

*(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 Thursday, February 18, 2020, 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: Councilmember John P. Donegan  
Councilmember Edward J. Brady  
Councilmember Christopher G. Paplauskas, Vice-Chair  
Councilmember Kenneth J. Hopkins, Chair  
Council President Michael J Farina

absent: Councilmember Lammis J. Vargas

Also Present: Council Member Paul J. McAuley  
Council Member Steven A. Stycos  
Council Vice-President Michael W. Favicchio  
Daniel Parrillo, Director of Administration  
John Psilopoulos, Deputy Director of Administration  
Kenneth Mason, Director of Public Works  
John Verdecchia, Assistant City Solicitor  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees  
Heather Finger, Stenographer

**Council President Farina** indicated that Councilmember Vargas had a prior engagement and cannot attend this meeting.

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

On motion by Councilmember Paplauskas, seconded by Council President Farina, 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:**

None.

## **PUBLIC HEARING:**

**Anthony Liberatore**, Director of Parks and Recreation, appeared to speak regarding “Resolution encouraging the Administration and the City Council Grant Writer to work on funding for a Splash Pad at the “Calise Field Annex” (Parcel 8-2745-0) on Dyer Ave.” and stated that he thinks this would be a good idea. He has a concern of problem being so close to the Providence line. It would be great for Cranston kids, but he would be very concerned about how to keep Providence kids out without having to charge a fee. He indicated to the same problem at the Budlong Pool last summer and had to close it to Cranston residents only.

**Grace Swinski**, 30 Sumner Ave., appeared to speak in favor of “Resolution encouraging the Administration and the City Council Grant Writer to work on funding for a Splash Pad at the “Calise Field Annex” (Parcel 8-2745-0) on Dyer Ave.” and stated that as a community, it is important and open to all neighbors.

**Quincy Gilbert** appeared to represent the Cranston YMCA and the Executive Director, in favor of “Resolution encouraging the Administration and the City Council Grant Writer to work on funding for a Splash Pad at the “Calise Field Annex” (Parcel 8-2745-0) on Dyer Ave.” He submitted letters from kids in the After School Care Program who are in favor of this splash pad.

**Gregory Ventura**, 39 Derbyshire Dr., appeared to speak on behalf of the neighbors regarding speeding and traffic on Peveril St. He stated that it has been approximately eight years that he has been going back and forth with the City on this issue. This needs to be addressed for the safety of the children and the residents. They do not want this kind of traffic going through their neighborhood.

## **OLD BUSINESS:**

- ***Northeast Tree (Councilmember Stycos). Continued 1/16/2020 for report from Law Dept.***

**Director Parrillo** addressed some of the research that Councilmember Stycos had asked the Administration to do at the last meeting. He stated that as to the number of lots, there are 15 lots owned by Mr. Sepe. One of the lots has a cell tower, 10 are taxed at residential rate, 3 are taxed at commercial rate and one is open space. They have 5.69 acres of operation.

**Councilmember Stycos** stated that he is looking for direction of where we go from this. Director Parrillo stated that there is a need for the Inspector to do research and see where the lines are and to make sure the Tax Assessor’s records are correct. We do not think this will affect the operation of the business. Councilmember Stycos stated that the issue is not only tax, but the use is a problem.

**Councilmember Stycos** referred to Section 17.60.010C of the Code, which states that you can’t park a vehicle over one ton in weight or three axles in a residential area. He stated that some of this property is being used for parking of trucks. Director Parrillo stated that he can incorporate that in the investigation when the Inspector goes out to the property.

**Council President Farina** stated that if it is found that this business is in violation, he asked what action the City Council can take so the quality of life of the neighbors does not get affected. Solicitor stated that the issue is private nuisance or public nuisance. To bring a public nuisance action is extremely difficult and almost impossible. In his opinion, it does not prevail. Unfortunately, the City cannot do that for the neighbors. There may be some issues that the City could handle, such as Ordinance violations.

**Councilmember Stycos** stated that, as the Solicitor stated, the residents can take action, but the residents expect the City government to protect them and that is why we have Zoning. The City needs to act. This is an Industrial operation and it has grown. This is a problem and needs to be addressed.

**Council President Farina** stated that his main concern is – are they operating legally and if they are not, what are we going to do about it? He hopes the Inspector can get out there and this Committee can get some answers by the next Public Works Committee meeting.

**Councilmember Hopkins** stated that if he lives near Garden City School and he can hear the grinding. There is a violation of the Noise Ordinance that needs to be addressed. The piles, which are large, are a safety issue and the Inspector should also look at that. He also has a big concern about health risk to the people that live hear this mulch. He agrees that the residents should bring action against this business.

**Councilmember Donegan** addressed the issue of properties not being taxed properly and stated that the Council needs a full report on what the City has missed out over time. There could be hundreds of thousands of dollars in revenue that the City has lost over time.

**Council President Farina** asked the Administration how long it would take the Inspector to do this research. Director Parrillo stated that he does not know the depth of the issue. He will contact the Inspector tomorrow. Council President Farina asked that the Director of Administration follow up with the Inspector tomorrow and report back to him regarding this and, if needed, he will call a Special Council meeting in Executive Session because the residents need some action soon.

**Council Vice-President Favicchio** questioned if there is anything that could be done on the State level. Solicitor stated that by asking the General Assembly to pass legislation on something you have allowed for years, would raise all kinds of due process issues.

**Robert Grazewicz** appeared to speak and displayed a bucket full of pieces of wood and metal chips that he has picked up from his yard caused by this business since the last meeting. That is a nuisance to him. He can't even mow his lawn without first picking up all this stuff.

**Lisa Maroni**, 36 Case Ave., appeared to speak and stated that she does not live near this business, but the smell reaches her house. She does not know how the people that live near this business put up with this.

**Michelle Pope**, 43 Meadow View Dr., appeared to speak and stated that this business is affecting the quality of life of the neighbors. Our City and our State should be protecting them. If there are things that the City can do, do it before the residents take it into their own hands. All the residents are asking for is shut the business down and investigate.

**Carol McDonald**, 64 Meadow View Dr., appeared to speak and stated that she has to hose down her car and her house with all the dust caused by this business. She lives next door to the business and the owner is not a good neighbor.

- ***Peveril St. speeding (Councilmember Brady). Continued 1/16/2020 for update from Administration.***

**Councilmember Brady** stated that this issue has been going on for approximately eight years and residents are looking for a resolution.

**Director Parrillo** stated that after speaking to the Police Colonel and Fire Chief, they both oppose to blocking off of Peveril making it a dead end for public safety reasons of accessibility to the neighborhood. The Administration is in favor of the bump outs.

**Councilmember Brady** stated that he will be putting forward a proposal during the budget process to place bump outs.

**Councilmember Paplauskas** questioned if bump outs would cause trash or snow removal havoc. Director Parrillo stated that it would be a change in operation and should not cause any havoc. He also stated that Public Works Director Mason has indicated to him that funding is already in the budget for bump outs.

**Councilmember Stycos** questioned where the bump outs would be placed. Director Mason stated that two of them could be placed on the non-house side and one on the east side of the road.

**Council President Farina** questioned what the detriment would be to closing the road. Director Parrillo stated that the safety officials feel that the access is already there and they would not want to lose that point of access.

**Councilmember Hopkins** indicated to the access road to Warwick Ave., which was closed and stated that there is a precedent for closing streets.

**Councilmember Brady** stated that he will introduce an Ordinance closing this street and if the Mayor vetoes it, then they will address that at that time.

**Council President Farina** asked Mr. Ventura if he would be willing to canvas the Castleton residents to see if there are any objections and if and when an Ordinance is introduced closing off the street, a public hearing will be scheduled to a date certain. Mr. Ventura stated that he would not mind doing that.

**NEW BUSINESS:**

**1-20-02 Ordinance in amendment of Chapter 12 of Title 12 of the Code of the City of Cranston, 2005, entitled “Street and Sidewalks Use Regulations” (Obstruction of Public Ways). Sponsored by Councilmember Donegan.**

On motion by Council President Farina, seconded by Councilmember Donegan, it was voted to recommend approval of this Ordinance.

Under Discussion:

**Director Mason** stated that the Public Works Department is opposed to this Ordinance. The existing Ordinance is poorly written, but the proposed Ordinance could expose the City to legal action. He indicated to the last sentence of the Ordinance and he strongly suggested that the Solicitor review this Ordinance to make sure it is legal.

**Council Vice-President Favicchio** asked sponsor if he would consider continuing this Ordinance. Councilmember Donegan stated that he agrees with Director Mason about the last sentence and it does need work because it is about snow removal and the intent is what is allowed and what is not allowed.

**Director Mason** stated that the Public Works Department does not have a problem with the timeframe of 48 hours or sidewalk portion of it.

On motion by Councilmember Donegan, seconded by Council President Farina, it was voted to delete the last sentence of the Ordinance, lines #32-35. Motion passed unanimously.

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

**Council President Farina** indicated that after checking with the Solicitor, the amendment made is not a substantive change and can go forward to the full City Council without re-advertising.

***Petition for Abandonment of Golini Street. Petition filed by Peter Franco.***

On motion by Council President Farina, seconded by Councilmember Paplauskas, it was voted to recommend approval of this Abandonment.

Under Discussion:

**Joseph Manera, Esq.**, appeared to represent applicant.

**Councilmember Paplauskas** asked if appraisal has been done. Attorney Manera stated, yes, but there is a revised appraisal being done.

**Director Mason** stated that Public Works has no opposition to this petition.

**Council President Farina** asked if the revised appraisal will be available by Monday’s Council meeting. Attorney Manera stated that he cannot guarantee it.

**Solicitor** stated that, out of abundance of caution, this should be held off until appraisal is received.

On motion by Council President Farina, seconded by Councilmember Brady, it was voted to recommend approval of this Abandonment to the March City Council. Motion passed unanimously.

***Resolution encouraging the Administration and the City Council Grant Writer to work on funding for a Splash Pad at the “Calise Field Annex” (Parcel 8-2745-0) on Dyer Ave. Sponsored by Councilmember Donegan.***

On motion by Council President Farina, seconded by Councilmember Paplauskas, it was voted to recommend approval of this Resolution.

Under Discussion:

**Councilmember Donegan** asked for support of this. This is something great for the kids of Cranston.

**Council President Farina** stated that this is a good way to use recreational space in our City. He does have a concern with use of the facility, but that is something that can be worked out with the Police Department and Parks and Recreation.

**Councilmember Paplauskas** asked to be added as co-sponsor and stated that this is a great thing for the kids.

**Councilmember McAuley** asked to be added as co-sponsor and also commended City Council Grant Writer Lisa Kirshenbaum and Parks and Recreation Director Liberatore for their work on this.

**Councilmember Hopkins** commended City Council Grant Writer Lisa Kirshenbaum and Parks and Recreation Director Liberatore for their work on this and stated that he fully supports this.

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

***Request from National Grid and Verizon for joint pole location at Kenney Dr.***

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

The meeting adjourned at 8:05 P.M.

Respectfully submitted,

/s/ Rosalba Zanni  
Assistant City Clerk/Clerk of Committees