

REGULAR MEETING – CITY COUNCIL

-NOVEMBER 28, 2005-

Regular meeting of the City Council was held on Monday, November 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, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian –9.

Also Present: Paul Grimes, Director of Administration; Robin Muksian-Schutt, Deputy Director of Administration; Nancy Garcia-Ponte, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel; Jerome Barone, 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

Council Member Fogarty presented a Citation to Tracy Gilbert, who helped her neighbors at the Fordson Ave. apartment complex during the October 15, 2005 flood. She also presented Ms. Gilbert with a gift certificate to Twin Oaks and Council President Garabedian presented her with a \$100 gift certificate to the Warwick Mall.

II. EXECUTIVE COMMUNICATIONS

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

Mr. Grimes appeared to speak.

On motion by Councilman Fung, seconded by Council Member Bucci, it was voted to approve this request on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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“6-05-4 ORDINANCE TRANSFERRING APPROPRIATIONS AND AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2004 AND ENDING JUNE 30, 2005 (4TH Quarter Transfers). (Mayoral Objections filed Oct. 27, 2005).”

On motion by Councilman Pisaturo, seconded by Council Member Fogarty, it was voted to override the Mayor’s veto.

Under Discussion:

Councilman Barone stated that we need to be more prudent in the way we fund the School Department. He urged Council members to sustain the veto. Councilman Livingston stated that at the last meeting, a Resolution was passed asking the Mayor to appropriate funds as he sees fit so we can take this issue up within thirty days, and since 30 days are not up, he asked that motion and second to override the Mayor’s veto be removed and give the Mayor the 30 days to appropriate funds as he sees fit. Council Member Fogarty stated that that Resolution was for money that was provided by the State. This Ordinance is money that was allocated from last year’s funds. She asked that this Ordinance be continued to a date certain to the fourth quarter of this year’s budget, so we can see if the School Department needs these funds at that time.

Motion and second to override the Mayor’s veto were withdrawn.

On motion by Council Member Fogarty, seconded by Councilman Livingston, it was voted to continue this Ordinance to the April, 2006 Council meeting.

Under Discussion:

Councilman Barone stated that by adding the \$1 million, it is going to add to the School Department’s base.

Council President Garabedian handed the gavel to Council Vice-President McFarland.

Council President Garabedian stated that this Council made a commitment and was prudent and responsible when they promised the School Department the funds last year. Council Vice-President McFarland stated that at a meeting at Cranston High School West, she made a statement that the funds were to be included as part of their base. Gavel was handed back to Council President Garabedian.

Roll call was taken on motion to continue this Ordinance to the April, 2006 Council meeting and motion passed on a vote of 7-2. The following being recorded as voting “aye”: Councilmen Pisaturo, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting “nay”: Councilmen Fung and Barone -2.

Mr. Grimes presented a draft letter dated November 28, 2005 from Tod Gilmore of First Vehicle Services addressed to him rebutting remarks made by Arthur Jordan, President of Local 1322 Laborers’ International Union of North America, at the last Ordinance Committee meeting. Copies of this letter were distributed to the members of the City Council.

Mr. Grimes read a statement from the Mayor in regards to the traffic safety initiatives in Cranston. Council Member Fogarty questioned how we can get out of the contract with Nestor that the Mayor unilaterally entered into, because there is no provision in the contract. Mr. Grimes stated that Nestor has agreed to honor our request to void this project. The company understands the position that the Council is not supportive of this project. This was a pilot program and if the Council is not supportive, then we can move onto other solutions to address the speeding problem in the City. Council Member Fogarty stated that the issue is not that the Council is not supportive of this project, the issue is we do not have enabling legislation for this. Mr. Grimes stated that the creation in 2003 of Operation CARE, has helped a little. Council Vice-President McFarland stated that placing speeding bumps is really where our resources should be going to alleviate speeding problems. We also need to look at the speed signage in our neighborhoods. Councilman Lanni stated that traffic calming is a big issue in the City and we need to look at the entire situation. Four-Way stop signs are a big problem. We have to address this issue in a manner where the Administration and this Council can work together to solve.

III. COUNCIL PRESIDENT COMMUNICATIONS

Council President Garabedian spoke regarding the traffic problem in the City and stated that this Council is interested in safety. One of the Resolutions on the docket regarding traffic system contracts, if adopted, would make both programs null and void. This Resolution was researched and drafted by Council's legal counsel. The Council President stated that it was irresponsible of the Mayor not to appear and address the Council directly but rather deliver a message through Mr. Grimes. There is a Resolution on tonight and even though the Mayor has withdrawn the program and would make the Resolution null and void, the Mayor forgets there is a Council and that the law must be followed. Councilman Fung asked that Council President remove this Resolution, since it would be a moot point, since Mr. Grimes stated earlier that we can get out of the contract with Nestor. Council President stated he would not withdraw his Resolution as its passage will send a message to the Mayor.

IV. COUNCIL MEMBER COMMUNICATIONS

“DISCUSSION OF CATCH BASIN & STORM DRAIN ENVIRONMENTAL ISSUES” – Council Vice-President McFarland

Council Vice-President McFarland welcomed Senator Hanna Gallo and Representative Peter Palumbo to the meeting. Council Vice-President McFarland asked Suzanne Urbina of 62 Glen View Dr. to speak regarding the issue of catch basins and stated that a petition was placed on each of the Council members desks. Suzanne Urbina appeared to speak and stated that in September, 2004, she submitted a petition of approximately 400 signatures to the Mayor's Office, specifically due to a flood she suffered. She would like to know why the catch basins in her area and other areas of the City are not being maintained. She questioned where the tax money is going and why are the citizens paying taxes. She filed litigation with the City and she and others were told that the Insurance Risk was not going to hear them until they had proper legal representation. She obtained an attorney and at this point, she is paying for a lawyer as a taxpayer to represent her. She has tried numerous times to contact Attorney Leppizzera, attorney for the City, and he never returns her calls. She asked what criteria has to be met in order for the City to acknowledge that a drain is broken. At the time she had the flood, she was told by the City that the City's vehicle was broken and she called Representative Palumbo, who called the City of Warwick and they sent one of their vehicles to assist with the problem. She has since withdrawn her litigation suit since she has exhausted the funds and the City's attorney has not been helpful. She would like to see a four or five year study of what has gone before the Insurance Risk Commission and what has been approved and of what percentage has been with legal representation.

Council Vice-President McFarland stated that in 2001, a consultant was hired to do such a study and she believes there are studies in the Public Works Department that no one has looked at. She is asking the Council President to form a Committee, which she is willing to chair, with members of the public also serving on, to look at this issue. The City spent \$35,000 on a study and then did nothing with it.

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Senator Gallo appeared to speak and stated that she has received many calls on this issue and encouraged everyone to be pro-active and get involved. She is planning to re file legislation at the State level, so the storm drains will be cleaned annually.

Representative Palumbo appeared to speak and asked if the City vehicle that is used to repair storm drains has been repaired, because it is sad to go to another community to help a City our size. **Marco Schiappa**, Director of Public Works, appeared to speak and stated that we do have a vehicle that does this repair and the structure at Ms. Urbina's neighborhood was cleaned by Veolia Water within two days. Representative Palumbo asked if anyone has looked at the contract of the company who maintains our sewers to see if they are responsible to maintain the storm drains. Mr. Schiappa stated that PSG only handles sewers and sewers and storm drains are two separate issues. Council President asked if There is an ongoing program in cleaning storm drains in critical locations, ultimately, it goes City Wide.

Council Vice-President McFarland stated that in 2002, Ms. Schutt, in her campaign for City Council, was advocating this issue and asked Ms. Schutt to now get on board and help with this issue.

“UPDATE ON STATUS OF FLOOD CLAIMS” - Council Vice-President McFarland

Councilman Lanni stated that the Insurance Risk Commission has met and they never informed any members of this Council of how many claims were paid and how many were not. Meanwhile, he and other Council members are getting calls daily from constituents and he does not have any information. He would like an updated list of who got paid and who did not and the when and why.

Councilman Lanni asked how many catch basins there are in the City. Mr. Schiappa stated there are 5,500 catch basins and 1,700 manholes. Councilman Lanni stated that the solution to the problem is to pay the claims and fight in Court afterwards. He asked how much damage was caused by catch basins during the last flood and how much was caused by high water table. Mr. Schiappa stated approximately 5% was caused by catch basins and 95% by high water table. Councilman Lanni stated that we need to do some remedial action, even though it might cost a lot of money.

Council Member Bucci asked if any claims have been paid and how many. Councilman Pisaturo, Chair of Insurance Risk Commission, stated that the meeting was in Executive Session and as a precaution, so we do not violate any State Law, he invited any Council members to attend tomorrow's meeting to update the Council members. Council Member Bucci asked if those minutes were sealed. Council Vice-President McFarland stated that she was present at that meeting and even though it was in Executive Session, there was no motion to seal the minutes of the meeting and at this time, she requested copies of those minutes. Councilman Pisaturo stated that he will check with the Clerk tomorrow to see whether the minutes were sealed or not. He welcomed the Council members to attend either tomorrow's meeting or Thursday's meeting to view the process and if there are any suggestions to change the process, he welcomes it. Council President Garabedian stated that all claims must be filed with the City Council. Council Vice-President McFarland asked if the Insurance Risk Commission has come up with a total for the sewer backups. Councilman Pisaturo stated that they are not dealing with that at this point. Council Vice-President McFarland stated that the City can initiate an emergency appropriation of \$150,000 to deal with just the cleanup. This has gone on far too long. People should not be living with sewage in their homes and this should not be tolerated.

**“REPORT ON NON-RESIDENT STUDENTS IN CRANSTON SCHOOLS” –
Councilman Livingston**

Councilman Livingston stated that this has been an ongoing issue since May, due to a number of calls from constituents questioning this issue. To date, the School Department has refused to provide this report. He believes that this is why some Council members are not in favor of the \$1 million funding. He will not forget this when it comes to the next budget. He asked that the School Department be present next month to provide the information.

**“REPORT FROM PARKS & RECREATION” – Council Vice-President
McFarland**

Council Vice-President McFarland asked that all minutes of the meeting of the Parks and Recreation Advisory Board be distributed to the Council members. She stated that the fee schedule provided by Robert Clarkin, Director of Parks and Recreation, does not show who is utilizing the concession stand or the Teen Center. She would like to see a signed contract for these. She asked what facilities have contracts and which do not. She also spoke regarding the removal of the tennis courts and installation of batting cages at the Stadium without the Council’s authorization. She stated that as to the schedule of fees, this schedule is old and asked for an updated schedule. Mr. Clarkin appeared to speak and stated that he will provide an updated list of fees charged, but none of the fees have increased from 2004-2005 to 2005-2006. As to the contracts, he will check with the Solicitor. We have not entered into any contracts with any of the leagues using our concession stands. As to the batting cages at the Stadium, he entered into a verbal agreement with the league and they spent money to fix up the area and they store their equipment in the building. Council Vice-President McFarland stated that the City Council is responsible to the City’s taxpayers. The Council has control over the recreational facilities under the Charter and not the Mayor or Mr. Clarkin. Since we are self-insured, this is a problem if someone got injured there. Since we cannot get updated information, when it comes to the next budget process, we will have to make some serious decisions with this department’s budget.

Councilman Barone stated that he serves on the Parks and Recreation Advisory Board and this board has been meeting and minutes are available and she can obtain them if she would like. Council Vice-President McFarland stated that she has never received notices of meeting or minutes of meetings and since this is a Committee meeting, the Council should get notices and minutes similar to the other Council committees. Council President Garabedian stated that there is a State Statute where Councils have been given the power of authority for Parks and Recreational Facilities. Council Vice-President McFarland asked that all committees post their agendas and notices on the City’s website.

“ICE RINK MANAGEMENT”

Council Vice-President McFarland appeared to speak.

“FEES CHARGED FOR PRIVATE USE OF RECREATIONAL FACILITIES”

(This item was discussed earlier in the meeting under “Report from Parks & Recreation”)

“RIDE PROGRAM”

Council Member Fogarty spoke regarding an incident that occurred at her home when the RIDE program arrived to pick up her mother in-law. She stated she was mistreated by the driver and has received numerous calls from people expressing concerns of the way the drivers treat the elderly and she is very concerned about this. She is contacting our State Representatives so they can address this issue on the State level. She would like eventually, to get this program back under the City’s control.

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V. PUBLIC HEARINGS

Meryl Sears, 96 Amanda St., appeared to speak regarding sewer problem on this street. She filed a claim and received a denial notice stating her flood claim was denied. It was a sewer claim not a flood. Her street is a high maintenance area and she asked why Public Works and Veolia Water has not maintained those drains? She would also like to see the Insurance Risk Commission minutes to see why her claim and other people on her street were denied, where it was sewer water and as taxpayers, they are owed that.

Richard Martin, 72 Fletcher Ave., appeared to speak. He asked why the previous speaker's claim was denied. Councilman Pisaturo stated that he cannot speak on each individual claims at this point. He has requested an opinion from the Solicitor on whether or not the minutes can be released to the public. Mr. Martin stated that he understands that instead of a \$10 million surplus, the City has a \$20 million surplus. He is perplexed as to why we are not investing it in our citizens. He had sewage and fuel oil in his home. After several days that the City did not help him, he had to take the initiative to address this problem. He and his family spent Thanksgiving and probably will spend Christmas in a hotel. This is unacceptable. The City charges a lot of money to him to provide him goods and services and he is not getting goods and services. He is not pointing fingers, but the City owes the citizens an explanation of what is going on and owes them to have their homes again.

Councilman Barone asked if we can ask the Solicitor if it is possible for the Claims Committee to meet in closed session with every person for five or ten minutes so they can have the question answered as to why their claim was denied. Ms. Ponte stated that she will check with Solicitor Glucksman and Assistant Solicitor Kirshenbaum to see if this is possible. Council President Garabedian stated that he has stated at previous meetings, we must follow State Law and claims going just to the Insurance Risk Commission does not follow State Law. The claims should be going right before the City Council.

Thomas Costello, 1590 Plainfield Circle, appeared to speak regarding the pumping station on Plainfield Pike that has failed a number of times and he has had three backups in his home. He questioned what the City is doing to oversee Veolia Water in preventing sewage backups and why is Veolia Water not taking any responsibility. His home has devaluated. He was in the process of selling his home, but now he won't be able to get what he should be getting for it.

Joanne Riccio, 17 Amanda Ct., appeared to speak and stated that years ago, she was told by the City to place a check valve in her basement, which cost approximately \$600, to prevent sewage backups, which she did. On October 15, 2005, sewage came into her home. The placement of the check valve was supposed to be 100% fool proof and it has not been.

Steven Callahan, 135 Amanda St., appeared to speak and stated that he received a denial letter stating flood damage. He did not have flood damage, he had sewer damage. He also expressed concern that every time the public comes before the Council with questions, no one is present from the Administration to answer any questions. Why does this Administration do this? He also stated that Johnston and Warwick had the same problem with sewer backups. They went into the homes immediately and conducted a clean up and they do not have the kind of surplus like Cranston does. He has requested minutes of the Insurance Risk Commission from their last meeting and has not received them yet.

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John DeGenova, Phenix Ave., appeared to speak regarding “Resolution Declaring the Two Automated Traffic System Contracts to be Illegal Under the Provisions of the Cranston City Charter and State Law”. He stated that Mr. Grimes read a statement by the Mayor backing out of the contract with Nestor. That is not good enough and he hopes the Council will pass this Resolution. He believes the Mayor backed off because the reporter reported that Nestor received a no-bid contract. Mr. DeGenova also spoke regarding “Resolution Pursuant to Sect. 10.03 of the City Charter Requesting that the Public Works Department Conduct a Study of the Drainage and Flood Issues in the City of Cranston” and regarding “Ordinance 10-05-8 Amending the Budget for the Fiscal Year Commencing July 1, 2005 and Ending June 30, 2006 - Fleet Maintenance.

Anthony Lupino, 15 Black Oak Court, appeared to speak regarding “Ordinance 10-05-8 Amending the Budget for the Fiscal Year Commencing July 1, 2005 and Ending June 30, 2006 - Fleet Maintenance”. He also spoke regarding the issue regarding “non-resident students attending Cranston Schools” and stated that the School Committee is not present this evening because of a School Committee meeting being held at this moment. He stated that during the Omnibus meeting, this issue was addressed and believes Councilman Livingston was not present at this meeting. Councilman Livingston stated that he had a scheduled vacation out of State and had asked if this meeting could be re-scheduled. He also stated that the Council still has not received any documentation of what it is costing the taxpayers to educate Providence residents in our schools. Councilman Lanni stated that he attended the Omnibus meeting and Mr. Scherza, Assistant Superintendent, did not provide actual facts or anything in writing, he only gave an approximate number.

Joe Corso, 129 Amanda St., appeared to speak and asked what is to prevent the sewer back ups from happening again? He has lived at this address for eleven years, this is the fourth sewage backup he has had.

Leah Stabile, 1950 Plainfield Circle, appeared to speak regarding a sewer backup she incurred. She stated that the main concern is why did it happen and what will prevent it from happening again in the City? The pumping station on Plainfield Pike has had problems even when it does not rain. These issues are not going to go away.

Arthur Jordan, President of Local 1322 Laborers’ International Union of North America, appeared to speak regarding “Ordinance 10-05-8 amending the Budget for the Fiscal Year commencing July 1, 2005 and ending June 30, 2006 – Fleet Maintenance” and asked that it be denied.

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VI. DOCKETED RESOLUTIONS

“RESOLUTION OF THE CITY COUNCIL ESTABLISHING THE PROCEDURE FOR THE PRESENTATION AND FILING OF DEMANDS AND CLAIMS AGAINST THE CITY OF CRANSTON”

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, it was voted to adopt this Resolution.

Under Discussion:

Councilman Fung stated that the Insurance Risk Commission is the appropriate mechanism for the claims to go through. To rework the entire structure seems like an unnecessary process.

Council President Garabedian handed gavel to Council Vice-President McFarland.

Council President Garabedian stated that State Law and Council Rules require that all claims must be filed with the City Council. Councilman Fung stated that he believes the claims do come before the City Council, because there is representation of the Council on the Insurance Risk Commission.

Roll call was taken on motion to adopt and motion passed on a vote of 7-2. The following being recorded as voting “aye”: Councilmen Pisaturo, Livingston, Council Member Fogarty, Council Member Bucci, Councilman Lanni, Council Vice-President McFarland and Council President Garabedian -7. The following being recorded as voting “nay”: Councilmen Fung and Barone -2.

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“RESOLUTION PURSUANT TO SEC. 10.03 OF THE CITY CHARTER REQUESTING THAT THE PUBLIC WORKS DEPARTMENT CONDUCT A STUDY OF THE DRAINAGE AND FLOOD ISSUES IN THE CITY OF CRANSTON”

On motion by Council Vice-President McFarland, seconded by Council Member Bucci, it was voted to amend this Resolution as follows:

Number 5 would become number 6; new number 5 would read “Drainage and flooding issues in the Stadium Neighborhood, Lake Street area”; number 6 would become number 7; New number 8 would read “A study sub-committee be created to address preventative maintenance and prioritize remediation needs as follows: Three (3) members of the City Council appointed by the Council President and one (1) shall serve as Chair as appointed by the Council President; a member of the Cranston Delegation of the State Senate; a member of the Cranston Delegation of the State Representative; Public Works Director or designee; three (3) residents of the City of Cranston appointed by the Council President. The committee shall submit a report to the full City Council at the March meeting of the full Council.

Roll call was taken on motion to amend on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

On motion by Councilman Lanni, seconded by Councilman Livingston, it was voted to adopt this Resolution as amended.

Under Discussion:

Council President Garabedian stated that this is the beginning in implementing the Pocasset River Flood Plain Study. By passing this Resolution, it shows the citizens that we are willing to resolve the long-range issues.

Roll call was taken on motion to approve as amended on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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“RESOLUTION DECLARING THE TWO AUTOMATED TRAFFIC SYSTEM CONTRACTS TO BE ILLEGAL UNDER THE PROVISIONS OF THE CRANSTON CITY CHARTER AND STATE LAW”

On motion by Council President Garabedian, seconded by Council Member Bucci, it was voted to adopt this Resolution.

Under Discussion:

Councilman Fung addressed the statement made by a member of the public stating that there was no due process. He feels that there was due process, there was an RFP presented and members of the Council were provided with it. Council Vice-President McFarland stated that the RFP provided was for automated traffic signals, but the Mayor had already entered into a contract prior to the submittal of the RFP. The speed enforcement was a no-bid contract. Councilman Fung stated that there are two issues in this Resolution. The traffic system is separate and apart from the speeding system, because the Council passed enabling legislation for the traffic system.

Gavel was handed to Vice-President McFarland.

Council President Garabedian stated that based on the opinion of the Council’s legal counsel, both contracts are illegal under State Law. Mr. Quinlan stated that he spoke to Mr. Grimes and he indicated that the traffic signal contract has not been awarded. It is still in proposal stage. Councilman Barone stated that he will abstain from voting on this Resolution because he is in favor of the traffic system portion, the speeding portion, he is not in favor. He has not had a chance to review this. Council Vice-President McFarland stated that BOCAP approved the RFP in regards to passing the traffic signal contract. Mr. Grimes clarified that the award to Nestor was valid. We have not finalized the contract because we are waiting for the State’s Rules and Regulations to be finalized. There is no contract for the traffic signal.

Council Vice-President McFarland handed the gavel back to the Council President.

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

VII. REPORT OF COMMITTEES

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

9-05-5 “ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF 1992 (647 Oaklawn Ave.)”

On motion by Council Vice-President McFarland, seconded by Councilman Pisaturo, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

9-05-6 “ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (Change of Zone – 647 Oaklawn Ave.)”

On motion by Council Vice-President McFarland, seconded by Councilman Pisaturo, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member

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10-05-7 “ORDINANCE IN AMENDMENT OF TITLE 13.08 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘PUBLIC SERVICES – SEWER SERVICE SYSTEM (Sewer Use Charges-Unit Defined)’”

On motion by Council Vice-President McFarland, seconded by Councilman Livingston, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

10-05-8 “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2005 AND ENDING JUNE 30, 2006 (Fleet Maintenance)”

Councilman Pisaturo stated that as Chair of the Rules Committee, he quoted Rule 34C, and stated that when an Ordinance is recommended denial, it is placed before the full Council for informational purposes only.

No Action.

10-05-10 “ORDINANCE AUTHORIZING THE PURCHASING AGENT TO LEASE A PORTION OF 1090 CRANSTON ST. (Hamilton Bldg.)”

On motion by Council Vice-President McFarland, seconded by Councilman Pisaturo, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

11S-05-2 “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2005 AND ENDING JUNE 30, 2006 (Public Works – Capital Equipment).

On motion by Council Vice-President McFarland, seconded by Council Member Fogarty, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

11S-05-3 “ORDINANCE IN AMENDMENT OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’, ‘MISCELLANEOUS TRAFFIC REGULATIONS’ (Minibikes)”

Council Vice-President McFarland asked for Mr. Quinlan’s opinion in regards to the statement made by Councilman Pisaturo earlier as to when an Ordinance is recommended for denial. Mr. Quinlan stated that it would take the Council’s affirmative vote to act on it.

No Action.

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

“RESOLUTION AUTHORIZING REAL ESTATE/TANGIBLE TAX ABATEMENTS”

On motion by Council Member Fogarty, seconded by Council Vice-President McFarland, the above Resolution was adopted on a vote of 9-0. . The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

“RESOLUTION AUTHORIZING MOTOR VEHICLE ABATEMENTS”

On motion by Council Member Fogarty, seconded by Councilman Livingston, the above Resolution was adopted on a vote of 9-0. . The following being recorded as voting “aye”: Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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

“RESOLUTION INSTITUTING PROCEEDINGS FOR THE ABANDONMENT OF A PORTION OF JOHN HAZEN WHITE, SR. WAY” (Tabled Nov. 17, 2005)

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to remove this Resolution from the table. Motion passed on a vote of 8-1. 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. The following being recorded as voting “nay”: Council Member Bucci -1.

“RESOLUTION AUTHORIZING THE ABANDONMENT OF A PORTION OF JOHN HAZEN WHITE, SR. WAY”

On motion by Councilman Lanni, seconded by Councilman Fung, the above Resolution was adopted on a vote of 8-1. 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. The following being recorded as voting “nay”: Council Member Bucci -1.

VIII. ELECTION OF CITY OFFICIALS

No business.

IX. REPORT OF CITY OFFICERS

No business.

IXA. OLD BUSINESS

No business.

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X. INTRODUCTION OF NEW BUSINESS

On motion by Council Vice-President McFarland, seconded by Councilman Fung, the following introduced Ordinances be advertised for hearing before the Ordinance Committee on THURSDAY, December 8, 2005 at 7 PM pursuant to Sec. 3.12 of the Charter. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

- 11-05-1 Ordinance amending the Budget for the Fiscal Year commencing July 1, 2005 and ending June 30, 2006 (Supplemental State School Aid). FINANCE COMMITTEE 12/8/2005 and ORDINANCE COMMITTEE 12/8/2005.
- 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). ORDINANCE COMMITTEE 12/8/2005.

On motion by Council Vice-President McFarland, seconded by Councilman Barone, the following introduced Ordinance be advertised for hearing before the Ordinance Committee on THURSDAY, January 12, 2006 at 7 PM pursuant to Sec. 3.12 of the Charter. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

- 11-05-3 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 2005, entitled "Zoning" (Change of Zone – Corner of Park Ave. and Cranston St.). CITY PLAN COMMISSION 1/10/2006 and ORDINANCE COMMITTEE 1/12/2006.

XI. MISCELLANEOUS BUSINESS ON CLERK'S DESK

Petition for personal injury claim from Grace Galea for injury dated April 7, 2005 and petition for personal injury claims from James & Eileen Cook for damage dated October 15, 2005.

On motion by Councilman Pisaturo, seconded by Councilman Barone, it was voted to refer the above claims to the Claims Committee. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen Pisaturo, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

XII. PUBLIC HEARINGS ON UNDOCKETED ITEMS

No business.

The meeting adjourned at 11:15 P.M.

Maria Medeiros Wall
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).