

(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).

PUBLIC WORKS COMMITTEE

Regular meeting of the Public Works Committee was held on Monday, June 4, 2012 in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 6:05 P.M. by the Vice-Chair.

Present: Councilman Richard D. Santamaria, Jr., Vice-Chair
Councilman Steven A. Stycos
Council President Anthony J. Lupino

Absent: Councilman Emilio L. Navarro, Chair
Councilwoman Leslie A. Luciano

*Councilwoman Bucci. Not in attendance due to Temporary Restraining Order issued April 3, 2012 Saccoccio v. City Council C.A. P12-1561

Also Present: Councilman Paul H. Archetto
Gerald Cordy, Director of Administration
Mark Capuano, Deputy Director of Administration
Evan Kirshenbaum, Assistant City Solicitor
Patrick Quinlan, City Council Legal Counsel
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

On motion by Council President Lupino, seconded by Councilman Stycos, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

CORRESPONDENCE:

PUBLIC HEARING:

- **Retention ponds** - Administration report, inventory, and maintenance history (Council President Lupino) (Cont. 5/7/2012).

Mr. Cordy stated that the City's Highway Department is looking at the retention ponds that can be address in-house and the ones that can't, an inventory will be done and the City will go out to bid for a contractor to address those.

Council President Lupino stated that he would like D.E.M. and someone from Public Works and/or Administration to meet with D.E.M. to see that Ordinances we may adopt to have that would transfer the responsibility and upkeep of these ponds and get some kind of response back. Mr. Cordy stated that as to any new retention ponds, the Solicitor is looking at including Impact Fees.

Vice-Chair asked that this item be continued to next month's meeting.

- **Rhode Island LFG Genco, LLC Broadrock Renuables LLC sewer tie-in location** (Cont. 5/7/2012).

This item was discussed in Executive Session.

NEW BUSINESS:

Easement Deed from City of Cranston to Joann Simpson for Vaughn Lane

Mr. Cordy stated that the Easement is approximately 1,500 sq. ft.

No one appeared to speak in favor or to oppose.

On motion by Council President Lupino, seconded by Councilman Stycos, it was voted to recommend approval of this Easement Deed. Motion passed unanimously.

Executive Session regarding RIGL 42-46-5(a)(2) pending litigation

- ***RIRCC – update on status of negotiations***
- ***Broadrock Renuables LLC sewer tie-in location***

On motion by Council President Lupino, seconded by Councilman Stycos, it was voted to go into Executive Session pursuant to RIGL 42-46-5(a)(2) pending litigation. Motion passed unanimously.

Meeting went into Executive Session at 6:20 P.M.

Present in Executive Session: Councilmen Santamaria, Stycos, Archetto, Council President Lupino; Gerald Cordy, Director of Administration; Mark Capuano, Deputy Director of Administration; Evan Kirshenbaum, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel; L. Robert Smith, P.E. Company Forensic Engineering, City's Consultant.

On motion by Council President Lupino, seconded by Councilman Stycos, it was voted to come out of Executive Session. Motion passed unanimously.

The meeting came out of Executive Session at 7:10 P.M.

On motion by Council President Lupino, seconded by Councilman Stycos, it was voted to seal the minutes of Executive Session. Motion passed unanimously.

The meeting adjourned at 7:10 P.M.

Respectfully submitted,

A handwritten signature in black ink that reads "Rosalba Zanni". The signature is written in a cursive, flowing style.

Rosalba Zanni
Assistant City Clerk/Clerk of Committees

EASEMENT DEED

City of Cranston, located in the State of Rhode Island, the current owner in fee simple of the parcel of Land most commonly known as Assessors Plat 3011 Lots 196 and 197, located in the City of Cranston, in consideration in the amount of \$1.00 (One Dollar) the receipt of which is acknowledged, does hereby convey and grant a perpetual easement to Joann Simpson of the City of Cranston, County of Providence, State of Rhode Island.

Legal Description: Of the easement area is demonstrated in Exhibit A hereto attached,

The holders of said easement agrees to assume any Liability for any damage to the land in question and for any Tort Liability that may occur in the subject area by themselves, their guest and/or business invitees, while they are using said easement area.

Scope of Easement:

Easement holders their successors, assignees, invitees and/or agents are given the right to use said easement area for any legally permitted use. The easement is for the benefit of the easement holders only.

Governing Law: This instrument shall be governed and constructed under the laws of the State of Rhode Island.

Binding Effect, Appurtenant Easements and Covenants: The terms of this Easement Agreement and all covenants and easements granted by this Easement Agreement shall constitute covenants and easements running with, appurtenant to, the land affected thereby. All terms, covenants and easements shall inure to the benefit of and be binding upon the parties hereto and their successors and assigns to the extent they have an interest in the benefited or burdened land.

This transfer is such that no R.I.G.L. 44-30-71.3 withholding is required as grantor is a resident or R.I. as evidenced by affidavit.

The undersigned hereby certify they are exempt from the smoke detector law and carbon monoxide as provided in R.I.G.L. 23-28.35-14 et seq.

This transfer is such that no tax stamps are required.

Witness my hand this 9th day of May, 2012.

Allan W. Fung
City of Cranston
By: Mayor Allan W. Fung

STATE OF RHODE ISLAND

COUNTY OF PROVIDENCE

In Cranston, RI on the 9th day of May, 2012, before me personally appeared Mayor Allan W. Fung, to me known and known by me to be the party executing the foregoing instrument and he acknowledged said instrument by him executed, to be his free act and deed and the free act and deed of the City of Cranston.

Grantee Address:

CRM
Notary Public: Christopher M. Rawson
My Commission Exps: 1/30/13

EXHIBIT A

**Deed Description – Vaughn Lane Easement
February 29, 2012**

City of Cranston – Assessors Plat 30/1, lots 196 &197

That certain parcel of land, situated on the westerly side of the center of Vaughn Lane, in the City of Cranston, County of Providence and State of Rhode Island, bounded and described as follows;

Beginning at an point on the westerly side of Vaughn lane, said point being the most northerly corner of Record Lot 4 on that Plat entitled "Arkwright Interlaken Inc. Plat" said plat filed with the records of land evidence in the City of Cranston on Plat Card 450;

Thence running in a southeasterly direction along an arc of a curve having a radius of two-hundred seventy-one and 9/10 feet (271.90') and the westerly side of Vaughn Lane an arc distance of fifty-three and 83/100 feet (53.83') to a point;

Thence turning an interior angle of 77°13'36" to the chord of the previously described curve and running in a northeasterly direction a distance of thirty-one and 27/100 feet (31.27') to a point;

Thence running in a northwesterly direction along the arc of a curve having a radius of two-hundred forty and 90/100 feet (240.90') an arc distance of forty-three and 82/100' feet (43.82') to a point, with the chord of said curve forming an interior angle of 103°14' with the previously described line;

Thence turning an interior angle of 95°12'40" to the chord of the previously described curve and running in a southwesterly direction a distance of thirty-one feet (31.00') to the point and place of beginning.

The last described line forms a chord angle of 84°19'44" with the first described line and said parcel contains 1,516 square feet, more or less.

GRANITE BND. A.P. 30/1, LOT 193
N/F Fiskeville Realty Co. I LLC

A.P. 30/1, LOT 195
RECORD LOT 2
N/F Michael A. Camardo

CURVE DATA:
Radius = 240.90'
Cen. Ang. = 10°25'22"
Arc = 43.82'

A Δ to chd. 95°12'40"
B Δ to chd. 103°14'

VAUGHN LN.

ACCESS EASEMENT
1,516 S.F.±



CURVE DATA:
Radius = 271.90'
Cen. Ang. = 11°20'33"
Arc = 53.83'
C Δ to chd. 84°19'44"
D Δ to chd. 77°13'36"

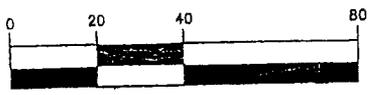
A.P. 30/1, LOT 197
RECORD LOT 4
N/F Joann R. & Arthur J. Simpson

A.P. 30/1, LOT 196
RECORD LOT 3
N/F Glen A. & Minica J. Bourgeois

Record Plat Reference
Plat Card 450 Entitled
"Arkwright Interlaken Inc. Plat"

A.P. 30/1, LOT 198
RECORD LOT 5
N/F David A. Horta

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

MAIN ST.

**SURVEY AND PLAN FOR
VAUGHN LANE**
Proposed Access Easement
Assessors Plat 30/1, Lots 196 & 197
Prepared by Division of Engineering
Cranston Dept. of Public Works
February 27, 2012