

# REGULAR MEETING – CITY COUNCIL

**-MAY 24, 2010-**

Regular meeting of the City Council was held on Monday, May 24, 2010 in the Council Chambers, City Hall, 869 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 7:10 P.M. by the Council President.

Roll Call showed the following members present: Councilmen Lupino, Aceto, Navarro, Archetto (appeared at 7:15 P.M.), Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

Also Present: Mayor Allan Fung; Robin Muksian-Schutt, Director of Administration; Evan Kirshenbaum, Assistant City Solicitor; Robert Strom, Director of Finance; Patrick Quinlan, City Council Legal Counsel.

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

## **I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS**

### **“CITATIONS TO THE CRANSTON AREA CAREER AND TECHNICAL CENTER STUDENTS”**

**Councilman Pelletier** presented Citations to the students.

On motion by Councilman Lupino, seconded by Council Vice-President Livingston, it was voted to approve the above Citations. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -8. Councilman Archetto was not present for roll call vote.

### **“CITATIONS TO THE CHARTER REVIEW COMMISSION MEMBERS”**

On motion by Councilman Lupino, seconded by Council Vice-President Livingston, it was voted to approve the above Citations. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -8. Councilman Archetto was not present for roll call vote.

## **II. PUBLIC HEARINGS**

**Kate Smith**, 1655 Elmwood Ave., appeared to speak regarding Ordinance 2-10-4 and cautioned the Council that if the amendment is made to the Comprehensive Plan as proposed by the Ordinance Committee last week, it would be erasing from the rural landscape of the area. Save Western Cranston. This would be setting a precedent, a terrible precedent.

**Suzanne Arena**, 88 Lakeland Rd., appeared to oppose the proposed amendment to the Comprehensive Plan. She stated that the City needs to start thinking about what the impact is going to be later on.

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**Doug DiBiase**, Laten Knight Rd., appeared to oppose the proposed amendment to the Comprehensive Plan and asked that the Council not act on this amendment at this time. There needs to be more research and more discussion.

**Sam Parente**, 15 Lauren Court, appeared to oppose the proposed amendment to the Comprehensive Plan and urged the Council not to act on this amendment at this time. There will be tremendous economic impact.

**Steve Carrera**, 16 Mollie Dr., member of the Charter Review Commission, appeared to endorse the recommendations made by the Charter Review Commission. He indicated that the Charter Review Commission had recommended adding Municipal Court to the Charter, which the Ordinance Committee did not act on. He asked that this be reconsidered.

**Michael Mulcahy**, Chair of the Charter Review Commission, appeared to endorse the recommended amendments from the Charter Review Commission.

**Stephanie Culhane**, School Committee Member, appeared to thank the Council for recognizing the students of the Cranston Area Career and Technical Center. She also spoke against the Resolution asking Secretary of State to place on the ballot a referendum question regarding City Council ratifying School contracts.

**Dick Tomlins**, 400 Farmington Ave, appeared to speak in favor of the Resolution asking Secretary of State to place on the ballot a referendum question regarding City Council ratifying School contracts.

**A resident** of Western Cranston appeared to oppose to the proposed amendment to the Comprehensive Plan.

**Dale Saccoccio**, 1389 Hope Rd., appeared to oppose to the proposed amendment to the Comprehensive Plan.

**Resident of Seven Mile Rd.**, appeared to oppose to the proposed amendment to the Comprehensive Plan. She stated that the additional taxes from this development will not be equal to the additional costs to the City's infrastructure, such as police, fire and schools.

**Manny Miguel** appeared to oppose to the proposed amendment to the Comprehensive Plan.

### **III. DOCKETED RESOLUTIONS**

#### **“RESOLUTION ACKNOWLEDGING STUDENTS FROM THE CRANSTON AREA CAREER AND TECHNICAL CENTER (President's Volunteer Service Award)”**

On motion by Council Vice-President Livingston, seconded by Councilman Lupino, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

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**“RESOLUTION ACKNOWLEDGING STUDENTS FROM THE CRANSTON AREA CAREER AND TECHNICAL CENTER (Rhode Island SkillsUSA State Competitions)”**

On motion by Councilman Lupino, seconded by Council Vice-President Livingston, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

**“RESOLUTION PROPOSING AMENDMENT TO SEC. 14.17 OF THE CRANSTON HOME RULE CHARTER AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE BALLOT THE FOLLOWING REFERENDUM QUESTION (Collective Bargaining Ratification and Fiscal Impact Requirement)”**

On motion by Councilman Aceto, seconded by Councilwoman Bergin-Andrews, the above Resolution was adopted on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -8. The following being recorded as voting “nay”: Councilman Lupino -1.

**“RESOLUTION PROPOSING AMENDMENT OF THE CRANSTON HOME RULE CHARTER NEW SECTION 11.02.1 AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE BALLOT THE FOLLOWING REFERENDUM QUESTION (School Contract Ratification and Fiscal Impact Requirement)”**

On motion by Councilman Aceto, seconded by Councilwoman Bergin-Andrews, the above Resolution was adopted on a vote of 7-2. The following being recorded as voting “aye”: Councilmen Aceto, Navarro, Archetto, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -7. The following being recorded as voting “nay”: Councilmen Lupino and Pelletier -2.

**“RESOLUTION PROPOSING AN AMENDMENT TO THE CRANSTON HOME RULE CHARTER SEC. 2.03 ‘ELECTIONS AND ELECTIVE OFFICERS - MAYOR AND COUNCIL’ AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE BALLOT THE FOLLOWING REFERENDUM QUESTION”**

On motion by Councilman Lupino, seconded by Councilman Pelletier, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

**“RESOLUTION PROPOSING AN AMENDMENT TO THE CRANSTON HOME RULE CHARTER SEC. 3.23 ‘CITY COUNCIL – VOTER INITIATIVE’ AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE BALLOT THE FOLLOWING REFERENDUM QUESTION”**

On motion by Councilman Lupino, seconded by Councilman Aceto, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

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**“RESOLUTION PROPOSING AN AMENDMENT TO THE CRANSTON HOME RULE CHARTER SEC. 7.05 ‘DEPARTMENT OF FINANCE – POWER AND DUTIES OF THE CITY TREASURER’ AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE BALLOT THE FOLLOWING REFERENDUM QUESTION”**

On motion by Councilman Navarro, seconded by Councilman Pelletier, it was voted to adopt the above Resolution.

On motion by Councilman Navarro, seconded by Councilman Lupino, it was voted to amend the above Resolution as follows: pg. 1, sec. a), 11<sup>th</sup> line and pg. 2, a), delete “and including the general funds”.

Under Discussion:

**Councilman Aceto** stated that he would like to see a monthly report either to the Council or the Finance Committee on these investments in the General Fund, if it is not reported and approved by the Investment Board. Mr. Strom stated that he does not have a problem reporting this information.

Roll call was taken on the above motion and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

On motion by Councilman Aceto, seconded by Councilman Navarro, it was voted to amend the above Resolution to add the following on pg. 2, Sect. c) to both questions as follows: “Any investments in the General Fund be reported to the Finance Committee at the next scheduled meeting”. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

Roll call was taken on motion to approve above Resolution as amended and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

**“RESOLUTION PROPOSING AN AMENDMENT TO THE CRANSTON HOME RULE CHARTER SEC. 13.01 ‘PLANNING ZONING AND SUBDIVISION CONTROL – CITY PLAN COMMISSION’ AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE BALLOT THE FOLLOWING REFERENDUM QUESTION”**

On motion by Council Vice-President Livingston, seconded by Councilman Lupino, it was voted to adopt the above Resolution. Motion failed on a vote of 3-6. The following being recorded as voting “aye”: Councilmen Lupino, Archetto and Pelletier -3. The following being recorded as voting “nay”: Councilmen Aceto, Navarro, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -6.

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**“RESOLUTION PROPOSING AN AMENDMENT TO THE CRANSTON HOME RULE CHARTER SEC. 15.10 ‘MISCELLANEOUS PROVISIONS – CHARTER AMENDMENTS’ AND DIRECTING THE SECRETARY OF STATE TO PLACE ON THE BALLOT THE FOLLOWING REFERENDUM QUESTION”**

On motion by Councilman Lupino, seconded by Councilman Aceto, it was voted to adopt the above Resolution.

Under Discussion:

**Ms. Schutt** stated that the Mayor would like to call this Commission earlier than 10 years with the approval of the City Council if something critical were to happen.

**Council Vice-President Livingston** stated that he does not think we need this since there is no need for a Charter Review Commission, since the Council can place a Referendum on the ballot at any time without a Charter Review Commission.

**Councilman Pelletier** stated that his concern is with the 10 year span.

Roll call was taken on motion to adopt the above Resolution and motion passed on a vote of 7-2. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -7. The following being recorded as voting “nay”: Councilmen Archetto and Pelletier -2.

**Council President Lanni** stated that Mr. Quinlan has indicated that “Resolution proposing amendment to the Cranston Home Rule Charter Sec. 2.03 ‘Elections and Elective Officers’ – Mayor and Council President” has been amended as follows: line 35 on page 1 and line 21 on page 2 should read “**four** year term” and not “two”. A motion needs to be made to adopt this Resolution as amended.

On motion by Council Vice-President Livingston, seconded by Councilman Aceto, it was voted to approve the above Resolution as amended. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

**“RESOLUTION RECOMMENDING THE CITY OF CRANSTON STUDY GREEN SUSTAINABLE DEVELOPMENT BUILDING STANDARDS AND ENERGY EFFICIENCY OPPORTUNITIES”**

On motion by Councilman Pelletier, seconded by Councilman Aceto, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

**Councilman Lupino** asked that this item be placed on next month’s docket for appointments to be made to this Committee.

**“RESOLUTION ON SEVEN MILE ROAD TRAFFIC CALMING STUDY WITH THE TOWN OF SCITUATE”**

On motion by Councilman Pelletier, seconded by Council Vice-President Livingston, it was voted to adopt the above Resolution.

Under Discussion:

**Councilman Lupino** suggested that the City look into seeing if the cost could split with the Town of Scituate.

On motion by Councilman Lupino, seconded by Councilman Navarro, it was voted to amend the above Resolution as follows: line 41, pg. 1, after the words “said area”, add “to be paid 50% by the City of Cranston and 50% by the Town of Scituate”. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

**Ms. Schutt** pointed out that the title of this Resolution requests the RI DOT to do the study. She does not want it to be implied that the City will pay for costs for outside engineering study. Councilman Pelletier stated that the Resolution passed last month did not state “requesting the General Assembly”. This may be considered a scrivener’s error.

On motion by Council Vice-President Livingston, seconded by Councilman Navarro, it was voted to move the question. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

Roll call was taken on motion to adopt the above Resolution as amended and motion passed on a vote of 8-1. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -8. The following being recorded as voting “nay”: Councilman Archetto -1.

**Council President Santamaria** requested to be added as a co-sponsor of this Resolution.

**Council President Lanni** asked that the “Mayor’s Advice and Consent of appointment of Robert Ryan as Major of the Cranston Police Department” be taken out of order. No one objected.

**IV. REPORT OF COMMITTEES**

**COMMITTEE ON FINANCE  
(Emilio L. Navarro, Chair)**

**“ADVICE AND CONSENT OF MAYOR’S APPOINTMENT OF ROBERT W. RYAN AS MAJOR OF THE CRANSTON POLICE DEPARTMENT”**

On motion by Council Vice-President Livingston, seconded by Councilman Aceto, it was voted to approve the Mayor’s advice and consent of the appointment of Robert W. Ryan as Major of the Cranston Police Department. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -9.

**Major Ryan** appeared to speak and thanked the Mayor and the City Council.

**IV. REPORT OF COMMITTEES**

**COMMITTEE ON ORDINANCE  
(Anthony J. Lupino, Chair)**

**2-10-4 “ORDINANCE APPROVING THE 2010 COMPREHENSIVE PLAN FOR THE CITY OF CRANSTON”**

On motion by Councilman Navarro, seconded by Council Vice-President Livingston, it was voted to recommit this Ordinance back to the Ordinance Committee for further study.

Under Discussion:

**Councilman Lupino** stated that he has received some disturbing e-mails and one is that the Council is proposing to change the zone for the Pippin Orchard Nursery property. This is absolutely false. There are other questions that are still pending regarding the Comprehensive Plan. These are some of the reasons this Ordinance is being sent back to the Committee.

**Councilman Navarro** stated that the impact needs to be looked at as far as the proposed amendment the Ordinance Committee made. He is in favor of referring this Ordinance back to Committee.

**Councilman Lupino** referred to the May 5<sup>th</sup> memo from Mr. LaPolla and there are various erroneous statements made, in particular, with regard to the schools. He would like this corrected by the next meeting. He also stated that the historical data presented by Mr. LaPolla goes back to 2002. There has been tremendous growth since then and this data should be placed into the Comprehensive Plan or as an amendment to the Comprehensive Plan

Roll call was taken on motion to recommit this Ordinance back to the Ordinance Committee and 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. Councilwoman Bergin-Andrews was not present for roll call vote.

**4-10-1 “ORDINANCE AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO EXECUTE AND DELIVER AN EASEMENT AGREEMENT PERMITTING THE CONSTRUCTION OF A RETAINING WALL ON A PORTION OF BERRY ST.”**

On motion by Councilman Lupino, seconded by Council Vice-President Livingston, the above Ordinance was adopted 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. Councilwoman Bergin-Andrews was not present for roll call vote.

**COMMITTEE ON FINANCE (Cont.)  
(Emilio L. Navarro, Chair)**

**“ADVICE AND CONSENT OF MAYOR’S APPOINTMENT OF ROBERT W. RYAN AS MAJOR OF THE CRANSTON POLICE DEPARTMENT”**

This item was voted on earlier in the meeting.

**“RESOLUTION AUTHORIZING REAL ESTATE TAX ABATEMENTS”**

On motion by Councilman Navarro, seconded by Councilman Pelletier, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Pelletier, Santamaria, Council Vice-President Livingston and Council President Lanni -7. Councilman Archetto and Councilwoman Bergin-Andrews were not present for roll call vote.

**“RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS”**

On motion by Councilman Navarro, seconded by Council Vice-President Livingston, the above Resolution was adopted 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. Councilwoman Bergin-Andrews was not present for roll call vote.

**“TAX INTEREST WAIVER APPROVALS - AS RECOMMENDED BY CITY TREASURER”**

On motion by Councilman Navarro, seconded by Councilman Aceto, it was voted to approve the list of Tax Interest Waiver approvals, as recommended by the City Treasurer. 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. Councilwoman Bergin-Andrews was not present for roll call vote.

**3-10-1 “ORDINANCE AUTHORIZING THE CITY TO UTILIZE WESTERN CRANSTON ROADS IMPACT FEES FOR INSTALLATION OF A TRAFFIC LIGHT AT WALNUT GROVE AND ATWOOD AVENUES”**

On motion by Councilman Navarro, seconded by Councilman Lupino, the above Ordinance was adopted 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. Councilwoman Bergin-Andrews was not present for roll call vote.

**4-10-2 “ORDINANCE AUTHORIZING THE CITY TO UTILIZE EASTERN AND WESTERN CRANSTON RECREATION IMPACT FEES FOR RECONSTRUCTION OF ‘HOT BOXES’ AS MANDATED BY THE PROVIDENCE WATER SUPPLY BOARD”**

On motion by Councilman Navarro, seconded by Councilman Aceto, it was voted to adopt the above Ordinance.

Under Discussion:

**Solicitor Kirshenbaum** stated that the Parks and Recreation employees have been and will be able to install these hot boxes at a significant savings as opposed to the different contracts that the City gets to install these boxes for the schools.

**Council Vice-President Livingston** asked if Parks and Recreation Director Liberatore is in favor of this. Mr. Liberatore stated that he is in favor of this.

**Councilman Lupino** asked what the ramification would be if this is not approved. Ms. Schutt stated that the water bill will be estimated and the water could be shut off.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lupino Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews and Council President Lanni -8. Council Vice-President Livingston was not present for roll call vote.

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**4-10-3           “ORDINANCE AUTHORIZING THE CITY TO UTILIZE  
EASTERN AND WESTERN CRANSTON POLICE IMPACT FEES  
FOR IMPROVEMENTS TO INFORMATION TECHNOLOGY  
ROOM AT NEW CRANSTON POLICE STATION”**

On motion by Councilman Aceto, seconded by Councilman Santamaria, it was voted to adopt the above Ordinance.

Under Discussion:

**Councilman Aceto** when the Council can receive an update on the research of the contract for the construction of this building. Ms. Schutt stated that this is being reviewed and she could possibly have this update by the next Council meeting.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Councilwoman Bergin-Andrews, Council Vice-President Livingston and Council President Lanni -8. Councilman Santamaria was not present for roll call vote.

**Mr. Woerner** presented a financial analysis. Councilman Navarro asked that this be placed on the Finance Committee agenda for discussion.

**SAFETY SERVICES & LICENSES COMMITTEE  
(Richard D. Santamaria, Jr., Chair)**

**4-10-4           “ORDINANCE IN AMENDMENT OF TITLE 10, CH. 32 OF THE  
CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR  
VEHICLES AND TRAFFIC’ (Bryant Rd. and Spring St.)”**

On motion by Councilman Santamaria, seconded by Councilman Aceto, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews and Council President Lanni -8. Council Vice-President Livingston was not present for roll call vote.

**V. ELECTION OF CITY OFFICIALS**

**“ZONING BOARD OF REVIEW: APPOINTMENT OF LORI CARLINO AS  
SECOND ALTERNATE MEMBER”**

On motion by Councilman Pelletier, seconded by Councilman Santamaria, it was voted to appoint **Lori Carlino** as a second alternate member of the ***Zoning Board of Review***. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria, Councilwoman Bergin-Andrews and Council President Lanni -8. Council Vice-President Livingston was not present for roll call vote.

**“BOCAP MINORITY PARTY RE-APPOINTMENTS OF MANUEL MIGUEL  
AND MICHAEL IMBRUGLIA”**

Informational only. No action needed.

## VI. REPORT OF CITY OFFICERS

**Solicitor Kirshenbaum** spoke regarding National Grid gas lines under the Natick Ave. bridge and stated that he has spoken to Public Works Director, Richard Bernardo, regarding this and possibly an independent engineer should look at this issue. Since Mr. Smith is currently doing work for the City, he will have him review this.

## VII. EXECUTIVE COMMUNICATIONS

### “REPORT ON HIRING OF SPECIAL COUNSEL, CONSULTANTS, ETC. PURSUANT TO CHARTER SECTION 15.05”

**Councilman Lupino** questioned why Attorney Oliverio does not show on the legal fees report. The initial request was for fiscal year to date analysis. Ms. Schutt stated that she will discuss this with Ms. Marino, who prepares the reports.

### *FEMA and March Flood*

**Ms. Schutt** stated that Mr. Cordy is still working with FEMA and the consultant from Maguire Group in regards to the March flood. She will give an update as soon as possible as to the costs.

**Councilman Aceto** asked if it was too late to add items. **Ms. Schutt** indicated that items are still be added as thing are showing up. **Councilman Aceto** questioned Fletcher Ave. and stated that there is a culvert through Fletcher Ave. through Eastland Foods property and this needs to be looked at. 1. Is the City using private property, and 2. Eastland Food needs to be inspected to see if the drains are clogged.

**Mayor Fung** stated that the recent flooding was the Pawtuxet River. NRCS Pocasset flood is a separate issue.

## VIII. COUNCIL PRESIDENT COMMUNICATIONS

None.

## IX. COUNCIL MEMBER COMMUNICATIONS

### Councilman Santamaria

### *Status of Federal Funds for Pocasset River*

**Mayor Fung** appeared to speak and stated that this is in the appropriations bill in Congress. It has not fully passed yet. The City is working with the Congressmen on this and the McGuire Group to insure we're getting maximum reimbursement and coordinating with the State.

**Councilman Santamaria** asked Administration for an update from the School Department on what they have paid in legal fees for School Department's lawyers for the fiscal year to date.

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**Councilman Aceto**

*Natick Ave.*

**Councilman Aceto** asked if there is any way of expediting this project. Ms. Schutt stated that the City Chief Engineer Nick Capezza is working with Garofalo and looking at submitting bridge designs sometime in December to DEM.

**Councilman Pelletier** asked if it is possible to have Garofalo, Councilman Aceto and Administration meet with the residents regarding this to emphasize the need for this project to be moving forward faster. Ms. Schutt stated that the Administration would not have any objections to this.

**Councilman Navarro** asked if the City is doing anything to alleviate what is going on at Fordson Ave., CLCF building area on Pontiac Ave. and the Pocasset area. Mayor Fung stated that the Public Works Director is working with the Fire Chief and Mr. LaPolla in putting together a wish list of things we would like to do. It is too early right now to state any definitive items.

**Councilman Lupino**

***Waiver of Penalties for Displaced Homeowners Due to March Flood***

**Councilman Lupino** stated that he made a request at the last Finance Committee meeting regarding the Council being provided with an analysis for a policy concerning deference or waivers of penalties for displaced homeowners due to the flood that occurred in March. He has not received this. Not only are these homeowners displaced, but they are experiencing vandalism to their homes, in particular, Perkins Ave.

**Ms. Schutt** stated that police presence can be increased. As to waivers, the homeowner can apply case by case and, which is already being done.

**Mr. Strom** stated that the City Treasurer meets with the taxpayers and hears their testimony and he renders his opinion like he does with others. The Treasurer has indicated to him that the amount of people affected by the flood who have requested waivers or deference has been small.

**Mr. Strom** indicated that the City is meeting weekly with FEMA and the Maguire Group and what they have found is some of these rivers are forming dams and they would like to get the Army Corps of Engineers involved to do some dredging.

***Re-Payment Plan from the School Department***

**Councilman Lupino** questioned if there is another date set for the Council and Administration to meet to discuss the re-payment plan from the School Department. Ms. Schutt stated that she is not sure if Attorney Oliverio is ready to meet in Executive Session regarding this. He has been in discussion with the School Department and their Attorney, but she will check into this.

**X. EXECUTIVE COMMUNICATIONS**

**“REQUEST TO BE CONTINUED IN SERVICE FOR ONE YEAR LT. DENNIS MOORE, CRANSTON FIRE DEPARTMENT”**

On motion by Councilman Lupino, seconded by Councilman Aceto, it was voted to approve the above request. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria and Council President Lanni -8. Councilwoman Bergin-Andrews and Council Vice-President Livingston were not present for roll call vote.

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**“REQUEST TO BE CONTINUED IN SERVICE FOR ONE YEAR STEPHEN CROFT, CRANSTON FIRE DEPARTMENT”**

On motion by Councilman Lupino, seconded by Councilman Aceto, it was voted to approve the above request. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria and Council President Lanni -8. Councilwoman Bergin-Andrews and Council Vice-President Livingston were not present for roll call vote.

**REQUEST TO BE PLACED ON PENSION ROLL LT. DAVID COOK, CRANSTON POLICE DEPARTMENT”**

On motion by Councilman Lupino, seconded by Councilman Aceto, it was voted to approve the above request. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria and Council President Lanni -8. Councilwoman Bergin-Andrews and Council Vice-President Livingston were not present for roll call vote.

**XI. OLD BUSINESS**

None.

**XII. INTRODUCTION OF NEW BUSINESS**

**City Clerk** read the following introduced items and the Committees and the date referred for public hearing:

**Safety Services and Licenses Committee – June 7, 2010**

**5-10-2** Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Wildflower Dr. and Blue Gentian Rd.).

**5-10-3** Ordinance in amendment of Title 10, Chapter 32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Phenix Ave. and Rossi Lane).

**Public Works Committee – June 17, 2010**

**5-10-1** Ordinance in amendment of Title 10, Chapter 04 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Authorization for Existing Stop Signs).

**Request from National Grid** for pole location at Melody Lane.

**Request from Verizon** for proposed excavation to dig splice pit on Auburn St.

**Finance Committee – June 17, 2010**

Resolution loan order authorizing the issue of \$10,000,000 bonds of the City to finance the repair, resurfacing, construction and rehabilitation of public highways throughout the City of Cranston: authorizing the City to apply for federal and state advances for that purpose: authorizing the issue of \$10,000,000 temporary notes for that purpose: and authorizing advances from the General Treasury for that purpose.

**Ordinance Committee – June 17, 2010**

**5-10-4** Ordinance in amendment of Title 8 of the Code of the City of Cranston, 2005, entitled “Health and Safety” (Foreclosure Repeal Owner Occupied Residential).

**5-10-5** Ordinance in amendment of Title 8 of the Code of the City of Cranston, 2005, entitled “Health and Safety” (Foreclosure Repeal Rental).

**Claims Committee**

- \*Karen Keanney for property damage
- \*Iris Jimenez for property damage
- \*Lynne Urbani Craddock for property damage
- \*Collene Waters for property damage
- \*Daniel and Maria DeSimone and Independence Way LLC, the Dolben Co., Inc. for property damage

\*forwarded only to City Council, Solicitor and Anna Marino

**Councilman Lupino** indicated that did not sponsor proposed Ordinances 5-10-4 and 5-10-5. City Clerk stated that at that last meeting Councilman Lupino had stated that due to the new State Statute, the City would have to repeal the two Foreclosure Ordinances adopted last year and he would sponsor them. She asked if the Councilman wanted to withdraw them from introduction. Council President Lanni stated that he would sponsor the two Ordinances for discussion purposes.

On motion by Councilman Aceto, seconded by Councilman Pelletier, the above items were referred to the respective Committees. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmen Lupino, Aceto, Navarro, Archetto, Pelletier, Santamaria and Council President Lanni -7. Councilwoman Bergin-Andrews and Council Vice-President Livingston were not present for roll call vote.

**XIII. MISCELLANEOUS BUSINESS ON CLERK’S DESK**

**“TEAMSTER LOCAL 251 CBA FOR FY 2008-2009 AND 2009-2012 (Awaiting Executed Copy)”**

**Ms. Schutt** stated that the City is awaiting review by attorneys.

**“IBPO LOCAL 301 CBA FOR FY 2008-2009 AND 2009-2012 (Awaiting Executed Copy)”**

**Ms. Schutt** stated that this contract should be signed before the next Council meeting.

**XIV. PUBLIC HEARINGS ON UNDOCKETED ITEMS**

**Walter Lawrence**, 745 Natick Ave., appeared to speak regarding the gas pipelines at Natick Ave. bridge.

**Dick Tomlins**, 400 Farmington Ave., appeared to speak and commended the Council on adopting the Resolution regarding the Council ratifying School contracts. He also stated that in the interim, a lot more could have been done in regards to the flood that occurred in March.

The meeting adjourned at 9:58 P.M.

Maria Medeiros Wall, JD  
City Clerk

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).