

(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

-NOVEMBER 23, 2020-

Regular meeting of the City Council was held on Monday, November 23, 2020 via Zoom Webinar.

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

Roll call showed the following members present: Councilmembers Stycos, Hopkins, Vargas, Germain, Donegan, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -9.

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

Council President Farina stated that he is not feeling well and asked Council Vice-President Favicchio to conduct the meeting, but he will stay on the call and participate in the votes.

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

None.

II. PUBLIC HEARINGS

Lieutenant Governor Daniel McKee appeared to speak and thanked the City Council for being invited to this meeting and for the work they do in the community. He has been visiting every city and town in the State of Rhode Island and was in Cranston a few weeks ago advocating for grants for our small businesses. Many of the businesses he has been visiting were not aware that the Restore Rhode Island Grant was available and the more we make them aware the more money gets out to the community. Right now, there is at least approximately \$20 million available of the first \$50 million that we were able to get the Governor to appropriate out of the CARES Act money. Right now, we are advocating for another \$75 million for a total of \$125 million to be put in that Restore Rhode Island Program so every community in the State, including Cranston, can help their businesses and because of the pause that is coming, we are asking that the Governor put another \$75 million in to help the businesses that are being closed and to also help the families that are going to be laid off because of the pause. He encouraged the City Council to pass this Resolution.

Ara and Sonia Janigian of Sonias Deli appeared to speak. Mr. Janigian stated that they are not trying to make money from the grants. They need to pay their bills. They want to do their part as small businesses, but they are not getting anything in return except promises. They will do their part, but they need the assistance from the government. Ms. Janigian stated that her business is 75% down in revenue. Mr. Janigian stated that the reason they are present this evening is they want to listen and they wanted to say their part. He also stated that trying to fill out the grants paperwork is a very difficult task to accomplish and very difficult to understand. This is truly not fair.

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Tyler Fontaine of PVD Pizza in Cranston, appeared to speak and stated that a lot of the things that are happening right now are going to set a precedent. If we have protocols that are not being followed or funds that are not being disbursed, he does not see how we are going to be in a proper position to handle this later on. If we do not handle this properly now, what is going to happen next time? History will remember this and how this pans out in the textbooks, in the voting booths everywhere. If there is funding available that can allow people to maintain their livelihood and put food on the table for their families, allow business owners to be able to close and still be able to come back and do business in two or three months after the holidays, that has to be an option.

Crystal Nicoll, employee of Thirsty Beaver of Cranston, appeared to speak and stated that she is a serve and a single mother of three. This business has followed every rule by the Governor and the Health Department. She feels that they are being targeted and losing bar seating as of next week and all their hours are being cut right before the holiday. The restaurant business will fail without the government's help.

Chris Parisi of Rhode Island Small Business Coalition, appeared to speak and stated that as of October 30th, there is \$800 million remaining out of the \$1.25 billion Corona Virus Relief Fund and we have thirty-eight days to spend the \$800 million left or return it back to the feds. They are asking that \$75 million in additional funds through the Restore Rhode Island Grant to all small businesses and it should be based on fixed expenses. They are also asking for additional \$75 million allocated to not just businesses, but their effected employees, that are forced to shut down or further restricted due to the two weeks pause.

Mark Deion, former Cranston resident, appeared to speak and stated that he is proud at what this City Council has done because if this is passed this evening, Cranston will be the first municipality to address the needs of small businesses. He stated that the State received \$1.25 billion from the federal government to address the Corona Virus. They only asked for 10% to go to small businesses, which would have been \$125 million. Months later, not only did they not get the 10%, they got \$50,000 and an application process that was worse than any other of the federal programs in the universe and they asked for things that no one in the world would ask for and most poor Rhode Island residents could not facilitate applying for those grants. When you apply for the grant, the State of Rhode Island did not care what your fixed operation expenses were. They gave you money based on the number of employees you had. The State of Rhode Island only allocated \$50,000 back in June. They still have \$20 million left in their fund. They can't give this money away because it is too difficult to get. The application process is too cumbersome. He stated that Vermont and New Hampshire have both given out in excess of \$400 million to small businesses. He applauded Councilmembers Brady and the rest of the City Council in Cranston to be the first municipality to say "put up and give us what is ours".

III. RESOLUTIONS

On motion by Councilmember Vargas, seconded by Councilmember Hopkins, it was voted to take the CARES Act Resolution out of order. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmembers Stycos, Hopkins, Vargas, Germain, Donegan, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -9.

RESOLUTION URGING RHODE ISLAND GOVERNOR GINA M. RAIMONDO TO RELEASE \$150 MILLION DOLLARS FROM THE CARES ACT TO OUR SMALL BUSINESS COMMUNITY

On motion by Councilmember Brady, seconded by Councilmember Vargas, it was voted to adopt the above Resolution.

Under Discussion:

Councilmember Brady stated that he appreciates Ltd. Governor McKee and the other speakers who spoke this evening regarding this very important issue. He also thanked fellow Council Members who co-sponsored this Resolution. He asked that the City Council support this and, hopefully, we will be the first and not the last community in the State of Rhode Island to continue to put the pressure on getting these funds released to our small business community.

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Councilmember Paplauskas stated that these funds need to be released. This is a need to have. We have to do something to keep these businesses operating. He thanked Councilmember Brady for taking the lead on this and asked to be added as co-sponsor and asked Lt. Governor McKee to keep up the fight and don't stop until we get the funding because we need it.

Councilmember Hopkins congratulated Councilmembers Brady, Vargas and Paplauskas for the passion they put into this. We need this and our community needs this. He and the remainder of the City Council Members asked to be added as co-sponsors.

Councilmember Vargas thanked all the callers and business owners who took the time to call into this meeting. She stated that there are many businesses that are drowning right now and, we as elected officials, as a City and as a State, should all be throwing life savers at them trying to find out what other grant funding is available and how do we help these businesses in surviving. She also stated that there is a zoom call tomorrow at 6 pm and she and Councilmember Brady have partnered with the Rhode Island Commerce and their Assistant Director Supply Rhode Island, who will be speaking on the available funding for small businesses and there will be a Q & A. She asked that everyone share this information with their respective business community to get the word out on the various grants that are out there.

Councilmember Stycos stated that he supports this Resolution and urged everyone to support small businesses with purchases rather than go to big box stores. He also stated that this Resolution does not state where this Resolution is to be sent. He suggested adding a paragraph at the end of the Resolution to state that a "copy of this Resolution be sent to Governor Raimondo and each of the city and town councils and current and incoming Cranston Delegation.

On motion by Councilmember Stycos, seconded by Councilmember Brady, it was voted to amend this Resolution as follows: at end of Resolution, add "A copy of this Resolution be sent to Governor Raimondo and each of the city and town councils in the State and current and incoming Cranston Delegation." Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmembers Stycos, Hopkins, Vargas, Germain, Donegan, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -9.

On motion by Council President Farina, seconded by Councilmember Hopkins, it was voted to adopt the above Resolution as amended. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmembers Stycos, Hopkins, Vargas, Germain, Donegan, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -9.

RESOLUTION URGING THE RHODE ISLAND GOVERNOR TO PLACE A MORATORIUM ON EVICTIONS

On motion by Councilmember Paplauskas, seconded by Councilmember Germain, it was voted to adopt the above Resolution.

Under Discussion:

Councilmember Vargas stated that right now, the moratorium that has to do with rent and mortgage assistance ends December 31st. She reached out to the Latino Policy Institute for Diversity, who as a result put together some studies on this and as a result of that, she was provided with statistics that she included in this Resolution. The 2020 Housing Works Fact Books pretty much states that Rhode Islanders over 70% Latinos are renters and over 28% are homeowners; Blacks, 67% are renters and 33% are homeowners; and Asians, 53% are renters and 33% are homeowners. This Resolution urges the Rhode Island Governor to place a moratorium on evictions and release those additional federal stimulus money for those emergency rental mortgages.

Councilmember Hopkins and the remainder of the City Council Members asked to be added as co-sponsors.

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Council Vice-President Favicchio stated that while he agrees in principal, there is no guarantee that if someone gets rental assistance, those funds will go towards the rent and he is concerned that we would be hurting some of the minority homeowners.

Roll call was taken on motion to adopt the above Resolution and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, Germain, Donegan, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -9.

RESOLUTION URGING RHODE ISLAND GOVERNOR GINA M. RAIMONDO TO RELEASE \$150 MILLION DOLLARS FROM THE CARES ACT TO OUR SMALL BUSINESS COMMUNITY

Discussed and voted on earlier in the meeting.

IV. REPORT OF COMMITTEES

FINANCE COMMITTEE

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

RESOLUTION AUTHORIZING REAL ESTATE TAX ABATEMENTS

On motion by Councilmember Brady, seconded by Councilmember Hopkins, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, Germain, Donegan, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -9.

RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS

On motion by Councilmember Brady, seconded by Councilmember Paplauskas, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, Germain, Donegan, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -9.

RESOLUTION AUTHORIZING TANGIBLE TAX ABATEMENTS

On motion by Council President Farina, seconded by Councilmember Brady, the above Resolution was adopted on a vote of 9-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, Germain, Donegan, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -9.

ORDINANCE COMMITTEE

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

10-20-01 ORDINANCE IN AMENDMENT OF CHAPTER 2.40.020 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MUNICIPAL COURT’ (Municipal Court Judges)

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

Under Discussion:

Councilmember Stycos stated that this Ordinance would establish a process for reviewing the Municipal Court Judges. They would be nominated and would be referred to the Finance Committee in the month of January and if approved by the full City Council in the month of January, they would take office in February. The existing Judges would remain in office until the new Judges are confirmed by the City Council.

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Director Strom stated that line #28 of the Ordinance states “Ordinance Committee” and line #30 was amended to “Finance Committee”. Councilmember Stycos stated that this was amended in Committee and line #28 should also state “Finance Committee”

On motion by Councilmember Stycos, seconded by Councilmember Donegan, it was voted to amend the above Ordinance as follows: line #28 amend “Ordinance Committee” to “Finance Committee”.

Under Discussion:

Councilmember Hopkins questioned why this Section of the Code is being amended and what is wrong with the way it is done currently. Councilmember Stycos stated that there is no review of the Municipal Court Judges under the current system and no resumes submitted from the nominees and very little is known of who the nominees are and they are voted on at Inauguration, which is more of a ceremonial event and it is hardly the time to start having discussions of qualifications of nominations. This amendment would give a month for the new City Council to settle in and look at resumes and review the nominations.

Councilmember Paplauskas stated that he has no problem with the amendment, but he will vote “no” when it comes to voting on the Ordinance itself. He is concerned about holding up revenues.

Roll call was taken on motion to amend this Ordinance as stated above and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, Germain, Donegan, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -9.

Councilmember Vargas stated that she feels it should be the City Council who appoints the Judges and not the Council President. She also questioned if the language in line 27 states “Council President shall nominate”, would be in conflict with RI General Statute. Solicitor stated that Municipal Courts can be established by various municipalities only with enabling legislation from the State Legislature. That legislation was strictly enabling. It does not bind you in any way as to the process or the procedures you want to put into place. So, as he sees it, this language would not be a conflict.

Council President Farina clarified that the full City Council appoints all these positions at Inauguration. We do have a nominating committee for Judges and that Auditor and all positions the City Council appoints. The nominating committee is the caucus of the party in control of the City Council.

Councilmember Donegan stated that line 27 of the Ordinance grants the Council President authority to nominate Judges. That is not in the Code or the City Charter. He does not think that is appropriate.

Councilmember Brady stated that he understands and appreciates why this is being brought forward. He also stated that he believes we do have too many Judges and especially going into two years of COVID and the Courts have been closed for a little less than a year, but he also understands why we do have them and they are not compensated very highly. He also believes that we, as a City Council, have a say in who the Judges are. He understands why Councilmember Stycos is bringing this up and he thinks it is a great point that should be discussed further, but maybe at a later time. He is leaning towards not supporting this based on the timing of this initiative.

Councilmember Donegan clarified that this was introduced back in October before the Elections results were known. He does not think this was done for any partisan reason.

Council Vice-President Favicchio stated that this would need more research on possibly how other municipalities do this. He thinks the next City Council should address this.

Councilmember Donegan stated that whatever happens with this Ordinance this evening, he hopes that whatever the process is next term, that the nominations for Municipal Court Judges there will be an opportunity for debate whether it is at Inauguration or a special meeting or whatever it might be.

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Roll call was taken on motion to adopt the above Ordinance as amended and motion failed on a vote of 3-6. The following being recorded as voting “aye”: Councilmembers Stycos, Germain and Donegan -3. The following being recorded as voting “nay”: Councilmembers Hopkins, Vargas, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -6.

CLAIMS COMMITTEE (Councilmember John P. Donegan, Chair)

REPORT OF SETTLED CLAIMS (*Informational purposes*): Lisa Dwyer & Resmini Law \$7,500.00 Personal Injury; Matthew Leary \$25.00 Property Damage; Roger Desroches & Ronald J. Resmini, Ltd. \$6,000.00 Personal Injury; Liberty Mutual (Subro) \$2,320.91 Vehicle Damage.

No action needed.

V. PUBLIC HEARINGS

None.

Councilmember Hopkins left the meeting at 9:10 p.m.

VI. ELECTION OF CITY OFFICIALS

BOARD OF CONTRACT AND PURCHASE:

- **Appointment of Robert Santurri, Jr. for (To fill the unexpired term of Michael Schlesinger ending 1/4/2021) (Councilmember Stycos)**

No vote needed.

TAX ASSESSMENT BOARD OF REVIEW:

- **Re-appointment of Michael Saccoccio for term ending November 23, 2023. (Councilmembers Farina and Favicchio)**

On motion by Councilmember Hopkins, seconded by Councilmember Brady, it was voted to re-appoint Michael Saccoccio as a member of the Tax Assessment Board of Review. Motion passed on a vote of 8-0. The following being recorded as voting “aye”: Councilmembers Stycos, Vargas, Germain, Donegan, Brady, Paplauskas, Council Vice-President Favicchio and Council President Farina -8.

Council President Farina left the meeting at 9:15 p.m.

ARTS COMMISSION:

- **Appointment of Nilton Cardenas for term ending November 23, 2023. (Councilmember Vargas)**

On motion by Councilmember Paplauskas, seconded by Councilmember Brady, it was voted to appoint Nilton Cardenas as a member of the Arts Commission. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilmembers Stycos, Vargas, Germain, Donegan, Brady, Paplauskas and Council Vice-President Favicchio -7.

VII. REPORT OF CITY OFFICERS

None.

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III. EXECUTIVE COMMUNICATIONS

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

No discussion.

Councilmember Stycos asked why the City is filing the lawsuit against the State for State Aid rather than RI cities or towns. Director Parrillo stated that there is a disagreement on timing. There was discussion to wait to see what the General Assembly did. Mayor Fung did not want to wait. We believe that Cranston is owed its money and that is the reasoning behind pursuing that lawsuit.

IV. COUNCIL PRESIDENT COMMUNICATIONS

None.

V. COUNCIL MEMBER COMMUNICATIONS

COUNCILMEMBER DONEGAN:

- **Tourism Agreement with Providence Warwick Convention & Visitors Bureau**

Councilmember Donegan stated that last year we had someone from the Providence/Warwick Convention Bureau come before us to speak about the proposed agreement. After that meeting, he, Councilmember Brady, Director Parrillo, Mayor Fung, a few members of the Board, Providence/Warwick Convention Bureau met around the time the Governor closed the schools due to COVID. He asked that going forward, he would like an update on where we are going with that. He asked if anyone has reached out to the Providence Convention Bureau. Director Parrillo stated that based on the current situation, it is difficult to promote restaurants and so forth during these times. Internally, he thinks we are thinking the first of the year, hopefully, we will be through this COVID or on the downside of it and then maybe once the businesses and everyone else start to get back up, then we can forge that relationship and partner with it. He agrees that the money is well worth the recognition, but he does not think it is going to happen with this Administration.

Councilmember Brady stated that he has had discussions with Mayor-Elect Hopkins and he does believe that he will be moving with that initiative.

COUNCIL VICE-PRESIDENT FAVICCHIO:

- **Review of Online Records Project**

City Clerk stated that a new issue came up. They had not considered the State Tax Stamps and that is being integrated into the program so it will allow the stamping of documents that are physically brought in as well as the e-recording. She wanted it integrated rather than a hybrid where they would keep the existing State stamp machine. This is something that was just discovered last week that was not part of the plan and it may delay it another month.

Council Vice-President Favicchio asked that this be continued to the next Council meeting and asked for update at the December Finance meeting.

COUNCILMEMBER DONEGAN:

- **Sprague Mansion**

Councilmember Donegan stated that this Saturday, November 28th, at 11 a.m., there will be a clean-up at the Sprague Mansion and they are looking for volunteers to help clean up the grounds. He asked that if anyone is interested in helping, they text him.

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XI. OLD BUSINESS

None.

XII. INTRODUCTION OF NEW BUSINESS

- 11-20-01** Ordinance in amendment of Title 10.32 of the Code of the City of Cranston, 2005, Entitled “Motor Vehicles and Traffic” (Scaralia & Fox Ridge Drive- 4 way stop) Sponsored by Councilmember Brady. *Referred to Ordinance Committee December 10, 2020.*
- 11-20-02** Ordinance ratifying School Committee’s collective bargaining agreement with the Rhode Island Laborers District Council 1322, Tradespeople Unit (July 1, 2020 – June 30, 2021). Introduced pursuant to Charter Section 11.02.1. *Referred to Finance Committee December 7, 2020.*
- 11-20-03** Ordinance ratifying School Committee’s collective bargaining agreement with the Rhode Island Laborers District Council 1322, Bus Drivers Unit (July 1, 2020 – June 30, 2021). Introduced pursuant to Charter Section 11.02.1. *Referred to Finance Committee December 7, 2020.*
- 11-20-04** Ordinance in amendment of Title 10.32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles & Traffic” (Park Ave. and Grace St. – 4 Way Stop). Sponsored by Councilmember Germain. *Referred to Ordinance Committee December 10, 2020.*
- 11-20-05** Ordinance in amendment of Title 10.32 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles & Traffic” (Newell Rd. at Bedford Rd. Stop). Sponsored by Councilmember Germain. *Referred to Ordinance Committee December 10, 2020.*

Request from National Grid for pole location at Koutsogiane Dr. *Referred to Public Works Committee 12/10/2020.*

Request from National Grid for pole location at Wilbur Ave. *Referred to Public Works Committee 12/10/2020.*

CLAIMS COMMITTEE – Thursday, December 10, 2020

- **Property Damage Claim:**
 - Marvin & Cindy Urizar from alleged incident on April 20, 2020.
 - Classic Enterprises, Inc./Jeff Aloisio from alleged incident on June 9, 2020.
 - Ann Marie Rathbun from alleged incident on October 1, 2020.
 - Leonitza Luciano from alleged incident on October 13, 2020.
 - Quality Home Improvement, Inc. from alleged incident on October 23, 2020.
- **Personal Injury Claim:**
 - Leonitza Luciano from alleged incident on October 13, 2020.

On motion by Councilmember Brady, seconded by Councilmember Paplauskas, 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, Germain, Donegan, Brady, Paplauskas and Council Vice-President Favicchio -7.

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XIII. MISCELLANEOUS BUSINESS ON CLERK'S DESK

RI STATE FIRE MARSHALL BLASTING PERMIT NO. 20FM-73.B1-PM

Blasting Location - 1936 Phenix Ave. – Rossi Tree Farm 10/27/2020 -11/30/2020

Blasting Company - Western Mass Blasting Corp. (*Informational Only*).

No action needed.

The meeting adjourned at 9:30 P.M.

/s/ Leanne Zarrella, JD
City Clerk

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

(See Stenographic Notes of Ron Ronzio, Stenotypist)