

*(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**

**-JANUARY 27, 2020-**

Regular meeting of the City Council was held on Monday, January 27, 2020 in the Council Chambers. 869 Park Ave., 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: Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

Absent: Councilmember Paplauskas -1.

Also Present: Daniel Parrillo, Director of Administration; John Psilopoulos, Deputy Director of Administration; Robert Strom, Director of Finance; John Verdecchia, Assistant City Solicitor; Evan Kirshenbaum, City Council Legal Counsel; David DiMaio, City Council Budget Analyst.

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

**CLCF CHIEFS 8U BOYS FOOTBALL TEAM SUPER BOWL CHAMPIONS**

**CLCF CHIEFS 10U BOYS FOOTBALL TEAM REGIONAL AND SUPER BOWL CHAMPIONS**

Citations were presented at the Special Council meeting held at 6 p.m.

### **II. PUBLIC HEARINGS**

**John DiBona, Esq.**, appeared to represent applicant for RICHIE, Inc., d/b/a El Tapatio.

**Robert Wilson**, 114 Mayflower Dr., appeared to speak and to also represent the Edgewood Association in favor of proposed Ordinance 1-20-01, which relates to Yardworks. He stated that a member of the City's Inspections Department was to go to Yardworks last week because Yardworks was required to obtain a permit for the electricity in the portables. He questioned what the status is on this. He also stated that it was brought to his attention that there are heating units and air conditioning units hooked up to the shed. He questioned why a utility shed would need air conditioning and heating. This needs to be revisited and enforced. He would like an update from the Administration regarding this.

**Director Parrillo** stated that Building Official Rodio has indicated that Yardworks does not need a certificate for electrical outlet. The Inspector has been doing inspections of the shed and, in his opinion, the shed is being utilized as a shed and not an office.

**Solicitor Verdecchia** stated that suit has been filed and the matter has been assigned to business calendar before Judge Stern. There is a conference scheduled with the Judge. The next step that will be taken, which will be pretty soon, is mediation with Retired Chief Judge Frank Williams. The decision is non-binding, which does not have to be accepted on both parties. If it is not accepted by either party, it will proceed through normal trial process.

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**Councilmember Stycos** asked that Attorney Kirshenbaum be involved in the process for the City Council in regards to Yardworks.

**Council President Farina** stated that he will follow up with Attorney Kirshenbaum to discuss if he is willing as this would exceed the hour allotted for his position as the City Council Legal Counsel.

**Mr. Wilson** asked if it is possible to get a second opinion and if someone else can go to Yardworks and look at their operation. Director Parrillo stated that the Inspector has been there and there is no evidence that that structure is being used as an office.

### III. RESOLUTIONS

None.

### IV. REPORT OF COMMITTEES

#### SAFETY SERVICES & LICENSES COMMITTEE (Councilmember Christopher G. Paplauskas, Chair)

**CLASS B VICTUALLING LIQUOR LICENSE-NEW (Over Cap – requires Council Approval)**  
**RICHIE, Inc. d/b/a El Tapatio (Pedro Barajas)** 1045 Reservoir Ave.

On motion by Councilmember Brady, seconded by Councilmember Hopkins, it was voted to approve this liquor license application. Motion passed on a vote of 8-0. Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

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

**9-19-01      ORDINANCE IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ADMINISTRATION AND PERSONNEL’ (Minimum Wage)**

**Council President Farina** recused from any discussion or vote on this Ordinance.

Gavel was handed to Council Vice-President Favicchio.

On motion by Councilmember Donegan, seconded by Councilmember Vargas, it was voted to adopt the above Ordinance.

Under Discussion:

**Solicitor** stated that he does not believe this would cause a conflict with any State mandate or any State action as it pertains to minimum wage. He does not see it a conflict with the City setting a minimum wage for its own employees. This would not apply to collective bargaining unions.

**Councilmember Vargas** stated that this is a minimal increase for people who make very little money and most work two jobs. She indicated that this City Council recently voted for City Council salary increase. This Ordinance should be passed.

**Councilmember Donegan** stated that this is a minimal raise for a small group of people.

**Councilmember Brady** stated that, although he is not opposed to this, he would like to hear from the Administration of what the actual fiscal impact would be.

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**Councilmember McAuley** stated that the City Council did not give itself a raise. That raise that was approved is for the next incoming City Council.

**Council Vice-President Favicchio** stated that he would like to know who these people are that this affects. Director Strom stated that eleven people are in the Police Department, one person in the Senior Center Administration, three people in Parks and Recreation, two people at Senior Center Nutrition Department and a couple at the Ice Rink. Council Vice-President Favicchio asked if all these people are close in pay. Director Strom stated that the following of the ones he looked into: one is at \$11.50 per hour, forty-nine are at \$12.00 per hour, nine are at \$10.50 per hour and four are at \$12.29 per hour. He also stated that the majority of the ones that are at \$12.00 per hour is pretty close to what the Ordinance states. He also stated that, as he has stated in the past, this is something that should be discussed by each department as their budget is being proposed and should be done during the budget process.

**Council Vice-President Favicchio** agreed with Director Strom that this should be done during the budget process. He does not have a problem increasing the salaries, but he would like to hear what the directors feel they need to pay each person in their department.

**Solicitor** stated that, per the labor attorney's opinion, out of abundance of caution, the library employees would need to be added to the Ordinance and if that were the case, that would be considered a major change in the Ordinance and would have to be re-advertised.

**Councilmember Donegan** stated that he would like the labor attorney's opinion regarding the library employees be made part of the minutes.

**City Clerk** stated that the purpose of advertising is when there is a substantive change, the public is not aware of the legal opinion.

Motion and second to adopt the above Ordinance were withdrawn.

On motion by Councilmember Donegan, seconded by Councilmember McAuley, it was voted to amend line #31 of this Ordinance by adding the following language: "employees of Cranston Public Libraries." and re-advertise for the Ordinance Committee.

Under Discussion:

**Solicitor** suggested referencing the legal opinion within the body of the Ordinance.

Roll call was taken on motion to amend this Ordinance as stated above and motion passed on a vote of 7-0 with 1 recusal. The following being recorded as voting "aye": Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady and Council Vice-President Favicchio -7. Council President Farina recused.

On motion by Councilmember Donegan, seconded by Councilmember Vargas, it was voted to forward this Ordinance as amended to the full City Council in February. Motion passed on a vote of 7-0 with 1 recusal. The following being recorded as voting "aye": Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady and Council Vice-President Favicchio -7. Council President Farina recused.

**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)**

On motion by Councilmember McAuley, seconded by Councilmember Brady, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting "aye": Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

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**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)**

On motion by Councilmember McAuley, seconded by Councilmember Brady, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

**RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS**

On motion by Councilmember McAuley, seconded by Councilmember Hopkins, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

**RESOLUTION AUTHORIZING TANGIBLE TAX ABATEMENTS**

On motion by Councilmember McAuley, seconded by Councilmember Brady, the above Resolution was adopted on a vote of 8-0. Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

**TAX INTEREST WAIVER APPROVALS**

On motion by Councilmember Brady, seconded by Councilmember McAuley, it was voted to approve the list of Tax Interest Waiver Approvals. Motion passed on a vote of 8-0. Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

**TAX INTEREST WAIVER DENIALS**

On motion by Councilmember Brady, seconded by Councilmember McAuley, it was voted to approve the list of Tax Interest Waiver Approvals. Motion passed on a vote of 8-0. Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

**ORDINANCE COMMITTEE**

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

**11-19-03      ORDINANCE IN AMENDMENET OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (Change of Zone – 100 Sockanosset Crossroad)**

On motion by Councilmember Brady, seconded by Council Vice-President Favicchio, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

**CLAIMS COMMITTEE**

**(Councilmember Paul J. McAuley, Chair)**

**REPORT OF SETTLED CLAIMS (Informational purposes): Jayne Rabideau \$300.00 vehicle damage; Law Office of John T Carroll and William Gyra \$15,000.00 personal injury; Sinapi Law Associates and Keith Reynolds \$12,500.00 personal injury; Timothea Iannuccilli \$167.49 vehicle damage; Robert Miller \$111.06 property damage; Lori Antonelli \$150.00 vehicle damage; Thomas Carmody \$2,835.52 vehicle damage.**

No action needed.

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**V. PUBLIC HEARINGS**

**Tom Okolowicz** appeared to speak and stated that there is a four-way stop sign at Fox Ridge and Scaralia. He asked if the possibility of removing the stop sign at Fox Ridge could be addressed. He also stated that the stop sign is right in the middle of a hill. **Councilmember Brady** stated that he will introduce an Ordinance to remove this stop sign.

**VI. ELECTION OF CITY OFFICIALS**

**BOARD OF CONTRACT AND PURCHASE – terms to expire January 4, 2021**

- **Council President re-appointment: Robert A. DiStefano, Jr.**
- **Council Majority re-appointments: Domenic F. Fusco Jr. & Robert Ferri**
- **Council Minority re-appointments: Stephen W. Ciambrone & Michael Schlesinger**

**Councilmember Stycos** indicated that he has not heard from Mr. Ciambrone if he wishes to be re-appointed.

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.

**CRANSTON FIRE DEPARTMENT:**

- **CAPTAIN HAROLD HUNT – request to be placed on disability pension roll effective January 17, 2020**

**Director Parrillo** appeared to speak.

On motion by Councilmember McAuley, seconded by Councilmember Brady, it was voted to approve this request. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favichio and Council President Farina -8.

- **DEPUTY CHIEF FRANK ENNIS – request to be placed on pension roll effective January 10, 2020**

**Director Parrillo** appeared to speak.

On motion by Councilmember Hopkins, seconded by Councilmember McAuley, it was voted to approve the above request. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favichio and Council President Farina -8.

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- **CHIEF STEPHEN MACINTOSH** – request to be continued in service for one year

**Director Parrillo** appeared to speak.

On motion by Councilmember McAuley, seconded by Councilmember Hopkins, it was voted to approve this request. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

### IX. COUNCIL PRESIDENT COMMUNICATIONS

None.

### X. COUNCIL MEMBER COMMUNICATIONS

#### COUNCILMEMBER STYCOS:

- *Gold Meadows solar facility fence update*

**Director Parrillo** stated that the Administration believes that the proper venue to address this is at the Planning Commission rather the City Council. Administration would like to have this referred to the Planning Commission.

**Director Pezzullo** stated that the proper venue is Development Plan Review and not the Planning Commission.

**Councilmember Stycos** stated that he would suggest that the City inspect the fence. **Director Parrillo** stated that he will speak to Director Rodio regarding this.

- *Tax Assessment Board of Review Abatement*

**Councilmember Stycos** stated that at the last Finance Committee meeting, Councilmember Donegan questioned the Tax Assessment Board of Review reducing the assessment two years in a row on some of Carpionato’s properties. He asked if there is any update regarding this. **Director Strom** stated that, as he indicated to Councilmember Donegan, the Tax Assessment Board of Review does not have actual minutes. There are taped recordings of the meetings and if Councilmember Stycos would like, he can provide a copy of that tape recording to see how the Board arrived at what they did. He can find out how he can forward that to Councilmember Stycos.

**Council Vice-President Favicchio** stated that we may have to check to see if there is an appraisal submitted by Carpionato Corp. to substantiate their request for reduction.

#### COUNCILMEMBER DONEGAN:

- *Letter to Businesses regarding the Plastic Reduction Ordinance*

**Councilmember Donegan** suggested adding a letter or some information regarding the elimination of plastic bags with a copy of the Ordinance included in the Mayor’s tax letter. **Director Parrillo** stated that at this point, it is early and we do not know how many businesses there are in the City. The Administration does not think it is financially responsible to do that at this time. Maybe social media outreach would be a good way of informing the public. Councilmember Stycos asked if Cranston could send out a notice with the business license renewal applications. City Clerk noted that business licenses expire at various times throughout the year and renewal notices are mailed out throughout the year. She also indicated that the adopted Ordinance was advertised. She suggested running a block ad in the Cranston Herald and maybe put something up on the City’s website.

**Councilmember Donegan** stated that perhaps the City could do a community outreach to make the citizens and businesses aware of this.

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**Councilmember Vargas** stated that as we have new businesses coming into the City and as they come before Safety Services and Licenses Committee, we can advise them of this. Information could also be placed in the Clerk's Office or the lobby of City Hall. The Chamber of Commerce could also help with this.

**Director Parrillo** stated that this is something that will have to be gradually enforced.

**COUNCILMEMBER VARGAS:**

- *Status of Fire Department investigation*

**Councilmember Vargas** asked if there will be an Executive Session in the near future regarding this. **Director Parrillo** stated that he spoke to the Investigator last week and indicated to him that the report should be ready by mid-February. Once the City has that, we can schedule an Executive Session to share that report.

- *Yard Works*

Discussed earlier in the meeting.

- *Montgomery Avenue light and pothole*

**Councilmember Vargas** indicated that this area borders the City of Providence. She stated that in August, Providence Water was doing work and along the way they hit something and the traffic light no longer works. There is a stop sign, but not visible because it is very low and people are running through the intersection. There is also a RIPTA bus stop there and a bus rest there. She asked if the Administration or Public Works can address this at least for the time being, to at least make the stop sign a certain height so it can be visible. **Director Parrillo** stated that he will follow up on this and make sure there is a visible or safe stop sign there.

- *Pawtuxet Village speeding issues*

**Councilmember Vargas** stated that she received a report regarding this and she thanked the Police for monitoring this area.

**COUNCILMEMBER HOPKINS:**

- *Three Dimensional Crosswalks*

**Councilmember Hopkins** stated that at the last Public Works Committee meeting, he asked Public Works Director Mason to do some research on the Three Dimensional Crosswalks that are being used in Medford, Massachusetts. He does not see this item on the docket this evening. He asked if there is any report on this. He also stated that he found out that there is no cost other than the cost of the paint. He asked that the Administration continue to follow up on that.

**Director Parrillo** stated that that particular paint costs three to four times the cost of regular paint. There is also the question of liability of the cities and towns because people will get rear ended when they come to a short stop because there is nothing there. He will have **Director Mason** follow up.

**COUNCIL VICE-PRESIDENT FAVICCHIO:**

- *Oakhill Playground*

**Council Vice-President Favicchio** stated that there is sidewalk being built near Oakhill playground. He was advised that the State could help with the City to put that in.

**XI. OLD BUSINESS**

None.

**-JANUARY 27, 2020-****XII. INTRODUCTION OF NEW BUSINESS**

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

- 1-20-01**      **ORDINANCE IN AMENDMENT OF CHAPTER 8.20 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘NOISE CONTROL’ (Noise Measurements). Sponsored by Councilmember Stycos. *Referred to Ordinance Committee Tuesday 2/18/2020.***
- 1-20-02**      **ORDINANCE IN AMENDMENT OF CHAPTER 12 OF TITLE 12 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘STREET AND SIDEWALKS USE REGULATIONS’ (Obstruction of Public Ways). Sponsored by Councilmember Donegan. *Referred to Public Works Committee Tuesday, 2/18/2020.***
- 1-20-03**      **ORDINANCE IN AMENDMENT OF SECTION 17.24 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING – PERFORMANCE STANDARDS GENERALLY’ (Medical Marijuana Dispensaries). Sponsored by Mayor Fung. *Referred to Ordinance Committee Tuesday, 2/18/2020.***
- 1-20-04**      **ORDINANCE AMENDING THE CRANSTON 2010 COMPREHENSIVE PLAN FOR THE CITY OF CRANSTON, AS AMENDED 2012 (Catherine St. and Bateman Ave.). Petition filed by Gayle A. St. Germain as Trustee of Family Trust A of the Jerome A. Geller Trust, owner and Christy LLC. *Referred to Ordinance Committee 3/12/2020.***
- 1-20-05**      **ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (Change of Zone – Catherine St. and Bateman Ave.). Petition filed by Gayle A. St. Germain, trustee of Family Trust A of the Jerome A. Geller Trust, owner and Christy LLC *Referred to Ordinance Committee March 12, 2020.***
- 1-20-06**      **ORDINANCE IN AMENDMENT OF CHAPTER 17.24 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (Solar Energy Systems-Rooftop). Sponsored by Mayor Fung. *Referred to Ordinance Committee Tuesday 2/18/2020.***
- 1-20-07**      **ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (Schedule of Uses) Sponsored by Mayor Fung. *Referred to Ordinance Committee Tuesday 2/18/2020.***

**PETITION FOR ABANDONMENT OF GOLINI STREET. Petition filed by Peter Franco. *Referred to Public Works Committee Tuesday 2/18/2020.***

**RESOLUTION ENCOURAGING THE ADMINISTRATION AND THE CITY COUNCIL GRANT WRITER TO WORK ON FUNDING FOR A SPLASH PAD AT THE ‘CALISE FIELD ANNEX’ (Parcel 8-2745-0) on Dyer Ave. Sponsored by Councilmember Donegan. *Referred to Public Works Committee Tuesday February 18, 2020.***

**REQUEST FROM NATIONAL GRID AND VERIZON FOR JOINT POLE LOCATION AT KENNEY DR. *Referred to Public Works Committee February 18, 2020.***

**CLAIMS COMMITTEE – Tuesday February 18, 2020**

- **Property Damage Claim:**
  - **Margareth Jacques from alleged incident on October 17, 2019.**
  - **John Hagopian from alleged incident on November 25, 2019.**
  - **Sharon Auger from alleged incident on November 28, 2019.**
  - **Paul Archetto from alleged incident on December 2, 2019.**
  - **Michael Squillace from alleged incident on December 2, 2019.**



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- **Jeanne Paolo from alleged incident on December 3, 2019.**
- **Ryan Dulieu from alleged incident on December 11, 2019**
- **Karen Poulos from alleged incident on December 12, 2019.**
- **Gregory Carcieri from alleged incident on December 18, 2019.**
- **Clifford Verduchi from alleged incident on December 23, 2019.**
- **Maria Carnevale from alleged incident on January 7, 2020.**
- **Brittney Richards from alleged incident on January 18, 2020.**

On motion by Councilmember McAuley, seconded by Council Vice-President Favicchio, it was voted to refer the above new business to the respective Committees. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

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

**ORDINANCE NO. 2019-35 NATHAN WESTCOTT HOUSE LOCAL HISTORIC DISTRICT - Correction of scrivener’s error to Lot 3109.**

On motion by Council Vice-President Favicchio, seconded by Councilmember Brady, it was voted to correct the scrivener’s error in the above Ordinance. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, McAuley, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8.

**STATE FIRE MARSHALL NOTIFICATION OF BLASTING PERMIT**

**Location: PJ Keating Quarry, 875 Phenix Ave.**

**Dates: 12/29/2019 – 12/20/2020**

For information only.

The meeting adjourned at 8:30 P.M.

/s/ Maria Medeiros Wall, JD  
City Clerk

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

(See Stenographic Notes of Ron Ronzio, Stenotypist)