

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

REGULAR MEETING – CITY COUNCIL

-DECEMBER 16, 2019-

Regular meeting of the City Council was held on Monday, December 16, 2019 in the Council Chambers. 869 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 7:00 P.M. by the Council President.

Roll call showed the following members present: Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

Absent: Councilmembers Hopkins and Paplauskas -2.

Also Present: Daniel Parrillo, Director of Administration; Robert Strom, Director of Finance; Christopher Rawson, City Solicitor; Evan Kirshenbaum, City Council Legal Counsel; David DiMaio, City Council Budget Analyst.

Council President Farina stated that Councilmember Hopkins's wife was laid to rest today and it was a sad tough day for the City Council today and our thoughts and prayers are with Councilmember Hopkins and his family. He also stated that Councilmember Paplauskas is moving tomorrow and they are making final preparation for the move and will not be attending this evening's meeting.

Council Vice-President Favicchio stated that Councilmember Hopkins's wife, Mary, passed away last week and the Funeral Mass was held today. She was a wife, mother, teacher and friend and her impact on this community will be held for a very long time. Today was a very sad day for the City and for the City Council. Council Vice-President Favicchio asked for a moment of silence for Mary Hopkins.

Council President Farina indicated that the two Ordinances regarding Impact Fees have been withdrawn by the Administration.

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

None.

II. PUBLIC HEARINGS

Robert Wilson, 114 Mayflower Dr., appeared to speak regarding the status of Yardworks and stated that they were in Court on December 5th for the noise violation and that case was dismissed because according to the Ordinance, it has to be a Police Officer present for the noise violation. On December 9th & 10th, he called the Police and made a complaint. Shortly after the Police Officer left, the neighbors started to hear honking horns as if to say they did not care and they were going to continue to do what they are doing.

Director Parrillo reported that suit has been filed in Superior Court.

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AUDIT REPORT FROM BLUM SHAPIRO FOR FISCAL YEAR ENDING JUNE 30, 2019.

Director Strom introduced Ron Noosek, Engagement Partner from Blum Shapiro and his Assistants, Matt Godino and Stephen Gross.

Mr. Noosek appeared to speak and made a presentation regarding the Audit.

Councilmember Stycos asked Mr. Noosek what the budgetary basis is for the City and School. Mr. Noosek stated that from a budgetary basis, the City had approximately \$1.8 million deficit and the Schools had approximately \$570,000 surplus.

Councilmember Stycos questioned the \$700,000 deficit in the Charter School. Joseph Balducci, School Department Chief Financial Officer, appeared to speak and indicated that the Charter School is recognized as an Enterprise Fund. Councilmember Stycos asked if that deficit is a School Department liability or Laborer's. Mr. Balducci stated that it is a Charter School liability.

Director Strom stated that the City has been very active in the IOD claims and have been very active in trying to get the number down as much as possible as far as the deficit.

ANNETTE BOURNE, DIRECTOR OF POLICY RESEARCH HOUSINGWORKS RI PRESENTATION ON THE STATE OF HOUSING IN CRANSTON

Annette Bourne appeared to speak and gave a presentation. She presented handout and 2019 Housing Fact Book. Ms. Bourne stated that housing affects educational outcomes and health outcome. She also stated that as we work in the next four to five years on the Comprehensive Plan, we have to really start thinking about housing and public transportation. She also indicated that a strategic housing plan is being worked on at this time through HUD.

Council President Farina thanked Ms. Bourne for her presentation and suggested that perhaps a public workshop be held in the Spring to discuss this issue further.

Council President Farina asked if there were any objections to holding discussion and vote regarding State Farm Cemetery at this time. There were no objections.

STATE FARM CEMETERY:

Permit request dated December 5, 2019 from Public Archaeology Laboratory on behalf of Carpionato Group, LLC to conduct archaeological investigation within 25' buffer of the State Farm Cemetery.

Tom Moses, Esq., appeared to speak and stated that his client is seeking City Council approval for the consultant to perform field investigation to confirm any graves within 25 foot buffer of the State Farm Cemetery.

Peter Mair, Senior Archeologist of Public Archeology Laboratory, appeared to speak.

Councilmember McAuley asked when the work will start. Mr. Mair stated that as soon as approval is given, they can start, pending on the weather.

On motion by Council Vice-President Favicchio, seconded by Councilmember McAuley, it was voted to approve the above request. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

III. RESOLUTIONS

None.

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IV. REPORT OF COMMITTEES

FINANCE COMMITTEE

(Council Vice-President Michael W. Favicchio, Chair)

11-19-01 ORDINANCE AUTHORIZING THE CITY TO UTILIZE EASTERN CRANSTON RECREATIONAL IMPACT FEES FOR PURCHASE OF MOTOR VEHICLE WITH PLOW

Withdrawn by Administration.

11-19-02 ORDINANCE AUTHORIZING THE CITY TO UTILIZE WESTERN CRANSTON RECREATIONAL IMPACT FEES FOR PURCHASE OF DUMP TRUCK WITH PLOW

Withdrawn by Administration.

RESOLUTION AUTHORIZING REAL ESTATE TAX ABATEMENTS

On motion by Councilmember McAuley, seconded by Councilmember Brady, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS

On motion by Councilmember Brady, seconded by Councilmember McAuley, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

RESOLUTION AUTHORIZING TANGIBLE TAX ABATEMENTS

On motion by Councilmember Brady, seconded by Councilmember McAuley, the above Resolution was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

TAX INTEREST WAIVER APPROVALS

On motion by Councilmember McAuley, seconded by Councilmember Brady, it was voted to approve the list of Tax Interest Waiver Approvals. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

TAX INTEREST WAIVER DENIALS

On motion by Councilmember Brady, seconded by Councilmember Donegan, it was voted to approve the list of Tax Interest Waiver Denials. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

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**ORDINANCE COMMITTEE
(Council Vice-President Michael W. Favicchio, Chair)**

8-19-07 ORDINANCE IN AMENDMENT OF CHAPTER 17.24 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Solar Energy Systems)

Council President Farina suggested that this Ordinance should be continued in order to be heard with the corresponding Ordinances which were referred back to Planning Commission at last month's Special Ordinance Committee meeting.

On motion by Councilmember Brady, seconded by Councilmember McAuley, it was voted to continue this Ordinance. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

8-19-08 ORDINANCE IN AMENDMENT OF CHAPTER 17.20.030 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'ZONING' (Schedule of Uses)

Council President Farina suggested that this Ordinance should be continued in order to be heard with the corresponding Ordinances which were referred back to Planning Commission at last month's Special Ordinance Committee meeting.

On motion by Councilmember McAuley, seconded by Councilmember Brady, it was voted to continue this Ordinance. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

10-19-01 ORDINANCE IN AMENDMENT OF TITLE 10.32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC' (Metropolitan Ave. – No Parking)

On motion by Councilmember Brady, seconded by Councilmember Vargas, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

10-19-02 ORDINANCE IN AMENDMENT OF TITLE 10, CHAPTER 32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC' (Crescent Ave. 15 min. parking during School hours)

Council President Farina indicated that the Traffic Engineer has stated that a Traffic Report is not needed for this Ordinance.

On motion by Council Vice-President Favicchio, seconded by Councilmember Brady, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

10-19-03 ORDINANCE IN AMENDMENT OF TITLE 10.32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR VEHICLES AND TRAFFIC' (Macklin St. – No Parking)

Council President Farina indicated that the Traffic Engineer has stated that a Traffic Report is not needed for this Ordinance.

On motion by Council Vice-President Favicchio, seconded by Councilmember Brady, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

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10-19-07 ORDINANCE IN AMENDMENT OF CHAPTER 10.32 OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (Aqueduct Rd. at Intervale Rd. – 4 Way Stop)

On motion by Councilmember Brady, seconded by Councilmember Vargas, the above Ordinance was adopted on a vote of 7-0. The following being recorded as voting “aye”: Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

V. PUBLIC HEARINGS

Suzanne Arena, 88 Lakeland Rd., appeared to speak and thanked Councilmember Donegan for bringing up the issue on social media of the basketball hoops sitting on the grass and residents are given two hours to remove them or possibly be cited. She questioned how something on the grass be an obstruction. She does not see tickets issued to property owners who do not shovel their sidewalks and we have children walking to school in the street. She also indicated that she is a former member of the Cranston Citizens for Responsible Zoning and she addressed the former Cullion property and stated that the City paid \$2.5 million and DEM paid \$2.5 million. She questioned why no one knows about this and also stated that there is a company there now and this is a company that needs to be looked into. Council President Farina asked that this issue be added to the Finance Committee agenda in regards to the financing of this payment. Director Parrillo stated that the City has been contacted by DEM, Health Department and OSHA and DEM is currently conducting an investigation. He also stated that the City is very concerned about the health and safety of the employees there.

Councilmember Donegan addressed the issue of the basketball hoops and stated that the Public Works Department has been leaving letters in the doors of residents asking that they remove the hoops within two hours or they would be cited. This letter was not worded properly. The two hours is a big question. Director Parrillo stated that the letter was drafted verbatim from the Ordinance. The City is looking for compliance rather than a penalty. The issue with that is the rim and net hang into the street and when a plow truck goes by, the plow truck or hoop could get damaged and that is a safety concern and potential claim being filed.

Discussion took place on the possible need to amend the Ordinance.

VI. ELECTION OF CITY OFFICIALS

HISTORICAL CEMETERIES COMMISSION:

- **DAVID W. GUIOT, Member appointment term to expire: Dec. 16, 2022
Council President Farina (informational only)**

No action needed.

VII. REPORT OF CITY OFFICERS

None.

VIII. EXECUTIVE COMMUNICATIONS

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

No discussion.

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CRANSTON FIRE DEPARTMENT:

- **DEPUTY CHIEF ROBERT RYAN - request to be continued in service for one year**

Director Parrillo appeared to speak.

On motion by Council Vice-President Favicchio, seconded by Councilmember McAuley, it was voted to approve this request. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

- **ASSISTANT CHIEF PAUL DELISI – request to be placed on pension roll effective January 3, 2020**

Director Parrillo appeared to speak.

On motion by Council Vice-President Favicchio, seconded by Councilmember McAuley, it was voted to approve this request. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

- **DEPUTY CHIEF TODD MCGILL - request to be placed on pension roll effective January 10, 2020**

Director Parrillo appeared to speak.

On motion by Council Vice-President Favicchio, seconded by Councilmember McAuley, it was voted to approve this request. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

IX. COUNCIL PRESIDENT COMMUNICATIONS

CRANSTON FIRE DEPARTMENT REPORT ON STATUS OF INVESTIGATION

Director Parrillo stated that the investigation is ongoing. The Investigator’s Report should be available to the City by the end of January and Executive Session could be scheduled after that.

X. COUNCIL MEMBER COMMUNICATIONS

COUNCILMEMBER STYCOS:

- ***City plans to bring Hope Farm solar facility fencing into compliance. (Cont. from 6/24/2019 & 11/25/2019)***

Director Parrillo stated that Public Works Director Mason has reached out to the company that is building the facility and they agreed to stop that process.

Jason Pezzullo, City Planner, appeared to speak and stated that DEM has been on the site multiple times and has not found cause for violation as far as the fence.

- ***ProSys Chemical Fire – recouping costs (Cont. 10/28/2019 & 11/25/2019 – report from Administration)***

Solicitor stated that the cost as \$650,000. He also stated that our own Fire Marshall called this accidental. Even if it was not, we can’t recoup these types of damages. Unfortunately, those would have to be absorbed by the municipality.

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- *Administrative report on decommissioning estimates for solar farms (Cont. from 11/25/2019)*

Director Parrillo stated that the City is working on the Solar Farm for Hope. Going forward, the company originally contracted to do the project should be different than the company hired to do report on decommissioning bond amount. The Ordinance does not state that, but he thinks going forward it should be a different company. The City accepted DiPrete's reports for the ones they did. To make another company do the report again could be very expensive, but he can discuss this with the attorneys. Councilmember Stycos stated that it could become very expensive thirty years from now.

Council Vice-President Favicchio suggested placing this item on the Finance Committee Agenda to discuss what would be appropriate to decommission a solar farm. Council President Farina agreed to placing this item on a future Finance Committee Agenda once we have all the information.

Council Vice-President Favicchio asked that the following be placed on the next Finance Committee meeting agenda: budgeting status on the technology changes in the City.

XI. OLD BUSINESS

None.

XII. INTRODUCTION OF NEW BUSINESS

*(for informational purposes. All new business is referred to Committee for public hearing)

- 12-19-01** **ORDINANCE RATIFYING SCHOOL COMMITTEE'S COLLECTIVE BARGAINING AGREEMENT WITH THE RHODE ISLAND COUNCIL 94 AFSCME, AFL-CIO, CRANSTON PUBLIC SCHOOL EMPLOYEES, ADMINISTRATIVE ASSISTANTS LOCAL 2044 (July 1, 2017 – June 30, 2020 Wage Reopen and July 1, 2020 – June 30, 2021). Introduced pursuant to Charter Sec. 11.02.1. Referred to Finance Committee January 6, 2020.**
- 12-19-02** **ORDINANCE RATIFYING SCHOOL COMMITTEE'S COLLECTIVE BARGAINING AGREEMENT WITH THE RHODE ISLAND LABORERS DISTRICT COUNCIL 1322, BUS DRIVERS UNIT (July 1, 2017 – June 30, 2020 Wage Reopen). Introduced pursuant to Charter Sec. 11.02.1. Referred to Finance Committee January 6, 2020.**

REQUEST FROM NATIONAL GRID AND VERIZON FOR JOINT POLE LOCATION AT MAGNOLIA ST. Referred to Public Works Committee January 16, 2020.

CLAIMS – January 16, 2019

- **Property Damage Claim:**
 - **Lori Antonelli from alleged incident on unknown date.**
 - **Melissa Parkerson from alleged incident on October 9, 2019.**
 - **Eleanor Wedge from alleged incident on November 6, 2019.**
 - **Thomas Carmody from alleged incident on November 12, 2019.**
 - **Nicole Fratantaro from alleged incident on December 4, 2019.**

On motion by Councilmember McAuley, seconded by Councilmember Brady, it was voted to refer the above new business to the respective Committees. Motion passed on a vote of 7-0. The following being recorded as voting "aye": Councilmembers Stycos, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -7.

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XII. MISCELLANEOUS BUSINESS ON CLERK'S DESK

STATE FARM CEMETERY:

Permit request dated December 5, 2019 from Public Archaeology Laboratory on behalf of Carpiolato Group, LLC to conduct archaeological investigation within 25' buffer of the State Farm Cemetery.

Discussion and vote took place at the beginning of the meeting.

STATE FIRE MARSHALL NOTIFICATION OF BLASTING PERMIT

Location: Parking area at 1876 Phenix Avenue

Dates: 12/11/2019 – 12/31-2019

For information only.

ZONING MAP – GIS notification 12/5/2019 – 545 & 55 Atwood Ave zone change and Correction from 168 Cannon St.

For information only.

The meeting adjourned at 9:15 P.M.

Maria Medeiros Wall, JD
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committee

(See Stenographic Notes of Ron Ronzio, Stenotypist)