

# REGULAR MEETING – CITY COUNCIL

**-MAY 24, 2004-**

Regular meeting of the City Council of the City of Cranston was held on Monday, May 24, 2004.

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

Roll Call showed the following members present: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

Absent: Councilman Ferolito –1.

Also Present: Mayor Stephen Laffey; Paul Grimes, Director of Administration; Jametta Alston, City Solicitor; Evan Kirshenbaum, Assistant City Solicitor; Jerome Baron, Director of Finance; Mike Igoe, City Controller; Pat Quinlan, City Council Legal Counsel; Steve Woerner, City Council Internal Auditor.

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

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

No Business.

## **II. INTRODUCTION OF UNDOCKETED RESOLUTIONS**

**“RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF CRANSTON TO ENTER INTO EXCLUSIVE NEGOTIATIONS WITH SACCOCCIO & ASSOCIATES, INC., CP ASSOCIATES, LLC. , CONCERNING THE CITY’S REQUEST FOR PROPOSALS (RFP) FOR A LEASE OR LEASE PURCHASE AGREEMENT OF A NEW POLICE STATION HEADQUARTERS.”**

## **III. EXECUTIVE COMMUNICATIONS**

**“CITATIONS IN RECOGNITION OF JIM DAVEY; DAMON DIPIRO; RICHARD SALTZMAN.”**

Mayor Laffey presented Citations to the above individuals and also to **CHRISTINE BURDICK** of the Cranston Animal Shelter.

**“REPORT OF SOLICITOR ON RETENTION OF SPECIAL COUNSEL ON DESIGN/BUILD FOR CRANSTON HIGH SCHOOL EAST.”**

Ms. Alston stated that per Section 15.05 of the Charter, she is required to report back to the Council on the hiring of Special Counsel and stated that Mr. Angell has the expertise in this matter. Although there is an Ordinance to be passed by the Council regarding hiring of former board members, it does not effect this contract. She stated that Mr. Angell left the Financial Review Board in January and this contract was signed in March. Councilman Lanni asked if any other firms were solicited. Ms. Alston stated, no, Mr. Angell had the expertise the City needs and he was willing to accept retainer the City is willing to pay. Councilman Lanni stated that one bid for a contract this size, without another company being approached bothers him a lot. Ms. Alston noted that none of the legal work the City needs goes out to bid. Council President Pastore asked what other

experience Mr. Angell has. Mr. Grimes stated that he does not have a resume of Mr. Angell, but one of the projects he has worked on was for Brown University. Councilman Fung stated that Mr. Angell has handled many cases in the State Courts and in the Federal Court and there should not be a revolving door in this type of situation. He is concerned with questions going on here. There is an implication that something is wrong here; there is nothing wrong or illegal. Finds it despicable and deplorable. Council President Pastore stated that there have been other legal contracts presented to the City Council, but they have been presented in Executive Session. Ms. Alston stated that at the request of the City Council's Legal Counsel, Mr. Quinlan, she has presented contracts in public session.

Mayor Laffey appeared to speak and stated that it has been brought to his attention that the Council is planning to possibly take \$700,000 for meal tax and put this into the Police and Fire Pension. He stated that he has not seen the financial rationale for doing this and he is not in favor of doing this.

Mayor Laffey stated that he found out last week of a problem with the Charter, whereby some people believe the City Solicitor needs to reside in Cranston. He stated that Ms. Alston is doing a tremendous job and feels this is only being brought up for political reasons.

Council President Pastore asked if Mayor Laffey was willing to meet with the Auditor General on the \$700,000 if Mr. Woerner could set up a time next week. Council President indicated that Mr. Woerner had contacted the Mayor's office but was unable to coordinate a date. Mayor Laffey stated he has met at length with the Auditor General on this prior to the Council meeting. He would be willing to meet, but his opinion is not going to change. Council President requested that Mr. Woerner schedule the meeting.

#### **IV. COUNCIL PRESIDENT COMMUNICATIONS**

##### **“Review and Approval of External Audit Proposals”**

Councilwoman O'Hara stated that an Evaluation Committee was created to review the bid proposals. Members of this Committee were Mr. Baron, Mr. Woerner, Joseph Balducci of the School Department and herself. Mr. Baron was represented by Mr. Igoe and Mr. Balducci was represented by Lars Anderson. Four bids were received and the Committee interviewed the two lowest bidders. The Committee made a recommendation to the Council to hire Prescott, Chatellier, Fontaine & Wilkinson with a vote of 6-2.

James Prescott of Prescott, Chatellier, Fontaine & Wilkinson, appeared to speak and stated that as to the School's reconciliation, the Auditing Firm had been aware and were aware of an issue back in January. The Auditing Firm is still in the process of resolving that and it should be resolved shortly. Staff that will be involved in the Audit are people familiar with the job and familiar with Cranston. Councilman Jackvony asked if the Council will get copies of timetable. Councilwoman O'Hara stated that the Audit Committee had asked that the Auditing Firm and Administration meet and come up with a timetable and it be sent to the Audit Committee and that she as Audit Chair will forward copies to the Council members.

Council President Pastore stated that he received a letter dated May 19, 2004 from Mr. Grimes regarding the Audit selection and asked that the City Clerk forward copies to the Audit Committee and to Mr. Prescott.

Council President Pastore addressed Mr. Prescott and stated to him that he works for the Council and will take directions from the Council and if any issues come up, the Council needs to be made aware of them.

On motion by Councilwoman O'Hara, seconded by Councilwoman McFarland, it was voted to accept the recommendation of the Audit Committee and hire Prescott, Chatellier, Fontaine & Wilkinson as the City's Auditor for the next two years. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

### **“Memorial Day Parade”**

Council President Pastore stated that he has received a letter of invitation to the Memorial Day Parade and extended invitations to the remainder of the Council members. He presented this letter of invitation to the Clerk.

### **“Ocean State Chamber Orchestra Lease Agreement”**

Council President Pastore draft of the lease for the Ocean State Chamber Orchestra will be on the June Council meeting and asked the City Clerk to circulate a copy to the Council members.

### **“Bond Referenda”**

Council President Pastore referred to the packet of Bond Referenda that were placed on each of the Council member’s desks. He stated that all are correct with the exception of the “\$1 million bond to Finance the Purchase of Public Works and Highway Equipment”. He stated that the verbiage in the paragraph does not state that the bond shall not exceed 10 years and he asked that this be corrected.

On motion by Councilwoman McFarland, seconded by Councilman Lanni, it was voted to correct Bond Referenda for “\$1 million to Finance the Purchase of Public Works and Highway Equipment” and add **“for term not to exceed 10 years”**. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

### **“City Financials”**

Mr. Igoe gave the following report on the City’s financials:

- Through April the City collected \$186,668,493 and expended \$160,183,796.
- Areas of concern is the Fire Department Overtime, \$868,520 has been expended through April.
- Law Department – expended \$624,995
- Collection of delinquent taxes, to date, collected \$2,559,663
- School Medicare Revenue - \$523,000 collected through April
- \$13,040,985 in liquidity.
- Projected surplus of \$720,00

Council President stated that the projected surplus will be in the current fiscal year and that the Council had done a good job with its own projections.

## **V. COUNCIL MEMBER COMMUNICATIONS**

**Solicitor’s Residency Requirement** - Council Member Fogarty questioned the status of the Solicitor’s position and asked Ms. Alston for an update as to the way the Charter currently reads regarding the residency requirement. Ms. Alston stated that this issue came to her attention last week. She stated that after this question was placed before the voters, the Canvassing Clerk certified a letter to the City Clerk stating that this question was passed by the voters. This does not seem to be the case. She stated that to ensure that there is no conflict, she will gather all the information and give to a third party, chosen by the Administration and Mr. Quinlan. That third party will obtain information from the Secretary of State, the City Clerk and the Canvassing Clerk and, hopefully, have a court determine if she could still serve as Solicitor. This will be done in a timely and expedient manner as possible. Council Member Fogarty stated that this needs to be looked into and the Council requests that going forward, while this is being resolved, such issues as Ordinances and contracts, Mr. Kirshenbaum, Assistant City Solicitor, handle those types of tasks and sign those documents.

Council President Pastore asked Ms. Alston if she will be signing the Ordinances that are listed on the Docket to be adopted at this meeting. Ms. Alston stated that discussion on this issue was held in Executive Session earlier and she will not answer this in public session.

**Proposed Ordinances 4-04-2 and 4-04-3.** Councilwoman McFarland spoke regarding proposed Ordinances 4-04-2 and 4-04-3 and thanked the Tomaselli's for their generosity in willing to donate the home on Midwood St., behind their restaurant.

Councilwoman O'Hara spoke regarding proposed Ordinances 4-04-2 and 4-04-3 and stated that the public criticized that this issue had moved very quickly and felt that the public had not have a chance to be heard. She stated that the public had three opportunities to speak at public hearings. This matter came up quickly because there was a construction deadline. The clash was due to conflicts in interest. We need to try to balance the rights of everyone and figure out the best route for the collective good of the City. She stated that she is very appalled that the City was not able to take advantage of this opportunity and could not find a spot for one affordable housing opportunity in the City.

**Summer Job Lottery** - Councilman McDonough questioned when the Summer job lottery is scheduled for. Mr. Grimes stated that he will confer with the Parks and Recreation Director and the Personnel Director and will advise the Council.

## VI. PUBLIC HEARINGS

**Frank Mastrati, Jr., Esq.**, appeared to speak regarding proposed Ordinances 4-04-2 and 4-04-3 and to represent Jonathan Birnkrant of 195 Midwood St., who abuts the property in question. He stated that with him is co-counsel, Christine Fraser, representing another property owner who also abuts this property. Attorney Mastrati recommended denial of these two Ordinances and stated that he does not agree with tabling them because this would send wrong message to the public, since the Ordinance Committee recommended denial.

**Christine Fraser, Esq.**, appeared to represent Frank and Nancy Fiorito of 177 Midwood St. She reiterated the remarks made by Attorney Mastrati and also recommended denial of these two Ordinances.

**Jonathan Birnkrant**, 195 Midwood St., appeared to speak regarding proposed Ordinances 4-04-2 and 4-04-3 and thanked the Council and the Ordinance Committee for listening to the community. He stated the concern the neighbors have is open space.

**Kevin Flynn**, City Planner, appeared to speak regarding the Planning Commission's recommendations.

**Mr. Brady** appeared to speak in favor of the transfer of liquor license for Boulevard Pizza. He stated that the owner is a responsible businessman who has cleaned the building and the area up.

**Aram Garabedian**, 173 Belvedere Dr., appeared to speak regarding the proposed Undocketed Resolution regarding Police Station. He asked if the City considers this a Capital Improvement Project. Mr. Grimes stated, yes. Mr. Garabedian quoted Section 6.12 of the Charter and he asked if the Police Station is currently part of the Capital Budget. Mr. Grimes stated, no.

## VII. UNDOCKETED RESOLUTIONS

### **“RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF CRANSTON TO ENTER INTO EXCLUSIVE NEGOTIATIONS WITH SACCOCCIO & ASSOCIATES, INC., CP ASSOCIATES, LLC. , CONCERNING THE CITY’S REQUEST FOR PROPOSALS (RFP) FOR A LEASE OR LEASE PURCHASE AGREEMENT OF A NEW POLICE STATION HEADQUARTERS.”**

Council President Pastore asked if there is unanimous consent to hear this Resolution. Councilman Lanni objected.

On motion by Councilwoman McFarland, seconded by Councilman Fung, it was voted to hear this Resolution by unanimous consent.

#### Under Discussion:

Question was asked if the 2/3 vote needed for unanimous consent is of members voting or members of the Council. Mr. Kirshenbaum stated that Rule 25 of the Council Rules states that Unanimous Consent is of all members present, unless the Council suspends this rule and uses Roberts Rules. Councilman Lanni stated that he voted “nay” because this issue came before him at the last minute and he knew nothing about it. This could appear on next month’s Docket and be voted on then. Council President Pastore stated that a copy of this Resolution was sent out to the Council members on Friday, which stated that it would be under Undocketed Resolutions.

Motion failed on a vote of 6-1. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Council Member Fogarty, Councilwoman McFarland, Councilman McDonough and Council President Pastore -6. The following being recorded as voting “nay”: Councilman Lanni -1. Councilwoman O’Hara was not present for roll call vote.

Councilman Lanni removed his objection.

On motion by Councilwoman McFarland, seconded by Councilman Fung, it was voted to approve this Resolution.

Councilman McDonough questioned what the sites are for this project and why they are not mentioned in the Resolution. Mr. Grimes stated that the consultant has come up with three options: A) empty lot across from the Trolley Barn near Garfield Office Green; b) 777 Cranston St. razing the Trolley Barn; C) and 777 Cranston St. renovation of the Trolley Barn.

On motion by Councilman McDonough, seconded by Council Member Fogarty, it was voted to amend this Resolution to add to page two, first paragraph, fourth line, after the word “LLC”, “limited to the sites set forth in their RFP: Garfield Office Green and 777 Cranston St.” ; add a new paragraph as follows: “Now, Therefore, Be It Further Resolved, that upon completion of negotiations, the Administration must bring the contract before the Council for review and the Administration shall not execute any agreement without first obtaining City Council approval.” Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore -8.

Roll Call was taken on main motion to approve the above Resolution as amended and motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore -8.

## VIII. DOCKETED RESOLUTIONS

No Business.

## VIIIA. NEW BUSINESS

**S5-04-1        “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’ (SECTION 25.5 ‘CRANSTON FINANCIAL REVIEW BOARD’).”**

On motion by Councilman McDonough, seconded by Councilman Lanni, it was voted to approve the above Ordinance.

Under Discussion:

Council Member Fogarty stated that she has been approached by some people and has been questioned why one particular board is being pinpointed and not other boards and commissions in the City. Council President Pastore stated that this board was specifically pointed out by the Auditor General. Councilman Fung stated that there is no revolving door policy at the State level and he asked why the Auditor General would specifically point out the Financial Review Board. Council President Pastore stated that the City is operating under a MOU (Memorandum of Agreement) with the State of Rhode Island and there is a high level of accountability with the Financial Review Board and the role that they play.

On motion by Councilman Lanni, seconded by Councilwoman O’Hara, it was voted to amend this Ordinance to include all boards and commissions.

Under Discussion:

Council member Fogarty stated that she does not believe this amendment could be made because this Ordinance is specifically addressing the Financial Review Board. Council President Pastore suggested passing this Ordinance as is and another Ordinance be drafted to be introduced in June addressing other boards and commissions. Motion and second were withdrawn.

Roll Call was taken on motion to adopt the above Ordinance and motion passed on a vote of 7-1. The following being recorded as voting “aye”: Councilman Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –7. The following being recorded as voting “nay”: Councilman Fung –1.

**S5-04-2        “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2003 AND ENDING JUNE 30, 2004 (BUDGET STABILIZATION).”**

On motion by Councilman Fung, seconded by Councilman Jackvony, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

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

**4-04-2        “ORDINANCE AUTHORIZING THE PURCHASING AGENT TO SELL LAND (MIDWOOD ST.).”**

On motion by Councilwoman McFarland, seconded by Councilman Fung, it was voted to deny the above Ordinance. Motion passed on a vote of 6-2. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Council Member Fogarty, Councilwoman McFarland, Councilman McDonough and Council President Pastore –6. The following being recorded as voting “nay”: Councilwoman O’Hara and Councilman Lanni –2.

**4-04-3           “ORDINANCE IN AMENDMENT OF CHAPTER 30 OF THE  
CODE OF THE CITY OF CRANSTON, 1970, ENTITLED  
‘ZONING’ (CHANGE OF ZONE-MIDWOOD ST.)”**

On motion by Councilwoman McFarland, seconded by Councilman Fung, it was voted to deny this Ordinance.

Under Discussion:

Discussion took place on the possibility of postponing this Ordinance to a later date.

On motion by Councilwoman O’Hara, seconded by Councilman Jackvony, it was voted to postpone this Ordinance to date certain, being September.

Under Discussion:

Councilwoman O’Hara stated that her concern is that discussion would not happen if this was tabled and this is why she is suggesting postponing this issue. She suggests that neighbors and Administration sit down and work out some solution for open space. She also stated that there is a lot of encroachment on the property. Councilwoman McFarland stated that this will not be a dead issue. She stated that every committee she has served on, she has made certain to ensure that things have been followed through for the constituents’ benefit. Postponing the matter insures that the issue doesn’t die and is incentive to form a review Committee to address the area concerns.

Roll call was taken on motion to postpone and motion failed on a vote of 2-6. The following being recorded as voting “aye”: Councilwoman O’Hara and Councilman Lanni –2. The following being recorded as voting “nay”: Councilmen Fung, Jackvony, Council Member Fogarty, Councilwoman McFarland, Councilman McDonough and Council President Pastore –6.

Roll call was taken on main motion to deny and motion passed on a vote of 6-2. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Council Member Fogarty, Councilwoman McFarland, Councilman McDonough and Council President Pastore –6. The following being recorded as voting “nay”: Councilwoman O’Hara and Councilman Lanni –2.

**4-04-4           “ORDINANCE IN AMENDMENT OF CHAPTER 21 OF THE  
CODE OF THE CITY OF CRANSTON, 1970, ENTITLED  
‘PEDDLERS AND HAWKERS.’”**

On motion by Councilwoman McFarland, seconded by Councilman McDonough, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

**4-04-5           “ORDINANCE AMENDING THE BUDGET FOR THE FISCAL  
YEAR COMMENCING JULY 1, 2003 AND ENDING JUNE 30, 2004  
(LAW DEPT.)”**

On motion by Councilwoman McFarland, seconded by Councilman McDonough, it was voted to deny this Ordinance.

Under Discussion:

Councilwoman O’Hara stated that past Council did not take advice of the Auditor General and that position proved to be a very serious mistake. She stated that it is very important for the Council to sit down and discuss this issue and she suggested tabling this Ordinance until next month. Council President Pastore passed the gavel to Vice-President O’Hara.

Council President Pastore stated that he was going to ask that this Ordinance be amended and have passed by the Council, but Administration has disregarded the Auditor General’s concerns and recommendations. Council President stated he will not ignore the recommendations, and is recommending tabling this Ordinance to work on it for next month.

On motion by Councilwoman O'Hara, seconded by Council President Pastore, it was voted to table this Ordinance. Motion failed on a tie vote of 4-4. The following being recorded as voting "aye": Councilman Jackvony, Councilwoman O'Hara, Councilman Lanni and Council President Pastore –4. The following being recorded as voting "nay": Councilman Fung, Council Member Fogarty, Councilwoman McFarland and Councilman McDonough 4.

Motion and second to deny were withdrawn.

Gavel was passed back to Council President Pastore.

On motion by Councilman Fung, seconded by Councilwoman McFarland, it was voted to reconsider. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

On motion by Councilman McDonough, seconded by Councilwoman O'Hara, it was voted to table this Ordinance. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

**4-04-6 "ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2003 AND ENDING JUNE 30, 2004 (MUNICIPAL COURT)."**

On motion by Councilwoman McFarland, seconded by Councilman McDonough, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

**4-04-7 "ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED 'MOTOR VEHICLES AND TRAFFIC', 'NO PARKING ON CERTAIN STREETS-GENERALLY' BY ADDING PENDLETON ST., PORTION OF; 'SAME-BETWEEN 8:00 AM AND 6:00 PM MONDAY THROUGH SATURDAY' BY DELETING PENDLETON ST., PORTION OF."**

On motion by Councilwoman McFarland, seconded by Councilwoman O'Hara, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilman Lanni and Council President Pastore – 7. Councilman McDonough was not present for roll call vote.

**4-04-8 "ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED 'MOTOR VEHICLES AND TRAFFIC', 'NO PARKING ON CERTAIN STREETS-GENERALLY' BY ADDING BRAYTON AVE., PORTION OF; 'NO PARKING ON CERTAIN STREETS-GENERALLY' BY DELETING BRAYTON AVE., PORTION OF."**

On motion by Councilwoman McFarland, seconded by Council Member Fogarty, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilman Lanni and Council President Pastore – 7. Councilman McDonough was not present for roll call vote.

## COMMITTEE ON SAFETY SERVICES & LICENSES

### **“TRANSFER OF CLASS B LTD. TO CLASS B FULL ALCOHOLIC BEVERAGE LICENSE FOR ‘GERALDINE ENTERPRISES, INC. D/B/A BOULEVARD PIZZA, 1031 NARRAGANSETT BLVD.”**

On motion by Councilman Lanni, seconded by Councilman Fung, it was voted to accept the recommendation of the Safety Services and Licenses Committee to create new license for this establishment with restrictions as placed by the Safety Services and Licenses Committee.

#### Under Discussion:

Councilwoman O’Hara stated that she has received no phone calls objecting to this license. She asked that the Safety services and Licenses Committee be diligent in the future of any concerns that would develop and address those issues.

Roll Call was taken on motion to approve and motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

## **X. ELECTION OF CITY OFFICIALS**

No Business.

## **XIA. OLD BUSINESS**

**10-03-1 “ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘ADMINISTRATION’ (APPROVAL OF APPROPRIATIONS). (TABLED 1/26/2004, 2/23/2004, 3/22/2004; Referred to Cranston Financial Review Board; 4/26/2004).”**

No action.

## **XII. NEW BUSINESS**

On motion by Councilwoman McFarland, seconded by Councilman Lanni, the following introduced Ordinances be advertised for hearing before the Ordinance Committee on THURSDAY, June 17, 2004 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 Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Lanni, McDonough and Council President Pastore –8.

- 5-04-1 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 1970, entitled “Motor Vehicles and Traffic”, “No Parking On Certain Streets-Generally” by adding Main St., portion of. ORDINANCE COMMITTEE 6/17/2004.
- 5-04-2 Ordinance in amendment of Chapter 17 of the Code of the City of Cranston, 1970, entitled “Motor Vehicles and Traffic”, “Same-Enumerated” by adding Across Wilbur Ave., portion of. ORDINANCE COMMITTEE 6/17/2004.
- 5-04-3 Ordinance in amendment of Chapter 10 of the Code of the City of Cranston, 1970, entitled “Fire Department” (Rescue Charges). ORDINANCE COMMITTEE 6/17/2004.
- 5-04-4 Ordinance amending the Budget for the fiscal year commencing July 1, 2003 and ending June 30, 2004. (Highway Maintenance). FINANCE COMMITTEE 6/17/2004 and ORDINANCE COMMITTEE 6/17/2004.

5-04-5 Ordinance amending the Budget for the fiscal year commencing July 1, 2003 and ending June 30, 2004. (Transfer of Deferred Revenue to Cranston School Department). (School Department 04 Deficit). FINANCE COMMITTEE 6/17/2004 and ORDINANCE COMMITTEE 6/17/2004.

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

Ms. Wall brought to the attention of the Council the Internal Audit Report of the Analysis of the Rainy Day Fund. Council President Pastore stated that this will be discussed next month.

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

**Aram Garabedian**, 173 Belvedere Dr., appeared to speak regarding the residency of the Solicitor and creation of Municipal Court. He questioned whether there is a referendum needed for Municipal Court. As for the residency issue of the Solicitor, Mr. Garabedian quoted Section 8.01 of the Charter and stated that this section had no mention of residency requirement and stated that he holds the Charter as a bible. He submitted the following documents for the record: certified copy of Code Supplement #22 dated December 20, 1996, prior to referendum; certified copy of Council Resolution dated April 27, 1998 placing the residency requirement of Solicitor and Assistant Solicitors before the voters; certified copy of question placed before the voters and certified copy of referendum vote. He stated that this is not a political issue, it is an issue that needs to be rectified. He suggested looking into the employees throughout the City and make sure that they are residents of the City.

The meeting adjourned at 10:00 P.M.

Maria Medeiros Wall  
City Clerk

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees

(See Stenographic Notes of Ron Ronzio, Stenotypist).