

## REGULAR MEETING – CITY COUNCIL

**-MARCH 28, 2005-**

Regular meeting of the City Council was held on Monday, March 28, 2005 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:05 P.M. by the Council President.

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

Absent: Council Member Bucci -1.

Also Present: Paul Grimes, Director of Administration; Robin Muksian-Schutt, Deputy Director of Administration; Michael Glucksman, City Solicitor; Evan Kirshenbaum, Assistant City Solicitor; Pat Quinlan, City Council Legal Counsel; 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**

#### **“CITATION FOR CHANDI ZEOLI, CRANSTON COMMUNITY YOUTH CENTER REPRESENTATIVE.”**

Council Vice-President McFarland presented Citation to Ms. Zeoli.

#### **“CITATIONS RECOGNIZING THE NEWLY APPOINTED POLICE OFFICERS TO THE CRANSTON POLICE DEPARTMENT: DARYL FISH, ROBERT SKODRAS, MATTHEW JOSEFSON, DERIK BRAGA, ROBERT LOBIANCO, JONATHAN NELSON, SALVADOR SANCHEZ.”**

City Clerk read the Citations and they were handed to Major Blackmar to be given to the Officers at roll call.

#### **“CITATION FOR KEVIN ANTONUCCI, PROMOTED TO SERGEANT, CRANSTON POLICE DEPARTMENT.”**

City Clerk read the Citation and given to Major Blackmar to be given to the Officer at roll call.

#### **“CITATION FOR TODD PATALANO, PROMOTED TO LIEUTENANT, CRANSTON POLICE DEPARTMENT.”**

City Clerk read the Citation and given to Major Blackmar to be given to the Officer at roll call.

#### **“CITATION FOR PAUL MEDEIROS, PROMOTED TO SERGEANT, CRANSTON POLICE DEPARTMENT.”**

City Clerk read the Citation and given to Major Blackmar to be given to the Officer at roll call.

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**II. EXECUTIVE COMMUNICATIONS**

**“REQUEST TO BE PLACED ON PENSION, RONALD JACOB, CRANSTON POLICE DEPARTMENT”:**

Ms. Schutt appeared to speak.

On motion by Councilman Pisaturo, seconded by Councilman Lanni, it was voted to approve this request. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8.

**“ADVISE AND CONSENT OF APPOINTMENT OF STEVEN J. PILZ TO THE CONSERVATION COMMISSION.”**

Ms. Schutt appeared to speak.

Marie Sweet, Chair of Conservation Commission, appeared to speak in favor of this appointment.

On motion by Councilman Fung, seconded by Councilman Barone, it was voted to approve this request. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8.

**III. COUNCIL PRESIDENT COMMUNICATIONS**

- ***Financial Up date***

Council President Garabedian asked for financials update. Mr. Igoe stated the following: As of the end of February, \$150,374,346 has been collected; \$137,736,973 has been expended; cash position of \$10,922,517. The only areas of concern were noted in the report that was previously provided to the Council.

Council President Garabedian addressed the following issues that concern him: in today’s paper, the City advertised for invitations to bid on Crossing Guards. He also addressed the issue of continued promotion of having Economic Development Manager. He stated that this position was not authorized by the Council and the salary not appropriated. At the last meeting, the Council made it very clear that the City needs an Economic Development Director.

Council Vice-President McFarland asked the City Clerk to send a letter to the Parks and Recreation Director in regards to the Advisory Board as to the fields and who is going to handle them and what the policy and procedures are as to the coaches, assistant coaches and members having access to the fields.

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#### **IV. COUNCIL MEMBER COMMUNICATIONS**

##### **“COUNCIL VICE-PRESIDENT MCFARLAND – UPDATE ON STATUS OF MINIMUM HOUSING VIOLATIONS.”**

Council Vice-President McFarland stated that the Building Inspector’s Office has always provided a list of violation to the Council members to make them aware of what violations were issued in their particular Ward. She has always received this list up until the last few months and this became a concern. Mr. Glucksman explained the process of Minimum Housing violations. He stated that once a complaint comes forward, a 30-day notice goes out to the property owner, if there is no action by the property owner, this would go to Municipal Court. The first date set would be for an arraignment where the property owner would plead guilty or not guilty. The Court would issue a control date anywhere from two to three weeks. At that time, an employee from the Building Inspector’s Office would go out to the property and check if this violation has been corrected and if it is not, another violation would be issued. Most of the time, the violation is corrected.

Council Vice-President McFarland asked if the City is referring people to housing agencies that would give funding or low interest loans. Mr. Glucksman stated, yes. Council Vice-President McFarland asked if the Council will start getting the updates as they were getting before. Kerry Anderson, Building Inspector, appeared to speak and stated that this can be done, even though it is a lot more work. He stated that his office does not have the computer power to do that, but at this time, they can do whatever they can with what they have and they will get the IT Department involved. Discussion took place on the possibility of having the Municipal Court provide this information to the Council.

Council Vice-President McFarland stated that in the past, there was a Technical Advisory Committee created and she asked that this Committee be re-activated and questioned if this can be done by Ordinance or Resolution. Mr. Glucksman stated that since there is an Ordinance on the books, which is dormant, a Resolution could be passed re-activating that Committee. Council Vice-President McFarland asked that the City Clerk look at the Code and draft a Resolution for next month’s Council meeting re-activating the Technical Advisory Committee.

On motion by Council Vice-President McFarland, seconded by Councilman Pisaturo, it was voted to direct the Municipal Court to forward list of all Minimum Housing Violations to the members of the City Council. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8.

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## **V. PUBLIC HEARINGS**

**Tom Ricci**, 75 Knight St., appeared to speak regarding “Resolution Recommending That The Mayor, In Proposing The City Budget For Fiscal Year Ending 2006, Take All Steps Necessary To Freeze Property Taxes At The Current Rate.” He suggested revising the Homestead Act, which would be more beneficial to the taxpayers of the City. He also spoke regarding Ordinance 2-05-2 and stated that the Charter covers the items stated in this Ordinance.

**Jeff St. Germain**, 2166 Broad St., appeared to speak in favor of Ordinance 2-05-1 and asked for clarification on the “grease”.

**Connie Agnew**, 2180 Broad St., owner of Lindsey Market on Broad St., appeared to speak regarding Ordinance 2-05-1 and stated that she is very concerned with the grease trap requirement.

**John Mancini, Esq.**, appeared to represent property owners of 176 Terrace Ave. and to speak in favor of Ordinance 2-05-6.

**Albert Benetti**, 24 Concord Ave., appeared to speak in favor of “Resolution In Support Of Taxpayers’ Relief Act Of 2005.” He also spoke regarding “Resolution Recommending That The Mayor, In Proposing The City Budget For Fiscal Year Ending 2006, Take All Steps Necessary To Freeze Property Taxes At The Current Rate.” He stated that as to the \$16 million surplus, the Council and the Administration should come to an agreement on. He is not in favor of this Resolution, instead he suggested having a Resolution for a tax break. Mr. Benetti also spoke regarding Ordinance 2-05-2 and stated that he does not agree with this Ordinance because at this time, the Council has the power to ratify or deny a contract. The Council also has their Internal Auditor and their legal counsel for input and guidance. The Council really does not have to be in the negotiations.

**Catherine Chiulli** appeared to speak regarding “Resolution Supporting Tax Exempt Status For The Cranston Street Hockey League” and applauded the Council for bringing this Resolution up to be passed.

**John DeGenova** appeared to speak regarding “Resolution In Support Of Taxpayers’ Relief Act Of 2005.” He stated that this is misleading and the staff report has approximately 12-14 flaws in it. He stated that this is a bill in its infancy. He suggested that the Council table this Resolution and review the Act further before taking any action on it.

**Michael DeFelice**, 70 Grantland Rd., Vice-President of Cranston Street Hockey League, appeared to speak in favor of “Resolution Supporting Tax Exempt Status For The Cranston Street Hockey League.”

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**VI. DOCKETED RESOLUTIONS**

**“RESOLUTION RECOMMENDING THAT THE MAYOR, IN PROPOSING THE CITY BUDGET FOR FISCAL YEAR ENDING 2006, TAKE ALL STEPS NECESSARY TO FREEZE PROPERTY TAXES AT THE CURRENT RATE”**

Council President Garabedian stated that he was sponsoring this Resolution. Councilman Lanni stated that the tax freeze is a way of giving the taxpayers back something for the three tax increases that they incurred. Council Member Fogarty and Councilman Livingston spoke in favor of this Resolution. Councilman Fung stated that this is premature. He stated that we have still not seen the Budget for 2005. We need to see what our projected revenue will be and the projected tax rate. He stated that he does support the overall concept, but this is premature until we see all the numbers. Councilman Pisaturo stated that he feels that we have done enough analysis to make a cautious and prudent observation that we do not need a tax increase this year. Council Vice-President McFarland stated that she is in favor of this Resolution and she also stressed that this is just a Resolution, it is not directing anyone to do anything. The following needs to be looked at to make sure that taxpayers will continue to have a healthy reserve: 1) consolidation of positions, if possible; 2) homestead owner-occupied properties and 3) abolishing positions.

On motion by Councilman Livingston, seconded by Councilman Lanni, 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, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian –8.

**“RESOLUTION LOAN ORDER AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF CRANSTON”**

Mr. Grimes appeared to speak. Council Vice-President McFarland questioned the process of refunding bonds. Mr. Woerner stated that State Law is very specific of what process has to be followed in refunding bonds need to state the net savings. What would be prudent is to delay a week and obtain a debt service schedule from Southwest certifying the debt savings and hold a special Council meeting to approve this Resolution.

On motion by Council Vice-President McFarland, seconded by Council Member Fogarty, it was voted to delay the adoption of this Resolution until April 6, 2005 at 6:30 P.M. at the Special Council meeting. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian –8.

**“RESOLUTION SUPPORTING TAX EXEMPT STATUS FOR THE CRANSTON STREET HOCKEY LEAGUE, INC.”**

On motion by Council Vice-President McFarland, 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, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian –8.

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**VI. DOCKETED RESOLUTIONS (Cont.)**

**“RESOLUTION IN SUPPORT OF TAXPAYERS’ RELIEF ACT OF 2005.”**

On motion by Councilman Pisaturo, seconded by Council Vice-President McFarland, it was voted to continue this Resolution and hold a Special Finance Committee meeting and have Representative Davey present to answer questions regarding this bill.

Under Discussion:

Councilmen Fung and Barone urged passage of this Resolution. Mr. Grimes also urged passage. He stated that this Act would require City Council to ratify collective bargaining agreements the School Committee negotiates. This Act would also bring in line for municipal employees what is required for federal employees as to medical co-pays.

Councilman Livingston suggested amending this Resolution by adding: “Now Therefore be it resolved that the City Council urges the State legislature to hold hearings to determine whether or not they find any tax savings”.

Council Member Fogarty stated that she has several areas of concerns, such as on page 5 of the Act, there is a discrepancy retirement requirements. She stated that she supports reforms on all level, particularly this legislation, but she has other concerns. She stated that the bill does not address drug abuse and alcoholism, it addresses just smoking, which employees would be charged a surcharge. The bill mentions employers, but does not specify who the employer is. She stated that all the other bills out there in the House and Senate need to be looked at. This legislation needs work and needs to be defined.

Councilman Pisaturo suggested placing this bill on the agenda for the special Finance Committee meeting on April 6 and have Representative Davey present at that meeting to explain this bill. Council Member Fogarty stated that she has three pages of questions regarding this bill and there should be a special meeting just for this item. Council Vice-President McFarland stated that there are a ton of bills that we have not seen yet that address all 24 items and we should send this back to the State and once we get all the rest of the bills, then we can have a special meeting on them all.

Motion and second were withdrawn.

On motion by Councilman Lanni, seconded by Councilman Pisaturo, it was voted to refer this Resolution to a Special Finance Committee meeting to be determined by the Finance Chair. Motion passed on a vote of 6-2. The following being recorded as voting “aye”: Councilmen Pisaturo, Livingston, Council Member Fogarty, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting “nay”: Councilmen Fung and Barone -2.

**“RESOLUTION AUTHORIZING A LOAN FROM THE GENERAL FUND TO THE RECREATION CAPITAL FUND”**

Mr. Kirshenbaum stated that the question is whether or not you can amend or re-appropriate the Capital Budget once it is set. That is the question he is not sure. He suggests looking at Section 6.17 and in talking to the City Planner, Mr. Flynn and the Director of Parks and Recreation, Mr. Clarkin, the second part of that Ordinance may prove to be true.

On motion by Council Member Fogarty, seconded by Council Vice-President McFarland, it was voted to move this Resolution to the next Council meeting in April.

Council President Garabedian stated that this Resolution will be withdrawn so the Mayor can come back next month with more information on this.

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**VI. DOCKETED RESOLUTIONS (Cont.)**

**“RESOLUTION IN OPPOSITION TO SENATE BILL S0081 RELATING TO BUSINESSES AND PROFESSIONS-SUNDAY SALES LICENSES”**

On motion by Councilman Lanni, seconded by Councilman Livingston, the above Resolution was denied on a vote of 3-4 with 1 abstention. The following being recorded as voting “aye”: Councilmen Pisaturo, Livingston and Lanni -3. The following being recorded as voting “nay”: Councilman Fung, Council Member Fogarty, Councilman Barone and Council Vice-President McFarland -4. Council President Garabedian abstained.

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

**2-05-1 “ORDINANCE IN AMENDMENT OF CHAPTER 13 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘PUBLIC SERVICES’ (Sewer Service System-Grease Interceptor)”**

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, it was voted to amend the above Ordinance as follows: at the end of the Ordinance add another sentence to read “The Director of Public Works shall be responsible for the enforcement of this Ordinance”. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8.

On motion by Council Vice-President McFarland, seconded by Councilman Pisaturo, it was voted to re-advertise this Ordinance with amendment for the April 11<sup>th</sup> Council meeting. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8.

**2-05-2 “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ADMINISTRATION AND PERSONNEL’ (Negotiations Joint Committee).”**

Discussion took place on Ordinances amended in Committee and passed at the following Council meeting.

Mr. Quinlan stated that Mr. Kirshenbaum’s position as to Ordinances that are amended, is there is a requirement of 14 days before final passage pursuant to the Charter. Council Vice-President McFarland stated that at the Ordinance Committee meeting, she asked that we have written documentation giving the Council a directive from the Solicitor’s Office because we would have to go back to previous Ordinances and use that procedure going forward.

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**VII. REPORT OF COMMITTEES (Cont.)  
COMMITTEE ON ORDINANCE**

Mr. Kirshenbaum stated that upon consultation with Mr. Quinlan, he does not see a way around the 14 day rule as amended. He also addressed Section 3.12 of the Charter and stated that there is a plausible argument to be made. This is the basis for his ruling. He understands that prior Solicitors did not rule on this issue, but his opinion is to abide by the 14 day rule to eliminate a challenge. The Charter does state that the 14 day rule can be waived for emergency Ordinances. City Clerk asked a procedural question as to when the 14 day triggers with regards to an amendment. Council Vice-President McFarland stated that prior Council President Pastore felt that if amendments were minor in nature, it could be voted on at the next Council meeting. Mr. Kirshenbaum stated that he does not feel that the amendments in this Ordinance are minor. Councilman Lanni stated that if there was a typo or housekeeping error in an Ordinance, and it was challenged, he asked if the Court would not say this was a minor change and it did not apply to the 14 day rule. He questioned, doesn't the 14 day rule apply to everything. Mr. Kirshenbaum stated, no, if it is a typo or just a housekeeping error, it probably would not be challenged. Council Member Fogarty asked when the 14<sup>th</sup> day would start. Mr. Kirshenbaum stated it would start the day after it was amended.

On motion by Council Vice-President McFarland, seconded by Councilman Lanni, it was voted to reconsider this Ordinance with the amendments and refer it to the April 6 meeting at 6:15 P.M. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian –8.

On motion by Council Vice-President McFarland, seconded by Councilman Lanni, it was voted to refer this Ordinance to the April 6th Special Council meeting at 6:00 P.M. to comply with required fourteen days for the March 17<sup>th</sup> amendments. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian –8.

**2-05-3           “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE  
OF THE CITY OF CRANSTON, 2005, ENTITLED  
'ADMINISTRATION AND PERSONNEL' (City Council Office)”**

On motion by Council Vice-President McFarland, seconded by Councilman Lanni, the above Ordinance was referred to the April 6 Special Council meeting to comply with required fourteen days since amended on March 17. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian –8.

**2-05-6           “ORDINANCE IN AUTHORIZING THE DIRECTOR OF PUBLIC  
WORKS TO ENTER INTO AN EASEMENT AGREEMENT  
RELATING TO A PORTION OF TERRACE AVENUE”**

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



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**VII. REPORT OF COMMITTEES  
ORDINANCE COMMITTEE (Cont.)**

**2-05-13           “ORDINANCE IN AMENDMENT OF CHAPTER 10 OF THE  
CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR  
VEHICLES AND TRAFFIC’ (AMFLEX DR. AND SAILOR WAY)”**

On motion by Council Vice-President 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 Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian –8.

**COMMITTEE ON FINANCE**

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

On motion by Council Member Fogarty, 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, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian –8.

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

On motion by Council Member Fogarty, seconded by Councilman Livingston, 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, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian –8.

**“TAX INTEREST WAIVER LIST”**

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

**VIII. ELECTION OF CITY OFFICIALS**

**“TAX ASSESSMENT BOARD OF REVIEW”**

On motion by Council Member Fogarty, seconded by Councilman Lanni, it was voted to re-appoint **RORY BUDLONG** to the ***Tax Assessment Board of Review***. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilman Lanni and Council President Garabedian -6. The following members abstained: Councilman Barone and Council Vice-President McFarland.

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On motion by Council Member Fogarty, seconded by Councilman Livingston, it was voted to re-appoint **ROBERT HAROOTUNIAN** to the ***Tax Assessment Board of Review***. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8.

### **VIII. ELECTION OF CITY OFFICIALS (Cont.)**

#### **“REMOVAL HEARING OF FREDERIC CLIFFORD FROM THE BUILDING APPEALS BOARD”**

Mr. Quinlan stated that he will leave the meeting since Mr. Clifford is a client of his.

Council President asked if Mr. Clifford was present. Mr. Clifford was not present.

Mr. Kirshenbaum gave composition of the Building Appeals Board and stated that there is no Architect on this board, as required. He stated that to stay within the Charter, there needs to be an Architect appointed. Mr. Clifford has done a great job and since he was the last member appointed to this board, he would need to be removed. He was served 10 days prior to this meeting and he has not heard from him. Council Vice-President McFarland asked to keep Mr. Clifford in mind if an opening becomes available on another board or commission.

On motion by Councilman Livingston, seconded by Councilman Fung, it was voted to remove Mr. Clifford as a member of the Building Appeals Board. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8.

### **IX. REPORT OF CITY OFFICERS**

No Business.

### **X. INTRODUCTION OF NEW BUSINESS**

On motion by Council Vice-President McFarland, seconded by Council Member Fogarty, it was voted to suspend the Council Rules, since an Ordinance was presented for introduction beyond the deadline. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8.

On motion by Councilwoman McFarland, seconded by Councilman Fung, the following introduced Ordinance be advertised for hearing before the Ordinance Committee on THURSDAY, April 14, 2005 at 7 PM pursuant to Sec. 3.12 of the Charter. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -8.

## **-MARCH 28, 2005-**

- 3-05-1 Ordinance authorizing the borrowing of \$170,000.00 from the City of Cranston General Fund for various Recreation Capital Improvement Projects. FINANCE COMMITTEE 4/14/2005 and ORDINANCE COMMITTEE 4/14/2005.

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

#### **“REPORT FROM ASSISTANT SOLICITOR KIRSHENBAUM REGARDING FRED JOSLYN ZONING ISSUE AT 15 GAGLIONE COURT”**

Mr. Kirshenbaum stated that he does not have an update at this time. He tried to contact Attorney Sciolto after the last Council meeting, but he was out sick. He will call him again to discuss this issue with him. A summons was issued to the individual at 15 Gaglione Court and does not know if there is a disposition at this time, but he will check tomorrow.

#### **1-05-1 “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ADMINISTRATION AND PERSONNEL’ (Duties of Law Dept. – Endorsement of Ordinances).”**

On motion by Councilman Pisaturo, seconded by Councilman Lanni, it was voted to override the Mayor's Veto and adopt this Ordinance pursuant to Section 3.14 of the Charter. Motion passed on a vote of 6-2. The following being recorded as voting “aye”: Councilmen Pisaturo, Livingston, Council Member Fogarty, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting “nay”: Councilmen Fung and Barone -2.

#### **1-05-6 “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ADMINISTRATION AND PERSONNEL’ (Department Head Nominees).”**

On motion by Council Vice-President McFarland, seconded by Councilman Lanni, it was voted to override the Mayor's Veto and adopt this Ordinance pursuant to Section 3.14 of the Charter. Motion passed on a vote of 6-2. The following being recorded as voting “aye”: Councilmen Pisaturo, Livingston, Council Member Fogarty, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -6. The following being recorded as voting “nay”: Councilmen Fung and Barone -2.

### **XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS**

**Valerie Chiulli**, appeared to speak regarding the parking issue in the City Hall lot. She stated that she received a parking ticket last week, which she paid. She works 9:45 A.M. to 12:45 P.M. at the School Department and makes \$8.00 per hour, which the ticket was a day's pay. She stated that by the time she arrives to work, she has a hard time finding parking. She asked that the parking problem be resolved.

**Richard Tomlins**, 400 Farmington Ave., appeared to speak regarding Resolution regarding tax freeze. He also spoke regarding the negotiations and contracts of the City and stated to the Council to let the checks and balances stay in place.

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**Ken Rouleau**, 66 Nelson Rd., appeared to speak and asked that before the Budget Finance Hearings begin, when the Council gets to the Law Department, he is requesting an itemized accounting from July 3, 2003 pertaining to the firefighter Ordinance and removal of pension retirees, all legal bills for Solicitors and all outside legal counsel. Council President Garabedian asked Mr. Woerner to look into this.

The meeting adjourned at 10:15 P.M.

Maria Medeiros Wall  
City Clerk

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).