

(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 Finance Committee was held on Monday, May 6, 2013, in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 6:45 P.M. by the Chairman.

Present: Councilman Mario Aceto, Chair
Councilman Richard D. Santamaria, Jr., Vice-Chair
Councilman Paul H. Archetto
Councilwoman Sarah Kales Lee
Councilman Michael W. Favicchio
Council Vice-President Michael J Farina
Council President John E. Lanni, Jr.

Also Present: Carlos Lopez, Chief of Staff
Evan Kirshenbaum, Assistant City Solicitor
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

On motion by Council Vice-President Farina, seconded by Council President Lanni, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded.

CORRESPONDENCE:

PUBLIC HEARING:

OLD BUSINESS:

Storm water utility districts Update from administration on feasibility. (Councilman Stycos) (Cont. from 1/14/2013).

Solicitor Kirshenbaum stated that Mr. Cordy has been handling this issue and he could not attend this meeting. He stated that he will ask Mr. Cordy to email the Council with an update regarding this item.

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

Rhode Island Resource Recovery Corporation Appeal dated November 21, 2012 from ruling dated November 5, 2012 on Aug. 15, 2012 Fine Notice. (Cont. 4/1/2013). [\[click here to view\]](#)

Rhode Island Resource Recovery Corporation Dec. 7, 2012 Appeal of Fine Notice dated Aug. 15, 2012. (Cont. 3/4/2013). [\[click here to view\]](#)

Solicitor Kirshenbaum stated that discussions have commenced and asked that these items be continued.

The above two items were continued to next month's meeting.

Conservation Commission Recommendation on:

DEM notice of application no. 12-0192 of Frank O Monti, Jr. for alteration of freshwater wetlands at Briarbrook & Regal Way. (Cont. 4/1/2013). [\[click here to view\]](#)

DEM notice of application no. OCTA 12-029 from DSD Enterprises for alteration of freshwater wetlands at intersection of Plainfield and Sailor Way. (Cont. 4/1/2013). [\[click here to view\]](#)

Steven Pilz, Chair of Conservation Commission, appeared to speak and stated that the Commission meets once a month, the fourth Tuesday of the month. If there is time between the Commission meeting and the Planning Commission meeting, a recommendation will be forwarded to the Planning Commission.

Mr. Pilz stated that as to the Briarbrook and Regal Way project, this is an application for single-family residence to be built. He reviewed the documents submitted to D.E.M. and he visited the site. The recommendation from the Conservation Commission was not to allow this.

Chair indicated that his understanding is that the Planning Commission's recommendation was to approve this. **Mr. Pilz** stated that he has no knowledge of that.

Chair asked what role the City Council would play in this type of situation, since there is a process in place. **Solicitor Kirshenbaum** stated that he does not see how the City Council would be involved in this. The Planning Commission gave approval after recommendation from the Conservation Commission's was given.

Mr. Pilz addressed the Plainfield and Sailor Way application and stated that this particular project is impacted by wetland and the Conservation Commission took position that it would have negative impact.

Chair stated that this is the first time that he has seen the Conservation Commission recommendation showing up on a Council Docket or agenda. He is just trying to find out what the process is.

Council President Lanni stated that it seems there is a chain of command problem. Maybe the Planning Commission should not act on an issue unless they receive a recommendation first from the Conservation Commission. The Conservation Commission should be sending recommendations to the Planning Commission and also the City Council.

Mr. Pilz stated that maybe the process needs to be fine tuned so there is an open line of communication between the Conservation Commission and the Planning Commission.

Councilman Favicchio asked how often the Conservation Commission disagrees with D.E.M. Mr. Pilz stated, approximately 20%, it is not the norm. Usually, they are on the same page.

Solicitor Kirshenbaum stated that he will look into the issue of whether the City has some kind of veto power and how to handle these items as they come up.

The above two items were removed from the agenda.

8S-12-1 Ordinance in Amendment of Title 13.08 of Code of the City of Cranston, 2005, entitled “Public Services” (Sewer Service System) and Title 13.12 entitled “Wastewater Disposal Services”. [[click here to view Ordinance](#)] [[click here to view notice](#)] (Awaiting conclusion of DEM’s public comment period.). Referred from 4/22/2013 City Council.

Chair suggested that this Ordinance be continued to the next meeting and the Budget will be adopted by then.

On motion by Councilman Santamaria, seconded by Council Vice-President Farina, it was voted to continue this Ordinance to next month’s meeting. Motion passed unanimously.

NEW BUSINESS:

4-13-2 Ordinance in amendment of Title 8 of the Code of the City of Cranston, 2005, entitled “Health and Welfare” (Waste Haulers Hours of Operation). [[click to view](#)]

On motion by Councilman Santamaria, seconded by Councilman Archetto, it was voted to recommend approval of this Ordinance.

On motion by Councilman Santamaria, seconded by Council Vice-President Farina, it was voted to amend this Ordinance as follows: line #91, amend “two formal complaints” to “one formal complaint”.

Under Discussion:

Mr. Lopez stated that the Administration supports this amendment with the reservation regarding notification process.

Motion to amend this Ordinance and second were withdrawn.

City Clerk indicated that the City has a contract with Waste Management and pointed out Section 8.12.120 of the Code regarding residential rubbish pickup from 6:30 A.M. to 5:00 P.M.

Roll call was taken on motion to recommend approval of this Ordinance and motion passed unanimously.

4-13-4 Ordinance in amendment of Title 8, Ch. 36 of the Code of the City of Cranston, 2005, entitled “Rodent Control” (Bird Feeder Fines Nuisance). [\[click to view\]](#)

On motion by Councilman Favicchio, seconded by Councilwoman Lee, it was voted to recommend approval of this Ordinance.

Under Discussion:

Councilman Stycos stated that this would probably benefit areas with rodent infestation problem. He would be in favor of this Ordinance if it were limited to areas, determined by Public Works, to be rodent infestation areas.

Mr. Lopez suggested that this Ordinance be pulled for further review because there are issues that are not being addressed in this Ordinance, such as who will be enforcing this Ordinance.

Councilman Archetto stated that he is in favor of this Ordinance because we need to address this because of the severity of the rodent problems in the City. He agrees that it needs to be tweaked a bit.

Councilman Favicchio stated that the quantity of bird feeders may need to be looked at.

Council Vice-President Farina stated that he has no problem continuing this Ordinance and redrafting it.

Council President Lanni stated that the issue is a nuisance issue and not the amount of bird feeders. He has no problem re-addressing the issue.

Mr. Lopez stated that the Administration would like an opportunity to study this as to who would enforce the ordinance and where certain areas should be identified.

Motion and second to recommend approval of this Ordinance were withdrawn.

On motion by Council Vice-President Farina, seconded by Council President Lanni, it was voted to continue this Ordinance to next month’s meeting. Motion passed unanimously.

The meeting adjourned at 7:30 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees