

*(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, December 2, 2013, in the Council Chambers, City Hall, Cranston, Rhode Island.

### **CALL MEETING TO ORDER:**

The meeting was called to order at 6:40 P.M. by the Chairman.

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

Also Present: Gerald Cordy, Director of Administration  
Jeffrey Barone, Director of Constituent and Government Affairs  
Christopher Rawson, City Solicitor  
Evan Kirshenbaum, Assistant City Solicitor  
Patrick Quinlan, City Council Legal Counsel  
Kenneth Mason, Director of Public Works  
Nicholas Capezza, Chief Engineer  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees  
Heather Finger, Stenographer

### **MINUTES OF THE LAST MEETING:**

On motion by Council Minority Leader Favicchio, seconded by Council Vice-President Farina, 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 8/5/2013 for presentation by engineering firm regarding Phase I feasibility study).

**Mr. Mason** stated that three meeting were held at various locations, consisting of North Providence, East Providence, Providence, Central Falls, East Bay Commission, Warwick and Cranston, to see if there is a will to form a District. He also stated that a draft of the feasibility study should be ready sometime in January.

**Rhode Island Resource Recovery Corporation Appeal dated November 21, 2012 from ruling dated November 5, 2012 on Aug. 15, 2012 Fine Notice.** (Cont. 6/3/2013). [\[click here to view\]](#)

**Rhode Island Resource Recovery Corporation Dec. 7, 2012 Appeal of Fine Notice dated Aug. 15, 2012.** (Cont. 6/3/2013). [\[click here to view\]](#)

**RIRRC Appeal of DPW Director's Decision on RIRRC's Petition for Review of Modification to Industrial Wastewater Discharge Permit #1808.** (Cont. 11/4/2013). [\[click to view\]](#)

Mr. Mason stated that this is still under litigation and asked that the above three items be continued.

**10-13-01 Ordinance in amendment of Chapter 12.20 of the Code of the City of Cranston, 2005, entitled "Parks and Recreational Facilities" (Dog Park).** Sponsored by Councilwoman Lee. (Cont. 11/4/2013). [\[click to view\]](#)

On motion by Council Majority Leader Archetto, seconded by Councilwoman Lee, it was voted to recommend approval of this Ordinance.

Under Discussion:

**Council Majority Leader Archetto** stated that he does not see a designated area in the Ordinance for the park. Councilwoman Lee stated that the City is looking at a piece of land between the bubble rink and the animal shelter on Phenix Ave. Council Majority Leader Archetto stated that he would like this specified in the Ordinance.

**Council Vice-President Farina** stated that he would like any costs associated or outside funding be outlined in the Ordinance.

**Council President Lanni** stated that he is in favor of having a dog park in the City. As to the location being looked at, it sounds like a good area for everyone in the City.

**Council Minority Leader Favicchio** asked who will be monitoring the activities at the park. Councilwoman Lee stated that, typically, there should not be anyone present and rules will be posted. Council Minority Leader Favicchio stated that he agrees with Council Majority Leader Archetto in regards to defining the location.

**Mark Wildenhail**, Council Member from Pawtucket, appeared to speak regarding the dog park in Pawtucket. He stated that the people police themselves and rules are posted and it is working out very well with no problems. He also stated that there is a Committee that does fundraisers for all the costs. There has never been a claim against the City in the three years the park has been there.

**Councilman Aceto** stated that he feels this is a good idea. His concern is - specify location in the Ordinance and funding in place. He would like to see this Ordinance continued through the winter so these issues can be addressed.

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

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

**NEW BUSINESS:**

**Resolution urging the Mayor to reinstated the 50/50 Sidewalk Program. Co-Sponsored by Councilwoman Lee and Councilman Stycos. [\[click to view\]](#)**

On motion by Council Majority Leader Archetto, seconded by Council President Lanni, it was voted to recommend approval of this Resolution.

Under Discussion:

**Solicitor Rawson** stated that this is one of the items that the Administration would like to discuss in Executive Session.

**Mr. Capezza** appeared to speak regarding how the previous 50/50 Program operated. He stated that the Engineers who worked with the previous 50/50 Program was made up of eight employees, currently, there are four Engineers. If this program is reinstated, four Engineers cannot handle the workload. He also stated that the previous program was a difficult program. If it is to be reinstated, we need to think about a different way of doing it.

On motion by Councilman Stycos, seconded by Council President Lanni, it was voted to amend line #36 as follows: delete “reinstate the 50/50 program” and add “establish a program to repair sidewalks, which includes cost sharing between the City and the property owner”. Motion passed unanimously.

**Council Vice-President Farina** asked to be added as co-sponsor.

**Council Majority Leader Archetto** stated that this is a very ambiguous generalized Resolution.

On motion by Councilman Stycos, seconded by Council President Lanni, it was voted to recommend approval of this Resolution as amended. Motion passed unanimously.

**11-13-1 Ordinance in amendment of Title 9.8 of the Code of the City of Cranston, 2005, entitled “Offenses Relating to Property” (Tree Pruning and Removal Notice). [\[click to view\]](#)**

Council Minority Leader Favicchio motioned to recommend approval of this Ordinance. Council Majority Leader Archetto seconded the motion for discussion purposes.

Under Discussion:

**Mr. Cordy** stated that this Ordinance includes some suggested additions that the Administration would like added to the Ordinance, since the Administration was not given the opportunity to address them when the Ordinance was before the Committee in October and approved by the Council.

Roll call was taken on motion to recommend approval of this Ordinance and motion passed on a vote of 6-1. The following being recorded as voting “aye”: Councilmen Aceto, Santamaria, Council Majority Leader Archetto, Councilwoman Lee, Council Minority Leader Favicchio and Council President Lanni -6. The following being recorded as voting “nay”: Council Vice-President Farina -1.

**Request from National Grid for joint pole location at Arbor Dr. [\[click to view\]](#)**

On motion by Councilman Santamaria, seconded by Council President Lanni, it was voted to approve this pole location, subject to the Engineer’s approval. Motion passed unanimously.

**Request from National Grid for joint pole location at Garfield Ave.** [\[click to view\]](#)

On motion by Councilman Santamaria, seconded by Council Vice-President Farina, it was voted to approve this pole location. Motion passed unanimously.

**Sewer Connection Agreement between LFG Genco, LLC and City of Cranston** [\[click to view\]](#)

**Solicitor Kirshenbaum** explained this agreement.

On motion by Council Vice-President Farina, seconded by Council Minority Leader Favicchio, it was voted to approve this agreement. Motion passed unanimously.

**EXECUTIVE SESSION: Pursuant to RIGL 42-46-5(a)(2) Pending Litigation: - Discussion of City Sidewalk Laws and Codes**

On motion by Council President Lanni, seconded by Council Vice-President Farina, it was voted to go into Executive Session pursuant to RIGL 42-46-5(a)(2). Motion passed unanimously.

The meeting went into Executive Session at 7:30 P.M.

Present in Executive Session: Councilmen Aceto, Santamaria, Council Majority Leader Archetto, Councilwoman Lee, Council Minority Leader Favicchio, Council Vice-President Farina and Council President Lanni; Gerald Cordy, Director of Administration; Christopher Rawson, City Solicitor; Kenneth Mason, Director of Public Works; Nicholas Capezza, Chief Engineer.

On motion by Council President Lanni, seconded by Council Vice-President Farina, it was voted to come out of Executive Session. Motion passed unanimously.

The meeting came out of Executive Session at 7:50 P.M.

On motion by Council President Lanni, seconded by Council Vice-President Farina, it was voted to seal the minutes of Executive Session. Motion passed unanimously.

The meeting adjourned at 8:00 P.M.

Respectfully submitted,



Rosalba Zanni  
Assistant City Clerk/Clerk of Committees