

(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 17, 2020-

Regular meeting of the City Council was held on Thursday, December 17, 2020 via Zoom Webinar.

The meeting was called to order at 6:37 P.M. by the Council 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; Evan Kirshenbaum, City Council Legal Counsel; David DiMaio, City Council Budget Analyst.

Council President Farina welcomed City Council Members-Elect Robert Ferri, Jessica Marino, Matthew Reilly and Nicole Renzulli and made them panelist to the meeting.

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

Congratulating the following for their years of dedication and service:

**Steven A. Stycos Councilmember Ward 1; City Wide Councilmember
Michael W. Favicchio, Councilmember Ward 6; Council Vice President
Kenneth J. Hopkins, City Wide Councilmember**

Michael J Farina, City Wide Councilmember, Council Vice President, Council President

Council President Farina stated that since he and Council Vice-President Favicchio are both being acknowledged along with Councilmembers Stycos and Hopkins, he handed the gavel over to the City Council Majority Leader, Councilmember Paplauskas, to handle the Public Acknowledgement and Commendations portion of the meeting for a few minutes.

Plaques were presented to Councilmembers Stycos, Hopkins, Council Vice-President Favicchio and Council President Farina for their years of service to the City of Cranston.

II. PUBLIC HEARINGS

AUDIT PRESENTATION FOR FISCAL YEAR ENDING 6/30/2020

Director Strom stated that a power point presentation was provided to the City Council Members.

Ron Noosek of Blum Shapiro, appeared to speak and gave a presentation using the power point slides.

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Councilmember Stycos indicated to slide #4 regarding pension system and asked where we are with that pension and is the growth over seven-year period disappointing. Director Strom stated that we have an actuarial report that we do every year and they have a chart based on what our annual required contribution is and we want to make sure that we do not contribute more than what the budget can handle and that is why it is usually around \$21-22 million. It is going to take us to approximately 2034 or 2035 before the percentage will be not 23%, but more like 60-80%, but it is not something that you can do overnight.

Mr. Noosek stated that the plan is clearly not well funded. The contributions that are being made are equal to what the actuarial recommended contribution to the plan is. He does not really know what more you can do relative to that unless you are willing and the public is willing to allow you to contribute in excess of what is recommended or you doing something with your discount rate.

Public Speakers:

Annette Bourne, 51 Community Dr., appeared to speak in favor of proposed Ordinances 9-20-05 and 9-20-06.

Amy Rainone, 67 Valley St., appeared to speak in favor of proposed Ordinances 9-20-05 and 9-20-06.

Mike Stephens, 25 Hendricks Dr., appeared to speak in favor of proposed Ordinance 9-20-05.

Lucas Fried appeared to speak in favor of proposed Ordinances 9-20-05 and 9-20-06.

III. RESOLUTIONS

No business.

IV. REPORT OF COMMITTEES

FINANCE COMMITTEE

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

5-20-03 **ORDINANCE IN AMENDMENT OF TITLE 3 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'REVENUE AND FINANCE' (Bid Discounts for Local Businesses, Minority Business Enterprises and Women Business Enterprises)**
Failed in Committee 12/7/2020. Informational Only. No action needed.

No action needed.

9-20-07 **ORDINANCE IN AMENDMENT OF TITLE 3.16 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED 'PROPERTY TAX CLASSIFICATION' (Change of Tax Value for Commercial Renewable Energy Systems)** *Failed in Committee 12/7/2020. Informational Only. No action needed.*

No action needed.

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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)

On motion by Councilmember Hopkins, seconded by Councilmember Brady, the above Ordinance 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.

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)

On motion by Council President Farina, seconded by Councilmember Germain, the above Ordinance 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 REAL ESTATE TAX ABATEMENTS

On motion by Council President Farina, seconded by Councilmember Donegan, the above Resolution 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 Council President Farina, seconded by Councilmember Germain, the above Resolution 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 Councilmember Hopkins, seconded by Council Vice-President Favicchio, the above Resolution 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.

TAX INTEREST WAIVER APPROVALS

On motion by Councilmember Hopkins, seconded by Councilmember Paplauskas, it was voted to approve the Tax Interest Waiver Approval list. 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.

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

7-20-01 ORDINANCE IN AMENDMENT OF CHAPTER 10.32 OF TITLE 10 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (New Hampshire St. and Southern St.)

On motion by Councilmember Hopkins, seconded by Councilmember Donegan, the above Ordinance 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.

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7-20-04 ORDINANCE IN AMENDMENT OF CHAPTER 17 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘ZONING’ (Change of Zone – New London Ave.). Petition filed by Coastal Partners LLC, Mulligan’s Island LLC, and State of Rhode Island. WITHDRAWN BY APPLICANT.

Ordinance withdrawn by applicant. No action needed.

9-20-05 ORDINANCE IN AMENDMENT OF TITLE 6 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘HEALTH AND SAFETY’ (Fair Housing Practices)

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

Under Discussion:

Councilmember Donegan stated that what this Ordinance would do is prohibit discrimination in Cranston in housing related matters based on legal source of income. As we heard, this does occur in Cranston.

Council Vice-President Favicchio stated that he thinks there are a number of problems with this Ordinance, first of which, it duplicates what is in the State Law under Title 34 Chapter 34-7.37-4. All of the protections in this Ordinance already exist in State Law. They also exist under Federal Law. There is no need in getting involved in trying to police housing discrimination when everything has to go to the Human Rights Commission, Superior Court or the Federal Courts. We have no power whatsoever. We cannot supersede State or Federal government

Councilmember Hopkins agreed with Council Vice-President Favicchio that now is not the time to change this because State Laws are in place.

Councilmember Donegan stressed that it has been stated in Committee a few times and it needs to be abundantly clear that lawful source of income discrimination is not protected under State Law.

Council Vice-President Favicchio stated that the fact that it does not exist anywhere means that the State does not support it and he does not think we can control what goes on in the entire State or even in our City.

Councilmember Brady stated that the challenge he is having is this is an incredibly important issue. He would like the opportunity to completely understand this. This is beyond an important issue, but he does not feel comfortable voting on this this evening with the information he has gotten.

Council President Farina recognized Municipal Court Chief Judge Matthew Smith, who would like to make comments.

Chief Judge Smith addressed the enforcement in Municipal Court and possibility of appeals and stated that one of the things that they have done in recent years is they have entered into consent decrees with landlords and tenants on various different issues and those decrees are very effective because they both waive their rights to appeal.

On motion by Councilmember Donegan, seconded by Councilmember Germain, it was voted to make the following amendments to this Ordinance:

- Line #30, after “income” and line #42 after “income”, add: “military status as a veteran with an honorable discharge or an honorable or general administrative discharge, service member in the armed forces”;
- Line #271, remove the entire sentence starting with “any” and ending with “rights”;
- Subsection 8.52.070(B), change “B” to “A”;
- Line #291, add subsection “B” to state: “The Cranston Municipal Court may impose a fine not exceeding five-hundred dollars (\$500) for violations of this Chapter, with each day that a violation is maintained or continued being a separate offense”.

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Roll call was taken on motion to amend the above Ordinance passed on a vote of 7-2. The following being recorded as voting “aye”: Councilmembers Stycos, Vargas, Germain, Donegan, Brady, Paplauskas and Council President Farina -7. The following being recorded as voting “nay”: Councilmember Hopkins and Council Vice-President Favicchio -2.

Roll call was taken on motion to adopt the above Ordinance as amended and motion passed on a vote of 5-3 with 1 abstention. The following being recorded as voting “aye”: Councilmembers Stycos, Vargas, Germain, Donegan and Council President Farina -5. The following being recorded as voting “nay”: Councilmembers Hopkins, Paplauskas and Council Vice-President Favicchio -3. Councilmember Brady abstained.

9-20-06 ORDINANCE IN AMENDMENT OF TITLE 2 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘COMMITTEES, COMMISSIONS AND COUNCILS’ (Affordable Housing Commission)

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

On motion by Councilmember Donegan, seconded by Councilmember Vargas, it was voted to amend the above Ordinance as follows:

- Line #56, amend “seven members” to “9 members”;
- Line #58, amend “Cranston Housing Authority” to “Community Development Department”;
- After Line #62, add new line to state: “A representative from Comprehensive Community Action Program”;
- Line #63, amend to “5 members of the public”;
- Line #68, amend to “one member of the public shall be appointed by the majority of the City Council, this member of the public shall serve a term of two (2) years”;
- Line #90, amend from “six” to “five”.

Roll call was taken on motion to amend the above Ordinance 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.

Roll call was taken on motion to adopt the above Ordinance as amended 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.

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)

On motion by Councilmember Hopkins, seconded by Councilmember Brady, it was voted to refer this Ordinance to the January Ordinance Committee meeting. Motion passed on a vote of 8-1. The following being recorded as voting “aye”: Councilmembers Stycos, Hopkins, Vargas, Germain, Donegan, Brady, Council Vice-President Favicchio and Council President Farina -8. The following being recorded as voting “nay”: Councilmember Paplauskas -1.

11-20-04 ORDINANCE IN AMENDMENT OF TITLE 10.32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (Park Ave. and Grace St. – 4 Way Stop)

Ordinance withdrawn by sponsor.

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11-20-05 ORDINANCE IN AMENDMENT OF TITLE 10.32 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’ (Newell Rd. at Bedford Rd. Stop)

On motion by Council Vice-President Favicchio, seconded by Councilmember Donegan, the above Ordinance 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.

**CLAIMS COMMITTEE
(Councilmember John P. Donegan, Chair)**

REPORT OF SETTLED CLAIMS (*Informational purposes*): Shane Gravel \$816.00 Property Damage; Steven DiBiasio \$1,500.00 Property Damage; Rosny Dorival \$1,636.93 Vehicle Damage.

No action needed.

V. PUBLIC HEARINGS

None.

VI. ELECTION OF CITY OFFICIALS

PROBATE JUDGE ADVISORY COMMISSION:

- **Appointment of Joseph Agresti for term ending December 31, 2021**
- **Appointment of Henry Palazzo for term ending December 31, 2022**
- **Appointment of Anne Marie Maccarone, Esq. for term ending December 31, 2022**
- **Appointment of Erica Laros, Esq. for term ending December 31, 2023**
- **Appointment of John Grasso, Esq. for term ending December 31, 2023**

Council President Farina announced the above appointments.

JUVENILE HEARING BOARD:

- **Re-Appointment of Vincent Turchetta for term ending December 1, 2023 (Councilmember Brady)**

On motion by Councilmember Hopkins, seconded by Councilmember Vargas, it was voted to re-appoint **Vincent Turchetta** as a member of the Juvenile Hearing Board. 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.

LIBRARY BOARD OF TRUSTEES:

- **Appointment of Larry Orlando Warner filling the un-expired term of Roberta Costa for term ending July 29, 2021.**

On motion by Councilmember Hopkins, seconded by Councilmember Vargas, it was voted to appoint **Larry Orlando Warner** as a member of the Library Board of Trustees to fill the un-expired term of Roberta Costa. 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.

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VII. REPORT OF CITY OFFICERS

None.

III. EXECUTIVE COMMUNICATIONS

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

No discussion.

ADVICE AND CONSENT OF APPOINTMENT OF ADAM AQUILANTE AS A MEMBER OF THE CONSERVATION COMMISSION FOR TERM TO EXPIRE ON DECEMBER 17, 2023

The above Advise and Consent of appointment of Adam Aquilante was continued pending a receipt of his resume.

IV. COUNCIL PRESIDENT COMMUNICATIONS

Council President Farina stated that this is his last meeting and he firmly believes in people before politics. We have significant challenges coming in and this Council and Mayor is in for a big struggle and wishes them luck. He also stated that it has been a pleasure to serve on the City Council and as Council President.

V. COUNCIL MEMBER COMMUNICATIONS

COUNCILMEMBER BRADY:

- **Shop Local and Support Our Small Business Community in Cranston**
- **Condolences to family and friends of Army Veteran and Advocate Cranston's Adam Deciccio. A fund has been established by the family for his son Gunner.**
- **Happy Holidays to our Cranston community. Stay Safe, Stay Strong, Spread Love, and Be Kind during these difficult times.**

Councilmember Brady stated that we need to bring this City, this State and this Country back together. He also acknowledged the passing of a good friend, Adam Deciccio and asked for support for this family.

Council President Farina stated that on behalf of the City Council and the City of Cranston, he would like to express condolences to the family of Adam Deciccio.

COUNCILMEMBER DONEGAN:

- **Discussion of whether the Declaration of State of Local Emergency ceases with the Mayor's term, or are the powers granted at the present to the Mayor transferred to the incoming Mayor as they are sworn in?**

Council President Farina stated that he would assume that the next Mayor would have to get emergency powers from the City Council, but asked for Solicitor to speak regarding this.

Solicitor stated that, in his opinion, unless it is rescinded by another Mayor, he thinks it continues in effect.

Attorney Kirshenbaum stated that the Mayor's authority is prescribed by the Charter. He thinks that a new Resolution, if desired, should be passed.

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XI. OLD BUSINESS

REVIEW OF ONLINE RECORDS PROJECT (Council Vice-President Favicchio)

City Clerk stated that she has been told that this should be rolled out within a month.

XII. INTRODUCTION OF NEW BUSINESS

REQUEST FROM NATIONAL GRID FOR POLE LOCATION AT PONTIAC AVE. *Referred to Public Works Committee 1/14/2021.*

CLAIMS COMMITTEE – Thursday, January 14, 2021

- **Property Damage Claim:**
 - **Keisy Martinez from alleged incident on September 30, 2020.**

On motion by Council Vice-President Favicchio, seconded by Councilmember Stycos, it was voted to refer the above new business to the respective Committees. 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.

XIII. MISCELLANEOUS BUSINESS ON CLERK’S DESK

NOTIFICATION OF ZONING MAP CORRECTION - December 4, 2020

No action needed.

The meeting adjourned at 9:45 P.M.

/s/ Leanne Zarrella, JD
City Clerk

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

(See Stenographic Notes of Ron Ronzio, Stenotypist)