

(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, January 4, 2016, in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 6:30 P.M. by the Chairman.

Present: Councilman Mario Aceto, Chair
Councilman Steven A. Stycos, Vice-Chair
Councilman Michael J Farina
Council Vice-President Richard D. Santamaria, Jr.
Councilman Christopher G. Paplauskas
Council President John E. Lanni, Jr.

Also Present: Council Minority Leader Michael W. Favicchio
Councilman Donald Botts, Jr.
Council Majority Leader Paul H. Archetto
Robert Coupe, Director of Administration/Acting Personnel Director
Christopher Rawson, City Solicitor
J. Patrick O'Neill, Assistant City Solicitor
Kenneth Mason, Director of Public Works
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

On motion by Councilman 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:

- ***Orchard Valley – Status report on stop sign. Chairman Aceto***

Mr. Mason stated that he believes that what is installed now is actually what was passed by Ordinance.

Executive Session Pursuant to RIGL 42-46-5(a)(2) Pending/Potential Litigation

- *Rhode Island Resource Recovery Corporation Appeal dated November 21, 2012 from ruling dated November 5, 2012 on August 15, 2012 Fine Notice.* (Cont. from 12/7/2015).
- *Rhode Island Resource Recovery Corporation Dec. 7, 2012 Appeal of Fine Notice dated Aug. 15, 2012.* (Cont. from 12/7/2015).
- *RIRRC Appeal of DPW Director's Decision on RIRRC's Petition for Review of Modification to Industrial Wastewater Discharge Permit #1808.* (Cont. from 12/7/2015).

Mr. Rawson stated that Attorney Anthony Traini is handling this case for the City and needs to speak to legal counsel. He suggested possibly having Attorney Traini attend the April Committee meeting to speak to the Council regarding this issue.

Council President Lanni asked how long this case has been going on. Solicitor Rawson stated that the original appeal was in late 2012.

Mr. Mason stated that the lawsuit was filed approximately fifteen months ago.

Councilman Aceto stated that 2008-2009 is when it was first discovered.

Solicitor Rawson stated that the period that Resource Recovery was discharging was late 2008-2014.

On motion by Council President Lanni, seconded by Councilman Aceto, it was voted to go into Executive Session pursuant to RIGL 42-46-5(a)(2) Pending/Potential Litigation to address questions from the Committee. Motion passed unanimously.

The meeting went into Executive Session at 6:40 P.M.

Present in Executive Session: Councilmen Aceto, Stycos, Farina, Council Vice-President Santamaria, Councilman Paplauskas, Council President Lanni; Council Minority Leader Favicchio, Councilman Botts and Council Majority Leader Archetto; Robert Coupe, Director of Administration/Acting Personnel Director; Christopher Rawson, City Solicitor; J. Patrick O'Neill, Assistant City Solicitor; Kenneth Mason, Director of Public Works; Maria Medeiros Wall, City Clerk; Rosalba Zanni, Assistant City Clerk/Clerk of Committees.

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

The meeting came out of Executive Session at 6:55 P.M.

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

NEW BUSINESS:

Public Hearing for the Abandonment of un-named right of way between 2398 and 2406 Cranston St.

John Anaire, 2406 Cranston St., appeared to speak and stated that the proposed piece of land is his main way to get into his property. It serves as a driveway for him. It would cost him approximately \$20,000 for him to have a driveway put in or for him to have access to his property, which he cannot afford.

City Clerk indicated that the recommendation from the Planning Department is denial and the Public Works Director's recommendation in regards to an easement which needs to be granted by the petitioner if this is approved.

Marie Carcieri, petitioner, appeared to speak and stated that she and her husband don't mind fixing the driveway and giving Mr. Anaire a letter giving him access to his property.

Council Minority Leader Favicchio stated that the correct way to do this is either have the property in question stay the way it is or the property be sold half to each party so both parties would have access to their properties.

Council President Lanni questioned what the property in question is valued at. City Clerk indicated that there is an appraisal report submitted by petitioner and it was reviewed by the Tax Assessor. Per the Tax Assessor, the appraisal submitted does not conform to code requirements.

Council President Lanni stated that Mr. Anaire has the right to purchase half of this property. Mr. Anaire stated that the main problem is that with the shared portion of the driveway, there is a large hill that makes its way to his house. This hill would have to be graded and a retaining wall would have to be installed. He would like to purchase half of the land. If not, if he were granted an easement, he would be in agreement with that.

City Clerk indicated that the submitted appraisal by the petitioner states market value of \$4,600. If both parties purchase half of the property each, they would need two separate appraisals.

Mr. Anaire indicated that there are people that use this property to access the bike path. Councilman Stycos stated that if this is the case, maybe there should also be an easement granting public access to the bike path.

Chair asked Solicitor to work with the two constituents on drafting an easement agreement. Solicitor Rawson stated that he will have Assistant Solicitor Marsella handle this.

Ronald DeFelice, 12 Delway Rd. and his mom, **Ann DeFelice**, who is a neighbor of the petitioner, appeared to speak. Mr. DeFelice stated that there are people who use the property in question as a cut through to access the bike path.

On motion by Councilman Farina, seconded by Councilman Paplauskas, it was voted to continue this item to next month's meeting. Motion passed unanimously.

National Grid and Verizon joint pole location request– Hosey Drive.

On motion by Council President Lanni, seconded by Councilman Farina, it was voted to approve this request. Motion passed unanimously.

The meeting adjourned at 7:15 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees