

(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).

FINANCE COMMITTEE

Regular meeting of the Finance Committee was held on Monday, December 5, 2022 in the Council Chambers, City Hall, 869 Park Ave., Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 7:10 P.M. by the Chair.

Present Councilwoman Jessica M. Marino
 Councilman Richard D. Campopiano
 Councilman John P. Donegan
 Councilwoman Nicole Renzulli, Vice-Chair
 Council Vice-President Robert J. Ferri, Chair
 Council President Christopher G. Paplauskas

Absent: Councilman Matthew R. Reilly

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

MINUTES OF THE LAST MEETING:

On motion by Councilwoman Germain, seconded by Councilman Donegan, it was voted to dispense with the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

I. COMMITTEE BUSINESS MATTERS CARRIED OVER

None.

II. CORRESPONDENCE/COMMUNICATIONS

None.

III. PUBLIC HEARINGS* and/or NEW MATTERS BEFORE THE COMMITTEE

A. PUBLIC HEARINGS

Robert Murray, Esq., 21 Garden City Dr., appeared to represent Revity Energy. He stated that on September 12, 2022, he appeared before this Committee to share the latest information available at that time. On September 23rd, to help the Council Members better understand the virtual net metering concept, Nicholas Nibo, who is present this evening, Senior Legal Counsel for Revity Energy, sent a detailed six page letter to the Council outlining how the energy credits work to off takers on their electric bill, but he also outlined the specific history in terms of the Cranston Revity net metering finance agreement and its legal complexities. He explained how Revity had worked, at the urgency of Mayor Hopkins, to try and develop other alternatives in the short-term to generate some savings to the City while waiting for the Revity Natick Ave. Solar Project to come online. This required Revity to temporarily waive its certain exclusive rights under this contract while protecting their long-term investment and substantial rights under its valid and binding agreement. As he stated in the past, Revity is willing to work with any developer to enable the City to benefit in the short-term with net metering credits. He underscored and discouraged anyone interested that Revity views its contract with the City as firmly binding and will vigorously defend its terms and rights. He stated that we are talking about a contract worth probably \$60 million over 25 years. Today Revity Energy has filed a lawsuit against a competitor, Arcadia Solar LLC, Renewable LLC and Mr. Christopher McIntyre for violating the terms of non-disclosure and non-circumvention agreement. It includes a claim for tortious interference with their contract and he underscored that the City is not party to this litigation. He stated that the Council may recognize the defendants because they are the client of Municipal Court Judge Matthew Smith. He understands Mr. Smith has been privately communicating with some Council Members about Arcadia, which he assumes is prompting these pop-up items on the Council agenda. There was a news story last week where Mr. Smith's client, Craig McIntyre, made some outrageous and basis claims against Mayor Hopkins. He accused his long-standing support and friendship with the Mayor as the reason why the City would not entertain proposals from other solar companies. To be clear, Mayor Hopkins has encouraged and directed Revity to explore all activity, all avenues to get the energy savings to the City as soon as possible. He reiterated that Revity is willing to work with any developer to enable the City to benefit in the short-term with net metering credits. He stated that he needs to underscore and discourage anyone interested that Revity views its contract with the City as firmly binding and will vigorously defend its terms and rights. As everyone knows, the delay in the Natick Ave. project has been beyond Revity's control, but with patience and perseverance, Cranston will still receive the full 25 year net metering credit discount value that was scheduled to start this year.

B. NEW MATTERS BEFORE THE COMMITTEE

- *Status update on pending grants (Councilwoman Marino)*

Lisa Andoscia, City Council Grant Writer, appeared to speak and presented a handout of Grants secured to date. She stated that she was retained two years ago this February and Grant funding that has been secured, new revenue to the City of Cranston is \$1,495,000.

We have some additional Grants that have been submitted that we have not received word on yet, but it's extremely encouraging. We filed with Congressman Langevin's Office and Congressional Direct Appropriation for \$1 million. We submitted it for more than \$1 million, but it has been approved for \$1 million. As soon as President Biden signs the FY 2023 Budget, it will be included for the Budlong Pool. She has also applied to the RI ARPA Rescue Plan request for funding on the balance of that. She applied for a whole \$3 million. It is her understanding that the City is actually doing their due diligence getting a budget and identifying stages in which the project could be complete. She also applied for the shooting range and we are waiting to hear back from Senator Reed's Office on that. RI Foundation has out there a ARPA request and that could be for foods insecurity and rent relief and that is up to a \$150,000.

Councilwoman Renzulli asked what the total is of what is out there and what the total is that we are waiting to hear back on. Ms. Andoscia stated \$3 million from the State and \$1 million from Congressional Appropriation, and \$150,000 from RI Foundation.

- ***Update on obtaining a Net Metering Contract to replace the Revity Contract (Council Vice-President Ferri)***

Director Moretti stated that because of pending litigation, he will have to be very careful on what he says. Mayor Fung had entered into an agreement with Revity sometime, he believes, in 2020. Mayor Hopkins has done everything in his power to respect that commitment and are legally bound to. Where there is valid people that come forward that may offer a program that in the meantime before Revity is able to deliver full capacity, the Mayor has shared those contacts with Revity for their consideration in terms of possibly subrogating, but bringing them into an arrangement that would be satisfactory to them, but certainly the Mayor would not be endangering the City in any legal entanglements to do otherwise.

- ***Audit Committee Update (Council Vice-President Ferri)***

Chair stated that the Audit Committee met for the first time in five years four months ago and looking at what the Charter states, our goal is to keep the Council informed on the Audit process. The Committee has met twice and the result will hopefully be that we will be able to assist the Council on understanding some of the things that we did not understand the last time we went through the Audit process. The Committee is preparing questions for the Audit Committee meeting with the Auditor next Monday, December 12th at 5:30 pm in the Council Chambers. The Auditor will give the Audit Committee a preview of what he will give to the Council. All Council Members have been invited to the Audit Committee meetings. If any Council Members have any questions for the Audit Committee, he asked that they be submitted up to Wednesday at noontime when the agenda for Monday's meeting will be posted.

- ***Real Estate Tax Abatements***

On motion by Councilwoman Renzulli, seconded by Council President Paplauskas, it was voted to recommend of this list of Tax Abatements as recommended by the City Assessor. Motion passed unanimously.

- ***Motor Vehicle Tax Abatements***

On motion by Councilwoman Renzulli, seconded by Councilman Campopiano, it was voted to recommend of this list of Tax Abatements as recommended by the City Assessor. Motion passed unanimously.

- **Adjournment**

The meeting adjourned at 7:30 p.m.

/s/ Rosalba Zanni
Acting City Clerk