

*(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, June 16, 2022 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 Chair.

Present: Councilwoman Jessica M. Marino  
Councilwoman Nicole Renzulli  
Councilwoman Lammis J. Vargas (left meeting at 6:50 p.m.)  
Councilman Matthew R. Reilly  
Councilman Richard D. Campopiano, Vice-Chair  
Council Vice-President Robert J. Ferri, Chair  
Council President Christopher G. Paplauskas

Also Present: Councilman John P. Donegan  
Councilwoman Aniece Germain  
Anthony Moretti, Chief of Staff  
Richard Bernardo, Public Works Director  
John Verdecchia, Assistant City Solicitor  
Stephen Angell, City Council Legal Counsel  
Rosalba Zanni, Acting City Clerk  
Heather Finger, Stenographer

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

**Chair** stated the minutes of last month's meeting are not available this evening and will be voted on next month.

### **I. COMMITTEE BUSINESS MATTERS CARRIED OVER**

- ***Trash and littering in the City and any Ordinances on the books and how is it enforced (Councilwoman Germain). (Cont. 3/17/2022, 4/14/2022 & 5/12/2022).***

**Councilwoman Germain** stated that she has received numerous complaints about trash, people who do not keep their property clean and trash in the streets. She asked how we can find a way to address this problem. She indicated that the Charter has a \$200 fine for littering and she asked how we can enforce this.

**Director Bernardo** stated that we have approximately thirteen Ordinances under Public Works for littering from disposal of debris on the streets to littering in lakes and fountains and thrown out of vehicles. It is an enforcement issue. As a City government, we are doing everything we can. We provide barrels and we clean those barrels. When people litter, it is a social problem. Even the State of Rhode Island has problems with that. Unless you catch someone littering, you have to give them a warning. Our problem is we have one Clean City Coordinator, Joe DiCarlo, and he is out straight just dealing with the Waste Management and issues with that, with missed pickups and replacement of bins. If we had a larger force and we could walk up and down the streets and look for people that are littering, we could enforce the \$200, but to fine people littering, it is a matter of people having pride in their communities. The best we can do, especially in these financial times, is maybe work with the Department of Transportation, who has an informational program not to litter, but for one person as a Clean City Coordinator, there is just too many other things that he needs to do for yard waste and for recycling for him to be going up and down every street and knocking on doors and seeing who has trash on their sidewalk. It is an informational program at best.

- *Status of Debris Cleanup at Yardworks (Councilwoman Marino). (Cont. 3/17/2022, 4/14/2022 & 5/12/2022).*

**Councilwoman Marino** stated that at the last meeting, we left off that Solicitor Verdecchia was going to try to reach out to Yardworks' attorney to alert them to the problem. As far as she knows, in speaking to the residents, nothing has been cleaned up. She asked if Solicitor Verdecchia has heard anything.

**Solicitor** stated that after he heard from Councilwoman Marino, he sent an email to Attorney Souza indicating to him the concern and what the City and some Council people as well as neighbors are alleging this taking place and asked him to speak to his client and address this or else we have to go to the next step. He did respond by saying he would speak with his clients and he would get back to him. He has not heard back from him since that acknowledgement of his email.

**Councilwoman Marino** asked Administration that Inspections go out and take a look in some of the specific problems. He does not have to enter the property in order to see that they are in potential violation. She asked Director Moretti to address that. Director Moretti stated that in speaking with Inspector Rodio, he is denied access onto the property, which limits his ability to issue further violations. The Mayor went out there and he was with him and he was escorted off the property himself, so there is an access problem. Deputy Director McAuley is trying to work with the owners of the property on a more friendly basis to receive their cooperation and as of two days ago, he was informed that there is a pile of debris that is referred to and there has been no progress made on that, but being on that property, we can't trespass so he does not have specifics. Councilwoman Marino stated that in terms of access problems, the debris buildup can be viewed in the areas outside of direct access on the property. She asked if the Administration and Director Rodio are looking to avail themselves to take those options. Director Moretti stated that he will follow up with Director Rodio to see where that is possible.

**Chair** questioned legal if the Committee can allow public comment on this matter this evening under Public Hearings. Attorney Angell stated that that is at the Chair's pleasure.

- ***Tree warden's duty and operations (Councilwoman Germain). (Cont. 5/12/2022).***

**Councilwoman Germain** stated that we have some issues with a lot of residents, especially one person that has a tree on their sidewalk and the sidewalk is very bumpy. They asked to have the tree cut down because it was a safety issue, but from what she was told, is the Tree Warden would take down the tree based on his discretion so for her, she does not think it should be on his discretion. If it is a safety concern, it should be taken into consideration.

**Director Bernardo** stated that the Tree Warden is actually doing his job if he is not taking down a healthy tree. The issue really is not the tree. The issue is the sidewalk if he is understanding Councilwoman Germain correctly. Councilwoman Germain stated that the issue is not the tree, it is the roots of the tree that lifts up in the sidewalk. Whether or not the tree is healthy, that is a problem. Director Bernardo stated that what would happen there is if there is a hazard with that sidewalk, that owner is going to replace that sidewalk, he can go to the Tree Warden and the Tree Warden can have the roots trimmed to make it safe to replace the sidewalk, but the replacement of that sidewalk would have to be done by the property owner and there would be some reimbursement if the property owner went through the Sidewalk Reimbursement Program, but the City does not replace sidewalks.

- ***Sidewalk program opportunity (Councilwoman Germain). (Cont. 5/12/2022).***

No discussion.

- ***Replacement of permanent safety signs on the Bike Path. Signs that have been missing and not replaced in years. For Example: Walk on Left Facing Bicyclists. Intersection Ahead. (Council Vice-President Ferri). (Cont. 5/12/2022).***

**Chair** stated that this item should be directed to Parks and Recreation and he sees that Director Tessaglia is not on Zoom or present in the Chambers. He asked Director Moretti if he is prepared to answer questions regarding this. If not, this item will be continued and he asked that his concerns be shown that this is the second time this item has been on the agenda and he would like these things addressed. Director Moretti stated that he will be happy to follow up with Director Tessaglia. He just wants to make sure we check with D.E.M. to make sure proper signage is there. Chair asked for timeframe on this. He also stated that these signs have been missing for years and have never been replaced and they are needed on the bike path. He would like to know how the signs can be replaced on the bike path and when they will be replaced. Director Moretti stated that he is not sure if they will be replaced tomorrow, but certainly next week. Himself and Director Tessaglia can follow up with D.E.M., but he can't guarantee their response time.

- ***Speeding, Traffic and Safety Concerns Prospect and Fenner Streets. (Councilwoman Marino). (Cont. 5/12/2022).***

**Councilwoman Marino** stated that this item was continued from last month to give the new Public Works Director the opportunity to address the situation. She stated that she has heard from a constituent and who represents other residents that that street is used as a cut through so she was looking to the Director as to how often this is in fact occurring and what some solutions might be with his assistance and the Traffic Engineer.

**Director Moretti** stated that he spoke to the Police Command on this issue. They have observed that it is being used as a cut through primarily they feel because of the construction that is going on with the bridge. This is viewed as a temporary problem during this period until that bridge is completed. Councilwoman Marino stated that she would like to have further discussion if it is with the Engineer, with DPW perhaps for the solution of having a ‘no through way’ for certain hours to maybe eliminate that being a cut through because there are kids in that neighborhood and maybe that will also give the Police an opportunity to address it with a heavier hand to prevent that from occurring. Director Moretti stated, sure, and possibly add the Police in that discussion and if Councilwoman Marino would like to get together or he can take the lead on it. That is a reasonable request to look into.

- *Garbage and Recycling Bins: repair, replace, extra bags and extra bin policies. (Council Vice-President Ferri). (Cont. 5/12/2022).*

**Director Bernardo** stated that on the website, there are directions to call Waste Management for any damaged or replacement of bins. He also stated that the City receives 200 bins per calendar year as part of our contract. We buy the extra bins at \$6 per bin per year. We normally replace approximately 2,000 bins at a cost of \$120,000, but any damaged bins they take care of. It is just a call to Waste Management and they will take care of them. If it is beyond repair, it will result in immediate replacement of the bin.

## **II. PUBLIC HEARINGS\* and/ or NEW MATTERS BEFORE THE COMMITTEE**

### **A. \*PUBLIC HEARINGS**

**Dan Beardsley**, 130 Lyndon Rd., appeared to speak regarding Yardworks and presented copies of documents of Section 9.08.020 of the City Code and stated that this has been on the books for decades. He referred to a copy of a map of Yardworks’ property taken in 2021 by a drone. He indicated that he drew in where the wetlands areas are. He stated that everything within Yardworks falls within the 200’ radius of the City Ordinance, which makes Yardworks in violation and has been since 2004. He urged this Committee to urge the City Council that the Building Inspector and Administration start doing something and enforce the Ordinance which is clear and unambiguous and should be enforced.

On motion by Councilwoman Marino, seconded by Councilman Reilly, it was voted to accept the documents presented by Mr. Beardsley as part of the record. Motion passed unanimously.

**Robert Wilson**, 114 Mayflower Dr., appeared to speak regarding Yardworks and stated that he does not know what changed from the last Administration and this Administration that Director Rodio could no longer go on the property that is in question where he is not permitted to go on.

**Councilman Reilly** asked is there any constitutional rights that could possibly keep someone from calling in another person’s property. Solicitor stated that there is a procedure to do it, however, no municipal officer can simply just walk onto private property. If through observation, through credible information, they arrive at the conclusion that there is a violation going on, then you either write the violation, you apply to a Court for permission to go on the property, perhaps with the Police presence, but there is a procedure that needs to be followed.

**Sam Brosco**, 11 Alhambra Circle, appeared to speak via Zoom regarding littering and stated that the only thing he has found that works regarding this problem is having convenient trash cans. He also addressed the lifting of sidewalk from tree roots and stated that there is insulation foam in a can placed underneath the slab will steady it and stabilize the sidewalk. He also addressed the Yardworks issue and stated that this should really be referred to D.E.M. because that is more their purview.

**B. NEW MATTERS BEFORE THE COMMITTEE**

***Request from National Grid for pole location at Wilbur Ave.***

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

***Request from National Grid for pole location at Strathcona Rd.***

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

***Request from National Grid for pole location at Burlingame Rd.***

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

• **ADJOURNMENT**

The meeting adjourned at 7:40 P.M.

Respectfully submitted,

/s/ Rosalba Zanni  
Acting City Clerk