

(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

-MARCH 28, 2022-

Regular meeting of the City Council was called held on Monday, March 28, 2022 in the Council Chambers, City Hall, 869 Park Ave., Cranston, Rhode Island.

The meeting was called to order at 7:02 P.M. by the Council President.

Roll call showed the following members present: Councilwomen Marino (appeared at 7:02 p.m.), Renzulli (appeared at 7:02 p.m.), Vargas, Germain, Councilmen Donegan, Campopiano and Council President Paplauskas -8.

Absent: Council Vice-President Ferri -1.

Also Present: Anthony Moretti, Chief of Staff; John Verdecchia, Assistant City Solicitor; Robert Strom, Finance Director; Daniel Parrillo, Director of Personnel; Stephen Angell, City Council Legal Counsel; David Dimaio, City Council Budget Analyst.

On motion by Councilman Donegan, seconded by Councilwoman Marino, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed on a vote of 7-0. The following being recorded as voting “aye”: Councilwomen Marino, Vargas, Germain, Councilmen Donegan, Campopiano, Reilly and Council President Paplauskas -7. Councilwoman Renzulli was not present for roll call vote.

Council President Paplauskas welcomed into the Chambers former Councilman Ronald Pagliarini.

I. PUBLIC ACKNOWLEDGEMENTS AND COMMENDATIONS

CONGRATULATING ROBERT STROM, DIRECTOR OF FINANCE ON HIS RETIREMENT

Council President Paplauskas presented Citation to Director Strom.

CONGRATULATING KENNETH MASON, DIRECTOR OF PUBLIC WORKS ON HIS RETIREMENT

Council President Paplauskas presented Citation to Director Mason.

ST. MARY’S MIDDLE SCHOOL BOYS BASKETBALL TEAM

Council President Paplauskas and **Councilman Campopiano** presented Citations to members of the St. Mary’s Middle School Boys Basketball Team.

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ST. MARY'S GIRLS GRAMMAR TEAM

Council President Paplauskas and Councilman Campopiano presented Citations to members of the St. Mary's Girls Grammar Team.

ST. MARY'S GIRLS INSTRUCTIONAL BASKETBALL TEAM

Council President Paplauskas and Councilman Campopiano presented Citations to members of the St. Mary's Girls Instructional Basketball Team.

CLCF JUNIOR BASKETBALL CHAMPIONSHIP TEAM

Council President Paplauskas and Councilman Campopiano presented Citations to members of the CLCF Junior Basketball Championship Team.

II. PUBLIC HEARINGS & PUBLIC COMMENT

None.

III. RESOLUTIONS

None.

IV. REPORT OF COMMITTEES

**FINANCE COMMITTEE
(Council Vice-President Robert J. Ferri, Chair)**

RESOLUTION AUTHORIZING MOTOR VEHICLE TAX ABATEMENTS

On motion by Councilman Reilly, seconded by Councilwoman Marino, the above Resolution was adopted on a vote of 8-0. The following being recorded as voting "aye": Councilwomen Marino, Renzulli, Vargas, Germain, Councilmen Donegan, Campopiano and Council President Paplauskas -8.

TAX INTEREST WAIVER APPROVALS

On motion by Councilman Reilly, seconded by Councilwoman Vargas, it was voted to approve the list of Tax Interest Waiver Approvals. Motion passed on a vote of 8-0. The following being recorded as voting "aye": Councilwomen Marino, Renzulli, Vargas, Germain, Councilmen Donegan, Campopiano and Council President Paplauskas -8.

***2-22-01 ORDINANCE RATIFYING SCHOOL COMMITTEE'S COLLECTIVE
BARGAINING AGREEMENT WITH THE RHODE ISLAND LABORERS
DISTRICT COUNCIL 1322, TRADESPEOPLE/MECHANIC UNIT***

On motion by Councilman Reilly, seconded by Councilwoman Marino, the above Ordinance was adopted on a vote of 8-0. The following being recorded as voting "aye": Councilwomen Marino, Renzulli, Vargas, Germain, Councilmen Donegan, Campopiano and Council President Paplauskas -8.

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**ORDINANCE COMMITTEE
(Councilman Matthew R. Reilly, Chair)**

3-22-01S *ORDINANCE IN AMENDMENT OF TITLE 2 OF THE CODE OF THE CITY OF CRANSTON, 2005, ESTABLISHING SECTION 2.04.090, ENTITLED 'WARD BOUNDARIES' (ENACTING THE CITY OF CRANSTON'S 2022 WARD REDISTRICTING PLAN)*

On motion by Councilman Campopiano, seconded by Councilwoman Renzulli, it was voted to adopt the above Ordinance.

Under Discussion:

Councilman Donegan stated that while he does not have any particular issues with the boundaries themselves of the maps, his issue is with the continuance and the perpetuate issue of gerrymandering and including nonresident incarcerated persons in the Redistricting data. The continues to skew the populations for the Wards by effectively inflating the resident total of Ward 6, which gives Ward 6 a disproportionate amount of political power at the City level. Based on the current maps, essentially, there will be approximately 11,000 actual residents of Ward 6, not including non-incarcerated persons and approximately 14,000 residents in Ward 3, which is what he represents, so effectively 14,000 residents in Ward 3 will have the same political representation of 11,000 residents of Ward 6 and he does not think that that is right. The Resolution following this Ordinance states that Cranston residents are entitled to equal representation and by including non-resident incarcerated persons in our Redistricting totals, it undermines that democratic principle and he thinks it is wrong. He also thinks that continuing with that practice undermines the principle of equal representation and it is wrong. For these reasons, he will be voting against this Ordinance this evening and he urged his fellow Council Members to do the same.

Council President Papluskas stated that the Charter states that people are counted where they are counted for the census and the Charter has to follow the census and that is the maps that are before us today. He thanked Director Lima, GIS Director Maria Giarrusso and the entire Board of Canvassers for all their had work on everything that they have done.

Councilwoman Vargas asked if we are following what the State is doing or recommending as far as Redistricting. Director Lima stated that the State Reapportionment Commission established a new process this year which they decided to not count a portion of the incarcerated population at the Pastore Center. He believes that that was limited to just those incarcerated for sentences or awaiting sentences of less than two years at the time of the census, which is April 1, 2020. The State Reapportionment Commission decided to reallocate that population to what they define as geo-codable Rhode Island addresses elsewhere in the State. As to the exact geo-code number, we have asked the State and, as of today, they still have not responded to us. The number they did reallocate was approximately 1,000 people from the prisoner population and that was used to change the Statewide totals for the Congressional apportionment as well as the State Representative and State Senate apportionment. As part of its motion, the State Reapportionment Commission was authorized by the General Assembly for narrow focus so they did not have the ability to change State Law, as an example. As part of that motion, the State Commission stated something to the effect that this motion will apply to just the actions of the State Legislature for State and Congressional Redistricting thereby leaving the decision of local Redistricting of Wards up to the individual towns. Here, in Cranston, as it was mentioned, we have a Home Rule Charter that outlines the Redistricting process that is not really subject to alteration except for by action of the voters. That varies from cities to towns.

Councilwoman Vargas asked what the repercussions would be if this was not passed this evening. Are we opening ourselves up to any potential lawsuits if it did not pass? Attorney Angell stated that he is not sure what the question is, but the Charter is clear on how the date is compiled. Director Lima stated that the Voting Rights Act, the Federal Constitution, the State Constitution and the Charter all require the City to undergo a Redistricting operation every ten years following the release of the decennial census and that is established by Court precedent. Failure of the City to complete that process could be considered a significant violation of those legal principles and open the City to litigation. The most pressing matter is for his Office, by April 15th, the final data transmission has to be

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made to the Secretary of State's Office. Also, he has to order the 60,00 pieces mailer that will be going to every voter in the City in the month of May, hundreds of new maps will need to be printed to be made available to candidates and voters. There are also a number of other actions his Office has to take in the next succeeding few weeks as they prepare candidate declaration in June. Once we hit June, we are in a nonstop train at that point of 50 or 60 Election deadlines and not one of those deadlines can be moved or delayed. This is why it is critically important that the City has to have a Redistricting Plan in place in the next few days, ideally, now.

Councilwoman Marino stated that while she appreciates and understands Councilman Donegan's argument and concerns, and she has those as well, because she does not think that when we are talking about Redistricting populations for the Wards, that we should be considering a population that is not really eligible to vote in Cranston so she does not see how that leads to fair and equal representation so she agrees with that. The problem that she has is the legal ability to not approve this Ordinance. The end result is that the ACI incarcerated population should not be considered when doing the Redistricting, but the State has not enacted a Law to enable us to do that tonight and our Charter limits us to follow the census data, which includes that population. The three mechanisms legally in which we have to execute on that admirable fair and equal representation, she just does not see us having that ability tonight and that is why she is going to vote 'yes' this evening despite feeling those same concerns.

Councilman Reilly thanked Director Lima and his staff and the Board. They blew other cities and towns away and the State, as a whole, and they should be commended for all their hard work. With regards to the issue of prison gerrymandering, setting this forth on just prisoners when the actual group should be populations not eligible to vote where they are, that would include all the college students in Ward 1, that would include all the children in every single Ward so there is a lot of transient groups that go through the City that are included. The Charter is clear and as of tonight, he does not see us having a choice.

Councilman Donegan clarified that his vote against the maps and Resolution is no tin any way a reflection of his feelings of the work of the Canvassers Department or Director Lima. He thinks that they have all done a great job and have been very transparent. It is merely a policy decision that the policy makers, which is the City Council, have chosen to make or not make.

Randall Jackvony, 2219 Phenix Ave., Chair of the Redistricting Commission, appeared to speak and stated that if the Council votes not to approve this this evening, essentially, because the State's guidance was vague, what essentially you would be doing is if we removed those people even though we do not have the ability to do that because the Charter does not allow us, this Board does not allow us to do that, so it wasn't even an option we had, but theoretically, if we removed those people, if it was those thousand people and then another City or Town chose not to count them in their vote, they are counted nowhere. By voting against this tonight, in a sense, you actually would be putting us in a situation that if we had done something different you would count people nowhere. He thinks that is worse. He would rather at least have them counted somewhere than counted nowhere.

Roll call was taken on motion to recommend approval of this Ordinance and motion passed on a vote of 5-3. The following being recorded as voting "aye": Councilwomen Marino, Renzulli, Councilmen Campopiano, Reilly and Council President Paplauskas -5. The following being recorded as voting "nay": Councilwomen Vargas, Germain and Councilman Donegan -3.

RESOLUTION MEMORIALIZING THE GENERAL ASSEMBLY TO ENACT THE CITY OF CRANSTON'S 2022 WARD REDISTRICTING PLAN INTO LAW

On motion by Councilman Reilly, seconded by Councilwoman Renzulli, the above Resolution was adopted on a vote of 5-3. The following being recorded as voting "aye": Councilwomen Marino, Renzulli, Councilmen Campopiano, Reilly and Council President Paplauskas -5. The following being recorded as voting "nay": Councilwomen Vargas, Germain and Councilman Donegan -3.

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V. PUBLIC COMMENT FOR UN-DOCKETED ITEMS

Rita Levoie, 47 Marion Ave. South, appeared to speak and stated that she lives directly next to 51 Marion Ave. South, which had a very large fire over the weekend. Her house sustained substantial damage from what appears to be accidental firefighters directing the hose through her window and flooding her first floor and also from the fire itself. All of her siding and all her roofing needs to be replaced. Her and her family will have to move out and the contractor expects at least six months to up to a year while everything is put in storage and the house is repaired. She is present this evening because she has tried now five times to request a meeting with the Mayor and has gotten no response. She is extremely disappointed by this and is present this evening hoping that by letting everyone know about this she can perhaps get somewhere. She is requesting a meeting with the Mayor because the house next to her that burned down has been vacant and abandoned for over thirty years. She and dozens of her neighbors have called Zoning about building violations in this house. There is substantial debris from the fire that went down the sidewalk and is going all the way down the street into the storm drains. There are two things she has been requesting from the City and she has received zero phone calls. She is asking for a little support and thinks that, as a constituent, she deserves a phone call. Council President Paplauskas directed Ms. Levoie to Director Moretti, Mayor's Chief of Staff, to speak with him in private. Director Moretti stated that in fairness, the Mayor was at Ms. Levoie's house and spoke to her husband. He is not quite sure about a meeting because the Mayor took the meeting to her house. Director Moretti stated that he can arrange for Ms. Levoie to file a claim with the City or she can go through her insurance company directly. The house next door, which caught on fire, will be demolished. There are legal proceedings that had to take place and fencing has been installed around the perimeter to secure it and all the debris has been swept up. He will have Deputy Director McAuley call Ms. Levoie or her husband.

Sheila Resseger, 50 Malvern Ave., appeared to speak and indicated to RIGL 36.14.1 pertaining to Code of Ethics. She stated that her colleague, Claire Stadmueller, who is also a Cranston resident, and she, have spent the past several years participating in webinars, reading research articles and connecting with people across the Country, medical scientific experts and people who have been harmed by wireless radiation. This is the radiation emitted from so-called small cell antennas for 5G on utility light poles in front of people's homes and also from smart meters that measure electric, gas and water usage. They are not opposed to technology, they object to wireless radiation, which causes harm to humans and the environment. Over the past few years, they have sent numerous e-mails to members of the Cranston City Council and other Cranston officials explaining what they have found in order to make the City aware what is at stake in order to protect Cranstonians. They have received minimal response. Their group, 5G Rhode Island, was permitted to provide an hour-long presentation to the August, 2020 Council meeting. Unfortunately, there was no follow-up. She and Claire have continued to update the City Council on significant developments, such as a landmark lawsuit against the FCC, but there has still been no response, therefore, they have decided to print out all the e-mails that they have sent along with comments they made at public meetings. They have compiled them into a loose leaf binder and she is requesting that it be made part of the official record and kept in the City Clerk's Office for reference.

No vote was taken by the Council accepting the binder presented by Ms. Resseger to be made part of the record.

Steve Frias, 107 Garden Hills Dr., appeared to speak and thanked the City Council for approving the work of what the Redistricting Commission did and is glad to see the Ordinance Committee voted for it unanimously and also thanked those who voted for this Ordinance who did so not because they agree with everything in it, but because they follow the Law.

Claire Stadmueller, 963 Seven Mile Rd., appeared to speak and stated that in addition to the binder Sheila has provided, she has good news in the area of microwave radiation. Verizon, AT&T and others started offering new C-Band wireless at frequencies in January, 2022 with upgrades to existing wireless telecommunications facilities expected to continue over the next few years. So, the big lie has been fully exposed. The lie that alleged that 4G 5G so-called small wireless telecommunications facilities needed to be installed on utility poles in front of your bedroom or in front of her bedroom. They can now be ignored because now they are using C-Band as their waves for 5G.

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Ben McCrystal, 65 Sage Dr., appeared to speak and stated that back in November, the City Council voted 7-2 to defeat a proposal by a developer named Casale to have the Zone change on Sage Dr. from A-80 to A-20. When he was present that evening, he stated to the City Council to vote this Zoning Change down and then let's take it out of the Comprehensive Plan. He has testified on this property and other properties in Alpine Estates over a dozen times over the years and battling this for over a decade. The mistakes that were made back in 2010 and the Comprehensive Plan, which we all know it is expired, he thinks we should remove these properties from the Comprehensive Plan. He did contact Jason Pezzullo, City Planner, and asked him how he could get this done and he stated to him that the Comprehensive Plan would have to be amended. We would have to work through the City Council to submit an Ordinance that would amend the Comprehensive Plan and that is why he is present this evening to ask to have this done. He would like to have the City Council come up with an Ordinance to amend the Comprehensive Plan to take the Sage Dr. property and two other properties, which they have had to testify one over the years, out of the Comprehensive Plan from 2010.

VI. ELECTION AND/OR APPOINTMENT OF CITY OFFICIALS

SMALL BUSINESS ADVISORY COMMITTEE:

- ***JULIE MEISLER FOR TERM TO EXPIRE JANUARY 2, 2023. Sponsored by Councilman Donegan.***

Informational only. No action needed.

VII. REPORT OF CITY OFFICERS

None.

VIII. EXECUTIVE COMMUNICATIONS

LEGAL FEES REPORT FROM 7/1/21-3/28/22

No discussion held.

IX. COUNCIL PRESIDENT COMMUNICATIONS

Council President Paplauskas wished everyone a Happy Easter and Passover. He also stated on behalf of the entire City Council, he would like to send thoughts and prayers for those in the Ukraine.

Council President Paplauskas also stated that the Mayor will be introducing the Budget on April 1st and the Budget hearings will start right after that.

Council President Paplauskas asked if the Administration had any updates on the Knightsville project or redevelopment. Director Moretti stated that the Mayor's next project is the Knightsville project after Rolfe Square. The Mayor had a concept for this project, as well as Council President Paplauskas, about a pocket park to expand where the Gazebo area is to make a park out of it. That concept got expanded into thinking of an entire district revitalization. The Mayor envisions Knightsville as being the next best thing or the best thing since Federal Hill. The Mayor has asked Director Mason to come up with some concepts and engineering plans are being finalized. An RFP will be going out for the street scaping, which would entail new trees, new lantern lighting and stamped concrete sidewalks. A supplemental bid will be going in for the pocket park depending on funding. If everything works out, we would be looking at mid-July, after the Feast, to break ground. The Administration will be sharing financing proposal to the City Council. Council President Paplauskas asked that if there are anymore updates, they be brought before the Public Works Committee.

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X. COUNCIL MEMBER COMMUNICATIONS

COUNCIL VICE-PRESIDENT FERRI:

- ***EXPLANATION AND UPDATE O CRANSTON WORKFORCE SOLUTIONS. WHAT DOES THE DEPARTMENT DO AND HOW DOES THE COUNCIL AND THE CITIZENS OF CRANSTON ACCESS ITS AVAILABLE RESOURCES?***

Council President Paplauskas stated that this is Council Vice-President Ferri’s communication and since he is not present this evening, he asked that this remain on the docket for next month’s meeting. He also stated that everyone’s thoughts and prayers are with Council Vice-President Ferri and wish him and his family the best.

COUNCILWOMAN MARINO:

- ***STATUS OF THE CITY’S ACKNOWLEDGEMENT AND APPROVAL SIGNATURE OF THE BASELINE DOCUMENTATION REPORT FOR THE KNIGHT CONSERVATION LAND AS OVERSEEN BY THE WEST BAY LAND TRUST***

Councilwoman Marino asked for timetable as to when this might take place. Director Moretti stated that, to his knowledge, this was sent along to the Planning Director and he will be looking into it and possibly by end of next week, he will give his recommendation and then the Mayor can sign off.

COUNCILWOMAN VARGAS:

- ***ARPA SURVEY***

Councilwoman Vargas stated that the survey is going very well so far and it has been extended to March 31st.

XI. COUNCIL BUSINESS MATTERS CARRIED OVER

None.

XII. INTRODUCTION OF NEW MATTERS BEFORE THE COUNCIL*

- 3-22-01** ***ORDINANCE RATIFYING SCHOOL COMMITTEE’S COLLECTIVE BARGAINING AGREEMENT WITH RHODE ISLAND LABORERS DISTRICT COUNCIL 1322, BUS DRIVERS UNIT. Introduced pursuant to: Charter Sec. 11.02.1. Referred to Finance Committee April 4, 2022.***
- 3-22-02** ***ORDINANCE TRANSFERRING APPROPRIATIONS AND AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (ADMINISTRATION POSITION CHANGES – FINANCE DIRECTOR – GENERAL FUND). Sponsored by Mayor Hopkins. Referred to Special Finance Committee April 6, 2022.***
- 3-22-03** ***ORDINANCE TRANSFERRING APPROPRIATIONS AND AMENDING THE BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (ADMINISTRATION POSITION CHANGES – PUBLIC WORKS DIRECTOR – GENERAL FUND). Sponsored by Mayor Hopkins. Referred to Special Finance Committee April 14, 2022.***

RESOLUTION “FY 2023 STATE BUDGET ALLOCATION FOR FUNDING CRANSTON’S PUBLIC LIBRARIES”. Sponsored by Council President Paplauskas and Council Minority Leader Donegan. Referred to Finance Committee April 4, 2022.

ADVICE AND CONSENT OF MAYOR’S APPOINTMENT OF RICHARD BERNARDO AS DIRECTOR OF PUBLIC WORKS. Referred to Special Finance Committee April 14, 2022.

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REQUEST FROM NATIONAL GRID FOR POLE LOCATION AT GLEN RD. Referred to Public Works Committee April 14, 2022.

CLAIMS REFERRED TO CLAIMS COMMITTEE – THURSDAY, APRIL 14, 2022.

- **Property Damage Claim:**
 - **William Connolly from an alleged incident on unknown date of January, 2022.**
 - **Pentagon Properties from an alleged incident on January 7, 2022.**
 - **Elizabeth Martinelli from an alleged incident on January 22, 2022.**
 - **Anthony DeFusco from an alleged incident on February 2, 2022.**
 - **Joe Andrade from an alleged incident on February 4, 2022.**
 - **Cathy DiRaimo from an alleged incident on February 13, 2022.**
 - **Susannah Schutt from an alleged incident on February 14, 2022.**
 - **Gail Washington from an alleged incident on February 25, 2022.**
 - **Michael Amaral from an alleged incident on February 25, 2022.**
 - **Maria Coelho from an alleged incident on February 25, 2022.**
 - **Charles Casale from an alleged incident on February 25, 2022.**
 - **Julie Meisler from an alleged incident on February 25, 2022.**
 - **Carmen Pierce from an alleged incident on February 27, 2022.**
 - **Kapilevich Tzipporah from an alleged incident on March 3, 2022.**

On motion by Councilwoman Marino, seconded by Councilwoman Renzulli, 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”: Councilwomen Marino, Renzulli, Vargas, Germain, Councilmen Donegan, Campopiano, Reilly and Council President Paplauskas -8.

XIII. MISCELLANEOUS BUSINESS ON CLERK’S DESK

None.

The meeting adjourned at 8:50 P.M.

/s/ Rosalba Zanni
Acting City Clerk

(See Stenographic Notes of Ron Ronzio, Stenotypist)