

SPECIAL MEETING – CITY COUNCIL

-MAY 15, 2009-

A Special meeting of the Cranston City Council was held on FRIDAY, May 15, 2009 in the Council Chambers, City Hall, 869 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 6:05 P.M. by Council President Lanni.

Roll Call showed the following members present: Councilmen Lupino, Aceto, Navarro, Archetto (appeared at 6:10 P.M.), Pelletier, Santamaria, Council Vice-President Livingston and Council President Lanni –8.

Also Present: Mayor Allan W. Fung; Robin Muksian-Schutt, Director of Administration; Evan Kirshenbaum, Assistant City Solicitor; Robert Strom, Director of Finance; Steve Woerner, City Council Internal Auditor.

-MAY 15, 2009-

The Clerk read the following:

**CITY OF CRANSTON
RHODE ISLAND**

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

In Accordance with Section 3.07 and 6.10 of the Home Rule Charter, I hereby call a special meeting of the City Council to be held on **Friday, May 15, 2009**, at **6 p.m.** in the Council Chambers, 869 Park Avenue, Cranston, RI which meeting the following items of business shall be transacted:

To address any Mayoral disapprovals of any increases or additional appropriations approved by the Council in the 2010 Budget.

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 13th day of May, 2009.

/s/ John E. Lanni, Jr., Council President

Individuals requesting interpreter services for the hearing-impaired must notify the Office of the City Clerk at 461-1000 Ext. 3197 seventy-two (72) hours in advance of the hearing date."

-MAY 15, 2009-

CERTIFICATION

I hereby certify that a true copy of the attached Call of a special meeting of the City Council to be held on Friday, May 15, 2009 at 6:00 P.M. in the Council Chambers, City Hall, Cranston, R.I. was delivered via electronic mail on the 13th day of May, 2009 and regular mail, postage prepaid to the addresses listed below.

Council President John E. Lanni, Jr.
111 Woodview Dr.
Cranston, RI 02920
john.lanni@yahoo.com

Councilman Terence Livingston
28 Tucker Ave
Cranston, RI 02905
Terry@livingstonlaw.us

Councilman Anthony J. Lupino
15 Black Oak Court
Cranston, RI 02921
tlupino@cox.net

Councilman Emilio L. Navarro
61 Autumn St.
Cranston, RI 02910
Navarro_emilio@hotmail.com

Councilman Richard Santamaria
20 Burr St.
Cranston, RI 02920
Ritatj10@yahoo.com

Councilman Robert Pelletier
81 Laconia Rd.
Cranston, RI 02920
Rpelletier1@verizon.net

Councilman Mario Aceto
152 Locust Glen Dr.
Cranston, RI 02920
acetocitywide@gmail.com
MAceto@CranstonRI.org

Councilman Paul Archetto
359 Princess Ave.
Cranston, RI 02920
Parchetto@ccri.edu

Councilwoman Michelle Bergin-Andrews
280 Summit Dr.
Cranston, RI 02920
Michelle@andrewslawoffices.com

/s/ Rosalba Zanni
Assistant City Clerk/Clerk of Committees

-MAY 15, 2009-

Discussion took place on Sewer Fees Sewer Enterprise Fund #3402.

Councilman Santamaria stated that the Mayor, in his budget Override message, states legality issue. He asked the Mayor to explain this and speak on the legality.

Mayor Fung stated that the Sewer Enterprise Fund is a separate dedicated Fund. He has a concern with this.

Councilman Aceto indicated that the Parks and Recreation Director is in the audience and asked if he could address this issue. Mr. Liberatore appeared to speak. Councilman Aceto stated that he has heard that this program has not been working and asked that Mr. Liberatore address this.

Mr. Liberatore stated that he has had to make numerous telephone calls in the past two years to Mr. Zisseron, from the School Department, in reference to the custodians not cooperating in any way shape or form.

Mayor Fung stated that the initial proposal was for one year whereby the school custodians would pick up the trash at playgrounds in return, the City would forgive the Schools the \$110,000 in sewer fees. It seems like they are not holding their bargain. Somehow, it got rolled over into this year also.

Councilman Aceto asked if there is a specific Ordinance or is there something in the Charter that states anything regarding the sewer fund whether this is legal or not. Assistant Solicitor Kirshenbaum stated that in his opinion, it would be inappropriate to mix General Tax Revenue with Sewer Fees. In the Code, there are specific fees stated for each fixture or buildings owned by the City.

Councilman Santamaria stated that the question is are we getting \$110,000 worth of fees by doing this. Assistant Solicitor Kirshenbaum stated that there could be an argument from a taxpayer that their sewer fees are increased due to schools not paying their share of the sewer fees.

On motion by Councilman Santamaria, seconded by Councilman Aceto, it was voted to take the items the Mayor vetoed separately and not as a block. Motion passed on a vote of 5-3. The following being recorded as voting "aye": Councilmen Aceto, Pelletier, Santamaria, Council Vice-President Livingston and Council President Lanni -5. The following being recorded as voting "nay": Councilmen Lupino, Navarro and Archetto -3.

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On motion by Councilman Santamaria, seconded by Councilman Aceto, it was voted to sustain the Mayor's veto on Acct. #3402-56131. Motion passed on a vote of 7-1. The following being recorded as voting "aye": Councilmen Aceto, Navarro, Archetto, Pelletier, Santamaria, Council Vice-President Livingston and Council President Lanni -7. The following being recorded as voting "nay": Councilman Lupino -1.

On motion by Council Vice-President Livingston, seconded by Councilman Aceto, it was voted to override the Mayor's veto on the remainder of the items. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Council Vice-President Livingston and Council President Lanni -8.

The meeting adjourned at 6:30 P.M.

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See stenographic notes of Ron Ronzio, Stenotypist)