

(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).

ORDINANCE COMMITTEE

Regular meeting of the Ordinance Committee was held on Thursday, December 17, 2015, in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 6:10 P.M. by the Vice-Chair.

Present: Council Majority Leader Archetto, Chair (appeared at 6:12 P.M.)
Councilman Mario Aceto, Vice-Chair
Councilman Steven A. Stycos
Councilman Michael J Farina (appeared at 6:25 P.M.)
Councilman Donald Botts, Jr.
Council President John E. Lanni, Jr.

Also Present: Council Vice-President Richard D. Santamaria, Jr.
Councilman Christopher G. Paplauskas
Carlos Lopez, Chief of Staff
Robert Coupe, Director of Administration/Acting Personnel Director
Christopher Rawson, City Solicitor
Robert Strom, Director of Finance
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Ron Ronzio, Stenographer

MINUTES OF THE LAST MEETING:

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

CORRESPONDENCE/COMMUNICATIONS

OLD BUSINESS:

8-15-02 Ordinance in amendment of Title 10 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Handicap and Disabled Parking Space Permits). Sponsored by Councilman Stycos. (Cont. 9/17/2015 & 11/12/2015).

On motion by Councilman Stycos, seconded by Council President Lanni, it was voted to recommend approval of this Ordinance.

Under Discussion:

Councilman Stycos presented two handouts and stated that this is being done in Providence and he feels it can be done in Cranston. This Ordinance is a good idea and it will not hurt the City financially. It will help people who need handicap or disabled parking spaces.

Councilman Botts stated that he is in favor of this as long as it is clear that this would be available to any disabled person and not just the person who applies for the permit.

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

PUBLIC HEARINGS/NEW BUSINESS:

Peter Lapolla, City Planner, appeared to speak in favor of proposed Ordinance 11-15-01 and stated that this Plan has been reviewed and approved by FEMA and now the City Council is being asked to adopt it.

Councilman Aceto asked if this was shared with the Flood Commission. Mr. Lapolla stated that a meeting was held twice with that Commission regarding this.

John Bolton, Esq., 22 MacIntosh Dr., appeared to represent RES America in regards to proposed Ordinance 11-15-03 and stated that his client, even though they would not be subject to this Ordinance, will comply and will be bound by the performance standards set forward in the Ordinance.

11-15-01 Ordinance approving Cranston 2015 Multi-Hazard Mitigation Strategy (Hazard Mitigation Plan). Sponsored by Mayor (from Planning).

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

Under Discussion:

Councilman Aceto stated that he would like a copy of the Plan before the City Council meeting because his concern is there are other areas in the City that need to be addressed besides the coastal areas.

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

11-15-02 Ordinance in amendment of Title 8.28 of the Code of the City of Cranston, 2005, entitled "Property Maintenance Standards" (Stagnant Water Accumulation Prohibited). Sponsored by Councilman Archetto. [\[click to view\]](#)

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

Under Discussion:

Council Majority Leader Archetto stated that after Councilman Paplauskas's Ordinance was recently adopted, he received calls from constituents with concerns and this is the reason he proposed this Ordinance. The intent of this Ordinance is to enforce this from November 1st to March 1st.

Councilman Paplauskas stated that he contacted Al Gettman of DEM and a letter was provided from Mr. Gettman encouraging that this Ordinance be enforced throughout the year. Councilman Paplauskas stated that based on that, he asked that this Committee not approve this Ordinance.

Councilman Aceto asked Administration if the City has the manpower to police this during the winter. Mr. Lopez stated that this would fall under Building Inspections and this office is already to capacity.

Council President Lanni stated that this is an unenforceable Ordinance and you would need permission to go on private property. It is a good idea, but there should not be a fine attached. Maybe this should be made as a suggestion to the property owners.

Councilman Paplauskas stated that his original Ordinance was to focus on abandoned properties.

Councilman Aceto asked if there is a report of the number of people of cases where Inspections has cited anyone. Mr. Coupe stated that he will ask this of the Building Inspections Office. Councilman Aceto asked that this be placed on the Docket under Council Member Communications for the Council meeting.

Roll call was taken on motion to recommend approval of this Ordinance and motion failed on a tie vote of 3-3. The following being recorded as voting "aye": Council Majority Leader Archetto, Councilman Aceto and Council President Lanni -3. The following being recorded as voting "nay": Councilmen Farina, Stycos and Botts -3.

11-15-03 Ordinance in amendment of Chapter 17.24 of the Code of the City of Cranston, 2005, entitled "Zoning" Performance Standards (Solar Power) Sponsored by Councilman Stycos.

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

Under Discussion:

Mr. Lapolla explained the Planning Commission recommendation in regards to the amendment to lines 38 and 39 of the Ordinance.

On motion by Councilman Farina, seconded by Councilman Aceto, it was voted to amend this Ordinance by adding the language as recommended by the Planning Commission.

Motion and second were withdrawn.

Attorney Bolton stated that the language should state "nearest offsite receptor".

Councilman Farina motioned to amend this Ordinance based on the Planning Commission recommendation and add "offsite receptor" to lines 39 and 45. Councilman Botts seconded the motion. Roll call was taken on above motion and motion passed on a vote of 5-1. The following being recorded as voting "aye": Councilmen Aceto, Farina, Stycos, Botts and Council President Lanni -5. The following being recorded as voting "nay": Council Majority Leader Archetto -1.

Roll call was taken on motion to recommend approval of this Ordinance as amended and motion passed on a vote of 5-1. The following being recorded as voting "aye": Council Majority Leader Archetto, Farina, Stycos, Botts and Council President Lanni -5. The following being recorded as voting "nay": Councilman Aceto -1.

Resolution proposing amendment to Section 3.19 of the Cranston Home Rule Charter and directing the Secretary of State to place on the ballot the following as a Referendum Question (Non-Interference in Administrative Matters). Councilman Archetto.

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

Under Discussion:

Council Majority Leader Archetto stated that this section of the Charter is draconian and needs to be changed.

Councilman Farina stated that there needs to a majority vote of the Council to enact a punishment. Due to this, he is not in favor of this Resolution.

Council President Lanni stated that he is in favor of this Resolution because we have to have more access to the City's Department Heads.

Roll call was taken on motion to recommend approval of this Resolution and motion passed on a vote of 4-2. The following being recorded as voting "aye": Council Majority Leader Archetto, Councilmen Aceto, Stycos and Council President Lanni -4. The following being recorded as voting "nay": Councilmen Farina and Botts -2.

The meeting adjourned at 7:15 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees