

## **SPECIAL MEETING – CITY COUNCIL**

**-MARCH 9, 2006-**

Special meeting of the City Council was held on Thursday, March 9, 2006 in the Cranston High School East Auditorium, 899 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 6:30 P.M. by the Council President.

Roll Call showed the following members present: Councilman Pisaturo, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian –6.

Absent: Councilmen Fung, Livingston and Lanni -3.

Also Present: Robin Muksian-Schutt, Deputy Director of Administration; Michael Glucksman, City Solicitor; Patrick Quinlan, City Council Legal Counsel; Steve Woerner, City Council Internal Auditor.

**-MARCH 9, 2006-**

Clerk read Call of the Meeting:

**CITY OF CRANSTON  
RHODE ISLAND**

**NOTICE OF SPECIAL MEETING  
OF THE CITY COUNCIL**

In Accordance with Section 3.07 of the Home Rule Charter, and Section 2.04.06 of the City Code, I hereby call a special meeting of the City Council to be held on Thursday, March 9, 2006 at 6:30 P.M., in the Cranston High School East Auditorium, 899 Park Ave., Cranston, RI 02910 at which meeting the following items of business shall be transacted:

Council President Communications: Ice Rink Fire Investigation

- Ordinance 1-06-4 Amending the Budget for the Fiscal Year commencing July 1, 2005 and ending June 30, 2006 (State Revenue Sharing Appropriation).

Executive Session pursuant to RIGL 42-46-5(a)(2):

- DePasquale Arbitration (Orchard Farms)
- Natasha Valley Litigation
- Police Security

Introduction of New Business

And I hereby request the City Clerk to notify all Council members of the Call of the special meeting.

Executed at Cranston, Rhode Island, this 6<sup>th</sup> day of March, 2006.

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/s/ Aram g. Garabedian, Council President

**-MARCH 9, 2006-**

**CERTIFICATION**

I hereby certify that a true copy of the attached Call of a special meeting of the City Council to be held on Thursday, March 9, 2006 at 6:30 P.M. in the Cranston High School East Auditorium, 899 Park Ave., Cranston, R.I. was delivered via electronic mail on the 6<sup>th</sup> day of March, 2006 and regular mail, postage prepaid to the addresses listed below.

Council President Aram G. Garabedian  
173 Belvedere Dr.  
Cranston, RI 02920  
[Aram@blissproperties.net](mailto:Aram@blissproperties.net)

Council Member Maria A. Bucci  
21 Red Hawk Dr.  
Cranston, RI 02921  
[MarBC4@aol.com](mailto:MarBC4@aol.com)

Council Member Cynthia M. Fogarty  
60 Ausdale Rd.  
Cranston, RI 02910  
[Fogarty1@msn.com](mailto:Fogarty1@msn.com)

Councilman Allan W. Fung  
252F Mayfield Ave.  
Cranston, RI 02920  
[alfung@cox.net](mailto:alfung@cox.net)

Councilman Terence Livingston  
28 Tucker Ave.  
Cranston, RI 02905  
[Terry@livingstonlaw.us](mailto:Terry@livingstonlaw.us)

Councilman Jeffrey P. Barone  
16 Samuel Court  
Cranston, RI  
[Jeffreyb22@cox.net](mailto:Jeffreyb22@cox.net)

Councilwoman Paula McFarland  
100 Pomham St.  
Cranston, RI 02910  
[pmcfarland@prodigy.net](mailto:pmcfarland@prodigy.net)

Councilman Michael S. Pisaturo  
17 Warren Ct.  
Cranston, RI 02920  
[michaelpisaturo@cox.net](mailto:michaelpisaturo@cox.net)

Councilman John E. Lanni, Jr.  
111 Woodview Dr.  
Cranston, RI 02920  
[jlanni@peterpanbus.com](mailto:jlanni@peterpanbus.com)

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/s/ Rosalba Zanni, Assistant City Clerk

**-MARCH 9, 2006-**

**“ORDINANCE 1-06-4 AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2005 AND ENDING JUNE 30, 2006 (STATE REVENUE SHARING APPROPRIATION)”**

On motion by Council Member Fogarty, seconded by Council Member Bucci, the above Ordinance was adopted on a vote of 5-1. The following being recorded as voting “aye”: Councilman Pisaturo, Council Member Fogarty, Council Member Bucci, Council Vice-President McFarland and Council President Garabedian -5. The following being recorded as voting “nay”: Councilman Barone -1.

NEW BUSINESS:

On motion by Council Vice-President McFarland, seconded by Councilman Pisaturo, the following Ordinances be introduced and advertised for hearing before their respective Committees, pursuant to Sect. 3.12 of the City Charter. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilman Pisaturo, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

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-Generally” (Field St.). CITY COUNCIL 3/27/2006.

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 Specific Streets” (Field St., Cranston St. and Carlsbad St.). CITY COUNCIL 3/27/2006.

3S-06-3 Ordinance authorizing the City to utilize Cranston Impact Fees for the Acquisition of Additional Modular Ice Rink Facility. CITY COUNCIL 3/27/2006.

EXECUTIVE SESSION PURSUANT TO RIGL 42-46-5(a)(2):

On motion by Council Vice-President McFarland, seconded by Councilman Barone, it was voted to go into Executive Session. Motion passed on a vote of 6-0. The following being recorded as voting “aye”: Councilman Pisaturo, Council Member Fogarty, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -6.

The meeting went into Executive Session at 6:35 P.M.

Council Member Fogarty left during the Executive Session.

The meeting came out of Executive Session at 7:35 P.M.

On motion by Council Vice-President McFarland, seconded by Councilman Barone, it was voted to come out of Executive Session. Motion passed on a vote of 5-0. The following being recorded as voting “aye”: Councilman Pisaturo, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -5.

On motion by Councilman Barone, seconded by Council Member Bucci, it was voted to seal the minutes of Executive Session. Motion passed on a vote of 5-0. The following being recorded as voting “aye”: Councilman Pisaturo, Council Member Bucci, Councilman Barone, Council Vice-President McFarland and Council President Garabedian -5.

**-MARCH 9, 2006-**

COUNCIL PRESIDENT COMMUNICATIONS: ICE RINK FIRE INVESTIGATION

Council President Garabedian addressed an article in the newspaper, which quoted Councilman Barone stating that he feels the Council President Garabedian was wrong in obtaining samples from the fire at the Ice Rink and taking it to the State Police. He is not a fire expert and should be brought up on charges of tampering with an investigation. Council President Garabedian stated that he did nothing wrong and he was doing his due diligence. A newspaper article, which appeared in the Providence Journal on 1/12/2006 revealed the fact that a match test had been performed by one of the firefighters. After he read this article, he went to the site of the fire and took a sample from the ceiling area. He also stated that he in no way interfered with the investigation. He read several quotes from the article in the 1/26/2006 Providence Journal and statements made by the Mayor. He stated that on 1/27/2006, he contacted the Colonel at the State Police by phone notifying him that when he placed a match to the sample he had obtained, it did catch fire. He was told by the company that conducted the test that the material was tested only on one side, the foil side. He will compile the information he has obtained and forward it to the Council members and when Councilman Lanni returns, since he is out sick, the Council can start their investigation on this matter.

Councilman Barone stated that there is a Resolution that was passed last month regarding the Public Works Committee being presented with information on the investigation weekly. His concern was that the person who drafted this Resolution was putting the liability on the Public Works Committee, since there is no one on this Committee qualified to do this type of investigation. He stated that Council President Garabedian made remarks at the January Council meeting stating that he had done his own investigation. He would like to see a copy of the minutes of the January Council meeting. He was told that they were not available through Allied Court Reporters. He has also made this request through the Clerk's Office.

Council President Garabedian stated that the Mayor conducted an investigation himself and drove samples to the State Police. He questioned Councilman Barone how this is different for the Mayor to do then from what he did.

Council Vice-President McFarland asked the Solicitor if he has completed his report based on Councilman Barone's request, to investigate what Council President Garabedian did. Mr. Glucksman stated, no, he is still looking into this and considering it. He also stated that as Solicitor, he represents all Council members and if needed, he will appoint an outside attorney. Council Vice-President McFarland asked Mr. Glucksman if the Mayor asked him to conduct any investigation of what Council President Garabedian did. Mr. Glucksman stated that he has had no conversation with the Mayor's Office regarding this. Council Vice-President McFarland asked Mr. Glucksman if he has a copy of the report of the investigation that was done on the fire. Mr. Glucksman stated that he will check to see if he has a full report and if he does, he will forward it to the Council members. Council Vice-President McFarland asked that the Solicitor send the Council members all documentation that he has regarding the full investigation.

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Councilman Barone stated that he did not ask the Solicitor to perform an investigation to see if Council President Garabedian overstepped his bounds. He asked the Solicitor if he thought it would be an infringement on the investigation.

Ms. Schutt stated that the Mayor did not personally conduct the flame test, as reported in the Providence Journal. She did call the Journal to ask for a retraction, which they did not do. The Hartford Insurance Company representative is the one that did the field test that the Mayor was present at.

Councilman Pisaturo questioned what the Mayor was doing spending \$5,000 of the taxpayers' money conducting his own investigation when we have a competent Fire Department doing an investigation. He also stated that if the Attorney General initiates charges against Council President Garabedian, which he is sure he is not, he will make sure charges are filed against the Mayor as well, because he initiated this whole fiasco.

The meeting adjourned at 8:30 P.M.

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Heather Finger, Stenotypist).