESTING THE CREATION OF AN AFFORDABLE HOUSING COMMISSION IN THE CITY OF CRANSTON TO FOCUS ON ITS GROWING NEEDS”

Councilman Barone motioned to adopt the above Resolution. Council Member Fogarty seconded the motion.

Under Discussion:

Council Vice President McFarland stated that she will be introducing an Ordinance next month forming this Commission. She feels that the City needs to be proactive in this area. Cranston currently has a five percent affordable housing requirement, this will be increasing to ten percent.

Roll call was taken on motion to adopt and motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

VII. REPORT OF COMMITTEES

**COMMITTEE ON ORDINANCE
(Paula McFarland, Chair)**

11-05-2 “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘MISCELLANEOUS TRAFFIC REGULATIONS’ (Minibikes)”

Councilman Livingston motioned to adopt the above Ordinance. Council Member Bucci seconded the motion.

Under discussion:

Councilman Barone stated that he will be voting in opposition. He agrees that there is an issue, but feels there is a problem with this particular Ordinance. He stated that he does not want to be part of a body that regulates what you can and cannot do on private property. He would recommend tweaking the current noise Ordinance and asked the sponsor if he would reconsider. Council Vice-President McFarland stated that she is looking at amending the noise Ordinance. but most importantly, public safety cannot be compromised. Councilman Livingston and the Police are working with the Solicitor to amend the noise Ordinance.

Roll call was taken on motion to adopt and motion passed on a vote of 7-1. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting “nay”: Councilman Barone -1.

1-06-2 “ORDINANCE AUTHORIZING THE PURCHASING AGENT TO SELL PROPERTY LOCATED AT OAKLAWN AVE.”

On motion by Councilman Livingston, seconded by Councilman Barone, the above Ordinance was adopted on a vote of 7-1. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting “nay”: Councilman Barone -1.

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1-06-16 “ORDINANCE AMENDING TITLE 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (SCHEDULE OF USES)”

Councilman Pisaturo motioned to adopt the above Ordinance. Councilman Livingston seconded the motion..

Under discussion:

Councilman Fung stated that based on the testimony presented, there is a need to amend the Ordinance to include “concrete”. Council President Garabedian suggested that the Council pass this Ordinance and it can be amended later to include “concrete”. Councilman Fung stated that he abstained in Committee in order to have ample time to review the materials that have been provided by Attorney Crowell. After reviewing those materials, he is satisfied that there is sufficient evidence before the Council that these types of plants would have a negative impact in terms of emissions; hazardous materials that could carry air borne toxins. In reviewing the materials, he found there were sufficient fact sheets and studies that substantiate air borne inhalations of hazardous materials, particularly – crystetline silica. There is the issue of the proximity of Orchard Farms Elementary School; contaminants from runoff; use of intensive fuel; and the overall basic intrusive nature of these types of facilities, the noise, which is a separate report, as well as traffic flow. Council Member Fogarty asked, as one of the original sponsors, that the Council approve this Ordinance. She has also reviewed the materials and feels there is sufficient evidence to support the need. Council President Garabedian referred to the legal opinion. Section 17.36.10 Industrial Uses refers to an Industrial Performance Commission, and it could be argued that safety guards are already in place; however, this Commission has never been appointed nor existed since the Ordinance was composed.

Roll call was taken on motion to adopt and motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

2-06-2 “ORDINANCE IN AMENDMENT OF CHAPTER 9 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘OFFENSES PERTAINING TO PROPERTY’ (Damage to Trees)”

On motion by Council Member Bucci, seconded by Councilman Barone, the above Ordinance was adopted on a vote of 7-1. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting “nay”: Councilman Livingston - 1.

2-06-6 “ORDINANCE AUTHORIZING THE PURCHASING AGENT TO LEASE A PORTION OF ORCHARD FARMS SCHOOL”

On motion by Councilman Barone, seconded by Councilman Pisaturo, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

**COMMITTEE ON FINANCE
(Cynthia M. Fogarty, Chair)**

“RESOLUTION AUTHORIZING REAL ESTATE/TANGIBLE TAX ABATEMENTS”

On motion by Councilman Barone, seconded by Councilman Pisaturo, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

“RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS”

On motion by Councilman Barone, seconded by Council Vice-President McFarland, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

“TAX INTEREST WAIVER LIST”

On motion by Councilman Barone, seconded by Council Vice-President McFarland, the above Tax Interest Waiver List was approved on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

“RECOMMENDATION AND APPROVAL OF KOSTIN RUFFKESS FOR CITY AUDITORS”

On motion by Councilman Pisaturo, seconded by Councilman Barone, it was voted to approve the selection of Kostin Ruffkess as the City Auditors. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -7. Councilman Livingston was not present for roll call vote.

1-06-6 “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2005 AND ENDING JUNE 30, 2006 (Salary Schedule Teamsters CBA)”

On motion by Councilman Fung, seconded by Councilman Barone, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -7. Councilman Livingston was not present for roll call vote.

1-06-10 “ORDINANCE ESTABLISHING STANDARD OPERATING PROCEDURES WITHIN THE FINANCE DEPARTMENT (Comprehensive Financial Annual Reports)”

On motion by Councilman Fung, seconded by Councilman Barone, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -7. Councilman Livingston was not present for roll call vote.

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1-06-11 “ORDINANCE ESTABLISHING STANDARD OPERATING PROCEDURES WITHIN THE FINANCE DEPARTMENT (Rating Agency Reports)”

On motion by Councilman Fung, seconded by Council Vice-President McFarland, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

2S-06-2 “ORDINANCE IN AMENDMENT OF TITLE 3 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘REVENUE AND FINANCE’ (Homestead Exemptions)”

On motion by Council Vice-President McFarland, seconded by Councilman Pisaturo, the above Ordinance was tabled on a vote of 7-1. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting “nay”: Councilman Livingston - 1.

2-06-5 “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2005 AND ENDING JUNE 30, 2006 (Salary Schedule-Laborer’s)”

On motion by Councilman Pisaturo, seconded by Council Member Bucci, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

3S-06-3 “ORDINANCE AUTHORIZING THE CITY TO UTILIZE CRANSTON IMPACT FEES FOR THE ACQUISITION OF ADDITIONAL MODULAR ICE RINK FACILITY (Use of Impact Fee Revenue for Acquisition of Modular Ice Rink Facility)”

Council Vice President McFarland motioned to adopt the above Ordinance. Councilman Barone seconded the motion.

Under Discussion:

Council Vice President McFarland stated that it is important to move forward with this for the future. Councilman Fung stated that he also is in support, and has received numerous complaints regarding the need for a second sheet of ice.

Roll call was taken on motion to adopt and motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

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

**2-06-1 “ORDINANCE IN AMENDMENT OF CHAPTER 12.04 OF THE
CODE OF THE CITY OF CRANSTON, 2005, ENTITLED
‘STREETS, SIDEWALKS AND PUBLIC PLACES (Discharges to
City Streets)’”**

On motion by Councilman Fung, seconded by Councilman Barone, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

**“RESOLUTION AUTHORIZING THE ABANDONMENT OF JOHN HAZEN
WHITE SR. WAY”**

On motion by Council Vice-President McFarland, seconded by Councilman Barone, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

**“RESOLUTION INSTITUTING PROCEEDINGS FOR THE ABANDONMENT
OF A PORTION OF BURTON ST.”**

On motion by Councilman Barone, seconded by Councilman Fung, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

**“RESOLUTION INSTITUTING PROCEEDINGS FOR THE ABANDONMENT
OF RICHFIELD AVENUE”**

On motion by Councilman Barone, seconded by Councilman Fung, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

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

**2-06-4 “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE
OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR
VEHICLES AND TRAFFIC’, ‘THROUGH TRUCKING-
PROHIBITED ON CERTAIN STREETS’ (Peveril Rd.)”**

On motion by Councilman Barone, seconded by Councilman Fung, the above Ordinance was adopted on a vote of 8-0. On motion by Council Vice-President McFarland, seconded by Councilman Barone, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -8.

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3S-06-1 “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘NO PARKING ON CERTAIN STREETS’ (Field St.)”

On motion by Councilman Barone, seconded by Councilman Fung, the above Resolution was adopted on a vote of 7-1. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Barone and Council President Garabedian -7. The following being recorded as voting “nay”: Council Vice-President McFarland -1.

3S-06-2 “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘STOPPING, STANDING AND PARKING ON CERTAIN STREETS’ (Field St., Cranston St. and Carlsbad St.)”

On motion by Councilman Barone, seconded by Councilman Fung, the above Resolution was adopted on a vote of 6-2. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting “nay”: Councilman Pisaturo and Council Member Fogarty -2.

VIII. ELECTION OF CITY OFFICIALS

“PERSONNEL APPEAL BOARD”

“TAX ASSESSMENT BOARD OF REVIEW – (Cont. from 2/27/2006)”

No action

IX. REPORT OF CITY OFFICERS

No business.

IXA. OLD BUSINESS

1-06-2 “ORDINANCE AUTHORIZING THE PURCHASING AGENT TO SELL PROPERTY LOCATED AT OAKLAWN AVE. (Chateau Chatillion Apartments)”

Vote on this Ordinance was taken earlier on the docket, under Committee on Ordinances.

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X. INTRODUCTION OF NEW BUSINESS

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

On motion by Council Vice President McFarland , seconded by Councilman Barone, it was voted that the 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, Livingston, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -7. Council Member Fogarty was not present for roll call vote.

- 3-06-1 Ordinance in amendment of Chapter 12 of the Code of the City of Cranston, 2005, entitled “Parks and Recreational Facilities” (Use of City owned recreational facilities). PUBLIC WORKS COMMITTEE 4/13/2006.
- 3-06-2 Ordinance amending the 2006 Budget (Public Works Dir. And Tax Assessor). FINANCE COMMITTEE 4/13/2006.
- 3-06-3 Ordinance amending Chapter 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic”, “One Way Traffic on Certain Streets” (Dean St.). ORDINANCE COMMITTEE 4/13/2006.
- 3-06-4 Ordinance amending Chapter 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Youlden Ave. Repeal). ORDINANCE COMMITTEE 4/13/2006.
- 3-06-5 Ordinance in amendment of Chapter 30 of the Code of the City of Cranston, 2005, entitled “Zoning” (Change of Zone-Phenix Ave.). ORDINANCE COMMITTEE 5/11/2006.

National Grid request dated March 3, 2006 for Joint Pole at Mohawk Trail and request dated March 21, 2006 for Oaklawn & P2 Cottrell.

Councilman Pisaturo motioned not to accept this request. Council Member Fogarty seconded the motion.

Under Discussion:

A question was asked of the Legal Counsel, Pat Quinlan, as to whether the Council could refuse to accept this request. Mr. Quinlan stated that the only thing the Council can't accept is a report.

Roll call was taken on motion to not accept this request and motion failed on a vote of 2-5. The following being recorded as voting “aye”: Councilman Pisaturo and Council Member Fogarty -2. The following being recorded as voting “nay”: Councilmen Fung, Livingston, Barone, Council Vice-President McFarland and Council President Garabedian -5. Council Member Bucci was not present for roll call vote.

On motion by Councilman Fung, seconded by Council Vice-President McFarland, it was voted to refer this request to the Public Works Committee. Motion passed on a vote of 5-2. The following being recorded as voting “aye”: Councilmen Fung, Livingston, Barone, Council Vice-President McFarland and Council President Garabedian -5. The following being recorded as voting “nay”: Councilman Pisaturo and Council Member Fogarty -2. Council Member Bucci was not present for roll call vote.

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Claims of:

Nationwide Subrogation claim - Daniel and Francesca Piscione
Michael Deffley
Nationwide Subrogation claim - Virginia Paquette
Melinda S. Smolenski
Peter Germani

On motion by Councilman Fung, seconded by Council Vice-President McFarland, it was voted to refer the above Claims to Claims Committee. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -7. Council Member Bucci was not present for roll call vote.

XI. MISCELLANEOUS BUSINESS ON CLERK'S DESK

"ADDENDUM TO THE TEAMSTER'S CONTRACT RATIFIED 12/19/2006"

No action

"Ordinance no. 2006-15 Amending the Budget for the Fiscal Year Commencing July 1, 2005 and Ending June 30, 2006 (State Revenue Sharing Appropriation) "

No action, this matter was addressed under Resolutions.

XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS

Councilman Livingston spoke regarding proposed Ordinance 2S-06-2 (Homestead Exemptions) and stated that taxation is a problem, the leadership did a disservice to the public by stifling debate on parliamentary procedure and he is not proud of the action taken by the Council tonight. Council Vice-President McFarland stated that a motion to table had been made, and there is no discussion. The Solicitor is removing his opinion. We can't have two types of exemptions, we have a Tax Classification. The Ordinance was tabled so the Solicitor could bring forth to the Council his revised opinion.

Council President Garabedian stated that everyone is in favor of residential property relief. Previously, the City had the Homestead and now incorporated into the Tax Classification system. The problem is that the public is not aware of it. Councilman Livingston stated that there is an overabundance of houses on the market in Cranston and that taxpayers are fleeing. Councilman Fung stated that he lived through the process of creating the Tax Classification system and we need to work off that system. The Homestead relief was not eliminated, but built into the classification system. He also feels that you can't undo that system without going back to the Legislature.

Councilman Pisaturo raised a point of order, in that the Council has not done "Miscellaneous Business".

Councilman Livingston reiterated the need to get tax relief to the taxpayers. Council Member Fogarty indicated that Councilman Livingston, in Committee, had recognized the need to redraft this proposed Ordinance. Councilman Livingston stated that after further review, he felt it did not need to be redrafted or amended.

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Richard T. Gray, Sr., Ward 1 Committeeman, appeared to speak regarding the need for additional police presence in the Edgewood area. He stated that there are only six officers on duty in the entire City between the hours of 11 p.m. to 6 a.m. There was recently an incident at a Warwick Club which pulled our officers out of the City. There is a serious problem in Edgewood with drug dealers, and two ladies of the night who have aids and are serving guys behind the bushes. He stated there is a need for bike patrolman. Providence has waling police. He stated his car has been robbed and that there were ten robberies during the Warwick incident. He asked the Council to find funding for bike patrolman in the area. Council President Garabedian asked Mr. Gray to attend the budget finance department hearing on the Police Department and to address the assignment issue. Council Vice-President McFarland stated that the Community Police should be utilized and that Mr. Gray should call the Colonel regarding the need for Community Police in that area. They have bicycles and have a flexible schedule to be able to work day or night depending on the community needs.

The meeting adjourned at 10:52 P.M.

Maria Medeiros Wall
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Tracy Sheperd, Stenotypist).