

SPECIAL MEETING – CITY COUNCIL

-MAY 14, 2003-

A Special meeting of the Cranston City Council was held on Wednesday, May 14, 2003 in the Park View Middle School Auditorium, 25 Park View Blvd., Cranston, Rhode Island.

The meeting was called to order at 6:45 P.M. by Council President Pastore.

Roll Call showed the following members present: Councilmen Fung, Jackvony, Councilwoman Ellen O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

Also Present: Mayor Stephen P. Laffey; Paul Grimes, Director of Administration; Robin Muksian-Schutt; Jametta Alston, City Solicitor; Jerome Baron, Director of Finance; Mike Igoe, City Controller; Patrick Quinlan, City Council Legal Counsel; Randy Rossi, City Treasurer.

-MAY 14, 2003-

The City Clerk read the following:

CITY OF CRANSTON

RHODE ISLAND

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

In Accordance with the Home Rule Charter and Section 3.07 thereof, I hereby call a special meeting of the City Council to be held on **Wednesday, May 14, 2003** at 6:30 P.M. at Park View Middle School, Park Avenue, Cranston, RI at which meeting the following items of business shall be transacted:

Consideration and action on the Operating Budget and Appropriation Ordinance, Capital Budget and Capital Improvement Program pursuant to Chapter 6 of the Home Rule Charter.

Consideration and action on Resolution levying and order the assessment and collection of a tax on ratable real estate and tangible personal property pursuant to Section 6.11 of the Home Rule Charter and Ordinance Fixing the date when Taxes are Assessed and be Due and Payable.

Consideration and action on any other related Ordinances and Resolutions pertaining to the City of Cranston's budget.

I hereby request the City Clerk to notify all Council members of the Call of the special meeting.

Executed at Cranston, Rhode Island, this 10th day of May, 2003.

/s/ Peter T. Pastore, Jr.
Council President

-MAY 14, 2003-

CERTIFICATION

I hereby certify that a true copy of the attached Call of a special meeting of the City Council to be held on May 14, 2003 at 6:30 P.M. in the Park View Middel School Auditorium, 25 Park View Blvd., Cranston, R.I. was delivered via electronic mail on the 10th day of May, 2003 and regular mail, postage prepaid to the addresses listed below.

Council President Peter T. Pastore, Jr.
14 Firglade Dr.
Cranston, RI 02921
Ppastore@randolphsavings.com

Councilman Marc D. Ferolito
mferolito@msn.com

Council Member Cynthia M. Fogarty
Fogarty1@msn.com

Councilman Allan W. Fung
alfung@cox.net

Councilwoman Ellen O'Hara
ellencohara@cox.net

Councilman Kirk McDonough
67 Dellwood Rd.
Cranston, RI 02920
kirkmcdonough@cox.net

Councilwoman Paula McFarland
pmcfarland@prodigy.net

Councilman Randall A. Jackvony
rjackvony@cox.net

Councilman John E. Lanni, Jr.
111 Woodview Dr.
Cranston, RI 02920
Jelan1@aol.com

/s/ Maria Medeiros Wall, City Clerk

-MAY 14, 2003-

Council President Pastore stated that we have had meetings during the last two or three weeks on the Budget and he thanked the Finance Committee for all their hard work during the Budget process. He stated that a number of proposed Budget cuts have been made to a variety of line items, as well as, a comprehensive review of the revenues the City generates and we came up with \$1,448,000 in cuts and or revenue enhancements. No changes were made by the Finance Committee regarding the Crossing Guards and we accepted the Mayor's recommendation as presented.

Councilwoman O'Hara, Chair of the Finance Committee, entered into the record amendments (SEE Resolution No. 2003-41 as amended by the Council).

Council Member Fogarty, Vice-Chair of the Finance Committee, entered into the record the amendments on the revenues (SEE Ordinance No. 2003-19 as amended by the Council).

On motion by Councilwoman O'Hara, seconded by Council Member Fogarty, it was voted to approve the expenditure cuts as recommended by the Finance Committee for adoption by the Council. No roll call was taken.

On motion by Council Member Fogarty, seconded by Councilwoman O'Hara, it was voted to accept the changes to proposed cuts for revenue. No roll was taken.

PUBLIC SPEAKERS:

Don Iannozzi, 51 Hollyhock Dr., appeared on behalf of the Cranston Crossing Guards. He stated to the Council, as you deliberate, ask yourselves – at what value is the safety of our children?

Richard Demmler, 361 Bayview Ave., appeared to speak and asked why the proposed cuts were not published in the newspaper for the residents to know exactly what you are proposing to cut? Council President Pastore stated that these cuts were discussed at every single Finance Committee meeting we have had during the last two or three weeks. Mr. Demmler asked where we stand with the Crossing Guard issue. Council President Pastore stated that the recommendation of the Finance Committee was to agree with the Mayor's recommendation.

Donna Reilly, Crossing Guard, addressed the Mayor's four options for crossing the children:

1. Mayor mentioned in an article in the paper that he and his wife will cross the kids. This is ridiculous and irrational.
2. Volunteers – there are no guarantees that on any given day someone will be available to cross the kids.
3. Teachers – not all posts are near schools, teachers need to be at a post early, but they also have to be in their classrooms twenty minutes before school and twenty minutes after school.
4. Teachers' Aides – they would be under the same restraints as the teachers.

Jeffrey Kelly, 26 Mystery Farms Dr., appeared to speak and stated that he, as a member of CUT (Cranston United Taxpayers), helped implement the Homestead Exemption and this was put in by Ordinance. It is a legal document. Before this Homestead Exemption percentage is changed, he asked if this will go before the Ordinance Committee. Council President Pastore stated, yes. Mr. Kelly stated that we need to get the General Assembly to give the City more pilot money.

-MAY 14, 2003-

Student of Park View Middle School appeared to speak regarding Crossing Guards. She asked the Council to please not cut this program. By cutting it, you are placing the kids in danger.

Christopher Buonanno, 570 Laurel Hill Ave., appeared to speak regarding the Crossing Guards issue. He suggested reducing costs or attrition, but not to cut these positions.

Jim Davies, 19 Quail Ridge Rd., appeared to speak regarding the proposed \$8,000 cut for the Intern Program in the Mayor's Office. He asked the Council to reconsider this proposed cut.

Parent of school student, appeared to speak stating her concerns regarding the School Department Budget and responsibility to get children to school.

Mrs. O'Brien, Crossing Guard, appeared to speak and asked that this program not be cut.

Gavel was handed to Vice-President O'Hara.

John R. Capobianco, resident of Cranston, appeared to speak and asked what the total amount is for the Crossing Guards. He asked if it is \$600,000. Councilwoman O'Hara stated that because the Crossing Guards are not in this year's Budget, an estimate will be given.

Gavel was handed back to Council President Pastore.

Mr. Capobianco stated that, since no one from the City is denying it is not \$600,000, then he will assume it is \$600,000, since that is the number the Mayor has been using.

Louise Palazzolo appeared to speak and stated that she is very concerned that her assessment on her property doubled and there are three houses on her street for sale and she does not want to be the fourth. It is unfair for the people whose taxes are paid by their mortgage company and they do not know what their tax rate is. In regards to the Crossing Guards issue, there may be cuts that could be made within the structure of the Crossing Guards, but they are needed.

Judith McSoley, 44 Arnold Ave., appeared to speak and stated that her home valuation increased from \$160,000 to \$328,000. In an article the paper, it was quoted that the tax rate was going to be \$29.48, she asked if this is correct and if it is, she asked if this is on 100% of the valuation. She did call the Tax Assessor's Office and they would not give her this information. Mr. DelBonis stated that, by law, this has to be advertised and at the time, we estimated a rate of \$29.48 based on 25% Homestead and effective rate to be \$22.40 per \$1,000 and the reason why his Office did not give any information on the proposed tax rate is because it has not been established yet.

Vicky Virgilio, 38 Gaglione Court, President of Local 1033 for the Crossing Guards, appeared to speak and stated that the Crossing Guards program was established in 1965 when a child was killed by a car while crossing a street. Since then, not one child has been hit or killed. She asked that this program not be touched.

Richard Tomlins, 400 Farmington Ave., appeared to speak regarding the Library Budget. He stated that the Library has approximately \$168,000 in rainy day fund, he asked why the Library cannot draw out of that fund for the Sundays to be opened. Councilman Jackvony stated that that money was sent back to the City. Council President Pastore stated that part of that money is used for capital improvement programs. Mr. Tomlins asked what the City's Budget was last fiscal year. Mr. Baron stated \$196,000,000, including the Enterprise Fund. Mr. Tomlins stressed to the Council that when making their decisions, to please keep in mind the taxpayers of the City.

-MAY 14, 2003-

Aram Garabedian, 173 Belvedere Dr., appeared to speak and stated that the general consensus is that the Crossing Guards have too many benefits. This is an issue that should be taken up during collective bargaining. He asked that the Council resolve the issue that if there is a belief that these benefits are excessive, as Charter requires, the Mayor and the Council plan a strategy and re-negotiate. He complimented the Council for restoring money to the Library so they can open on Sundays and for restoring money for the Seniors relative to the Nutrition Program. Mr. Garabedian asked why there is a \$1 million reserve, while the City is in a financial crisis. It would be outrageous if the bond to complete the new school does not pass, and the Council accepts the Mayor's recommendation not to fund for the new school.

Thomas Ricci, 75 Knight St., appeared to speak and addressed the Council and stated that what you do as Council people, has to be for all the people of the City. When he served on the Charter Review Commission, the Commission gave the Council power to sit in on the contract negotiations and gave the Council a lot more power than they would have had.

Steve Blaire, 23 Taft St., appeared to speak and stated that the financial situation of the City did not start with the Crossing Guards and will not end with the elimination of the Crossing Guards. When Crossing Guards began in 1965, they made \$5 per day with no health benefits. Protection of the children should be the number one concern of the Council when considering this issue.

Albert Benetti, 24 Concord Ave., appeared to speak and stated that we have had a Supplemental Tax and the Mayor has made some savings, but he has not heard once with all the bargaining units in the City, that they are willing to co-pay on their health coverage. If they did, the Crossing Guards would not get laid off and School Department would not be in the situation they are in. The taxpayers did their share of helping out with the City's financial crisis. He asked the Council to stay firm, and stated that they are not being mean spirited.

Frank Hollingworth, Harmon Ave., appeared to speak and questioned the cuts made in Economic Development and the Public Works Department "Care of Trees".

Michael Cardarelli, 53 Fairfield Rd., School Committee Member, appeared to speak as a citizen. He stated that the \$40,000 to be spent for Special Election for bond referendum for new school is an absolute waste of money. This project has to be completed.

Paul Gibbs, 97 Orchard St., appeared to speak regarding the Crossing Guards. He stated that he agrees with Mr. Garabedian's remarks, that when you have a contract, you own the Union members for the life of the contract.

On motion by Councilman McDonough, seconded by Councilman Jackvony, it was voted to go into **Executive Session under Section 42-46-5a(2) to discuss anticipated litigation**. Motion passed unanimously.

The meeting went into Executive Session at 9:20 P.M.
The meeting came out of Executive Session at 9:50 P.M.

On motion by Councilman McDonough, seconded by Councilman Jackvony, it was voted to seal the minutes of Executive Session. Motion passed unanimously.

On motion by Council Member Fogarty, seconded by Councilwoman McFarland, it was voted to remove motion to approve revenue side of the Budget. Motion passed unanimously.

-MAY 14, 2003-

On motion by Councilwoman O'Hara, seconded by Councilwoman McFarland, it was voted to approve the revenues due to scrivners error in two departments that were omitted – City Planning and Animal Control. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

Roll call was taken on main motion to amend revenue stream and motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

“ORDINANCE MAKING ANNUAL APPROPRIATION FOR THE CITY OF CRANSTON FOR THE FISCAL YEAR COMMENCING JULY 1, 2003 AND ENDING JUNE 30, 2004.”

On motion by Councilwoman McFarland, seconded by Councilman McDonough, it was voted to approve expenditure side of budget municipal indebtedness and create a contingency fund in the amount of \$250,000. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

Mr. Igoe stated that what the adjustments should be in tax revenue account number 41158 2003 adjusted figure to be \$130,507,861.

Motion to adopt above Ordinance as amended passed on a vote of 9-0. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

On motion by Councilwoman O'Hara, seconded by Councilwoman McFarland, it was voted to approve current tax revenues side of Budget of total submitted by Mayor \$187,250,101, revenue total as submitted by the Mayor of \$194,168,861 as amended by the Council \$193,698,339 be approved. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

“RESOLUTION ADOPTING THE OPERATING BUDGET AND THE ATTACHED SALARY SCHEDULE FOR THE GENERAL FUND, THE SEWER FUND, THE INSURANCE FUND AND THE CAPITAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2003 AND ENDING JUNE 30, 2004 AND ADOPTING THE CAPITAL IMPROVEMENT PROGRAM FOR THE FOUR SUCCEEDING YEARS.”

On motion by Councilwoman O'Hara, seconded by Councilwoman McFarland, 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”: Councilmen Fung, Jackvony, Councilwoman O'Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

-MAY 14, 2003-

“ORDINANCE MAKING ANNUAL APPROPRIATION FOR THE CITY OF CRANSTON FOR THE FISCAL YEAR COMMENCING JULY 1, 2003 AND ENDING JUNE 30, 2004.”

On motion by Councilwoman O’Hara, seconded by Councilman Jackvony, it was voted to adopt the above Resolution. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

“ORDINANCE FIXING THE DATE WHEN TAXES ARE ASSESSED, AS OF DECEMBER 31, 2002 WILL BE DUE AND PAYABLE AND THE DATE WHEN UNPAID TAXES WILL CARRY A PENALTY.”

On motion by Council Member Fogarty, seconded by Councilwoman McFarland, it was voted to amend Section 1 as follows: fourth line, after the word “penalty”, delete “at the rate up 18 per centum per annum” and add “up to the maximum rate allowed by State Law.” Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

Roll call was taken on main motion to approve as amended. Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, it was voted to reconsider the vote to amend and to approve on this Ordinance relative to setting the interest rate for late charges. Motion passed unanimously.

On motion by Council Member Fogarty, seconded by Councilwoman McFarland, it was voted to amend the last paragraph as follows: fourth line, after the words “penalty at the”, delete “rate of 12 per centum per annum” and add “up to the maximum rate allowed by State Law.” Motion passed on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

“ORDINANCE IN AMENDMENT OF CHAPTER 26 OF THE CODE OF THE CITY OF CRANSTON, 1970, ENTITLED ‘SEWERS’.”

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, it was voted to adopt the above Ordinance on a vote of 7-2. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilmen Ferolito, Lanni and Council President Pastore –7. The following being recorded as voting “nay”: Councilwoman McFarland and Councilman McDonough –2.

-MAY 14, 2003-

“RESOLUTION AUTHORIZING THE ASSESSMENT OF VALUATIONS AND LEVY OF TAXES”.

On motion by Councilwoman O’Hara, seconded by Councilman Ferolito, it was voted to adopt the above Resolution on a vote of 9-0. The following being recorded as voting “aye”: Councilmen Fung, Jackvony, Councilwoman O’Hara, Council Member Fogarty, Councilwoman McFarland, Councilmen Ferolito, Lanni, McDonough and Council President Pastore –9.

On motion by Councilman Jackvony, seconded by Councilman Ferolito, it was voted to direct the City Clerk to deliver to the Mayor the appropriation Ordinances as passed for his signature.

The meeting adjourned at 10:30 P.M.

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

Maria Medeiros Wall
City Clerk

(See Stenographic notes of Jeanette Lemoine, Stenographer).