

## **PUBLIC WORKS COMMITTEE**

Regular meeting of the Public Works Committee was held on Thursday, June 15, 2006 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 6:55 P.M. by the Chair.

Present: Councilman John E. Lanni, Jr., Chair  
Council Member Maria A. Bucci, Vice-Chair  
Councilman Michael S. Pisaturo  
Councilman Jeffrey P. Barone  
Council President Aram G. Garabedian

Absent: Councilman Terence Livingston

Also Present: Council Member Cynthia M. Fogarty  
Council Vice-President Paul McFarland  
Paul Grimes, Director of Administration  
Robin Muksian-Schutt, Deputy Director of Administration  
Evan Kirshenbaum, Assistant City Solicitor  
Marco Schiappa, Director of Public Works  
Mike Igoe, City Controller  
Maria Medeiros Wall, City Clerk  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees  
Heather Finger, Stenographer

On motion by Council Member Bucci, seconded by Councilman Pisaturo, 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:

OLD BUSINESS:

### **Request from Resource Recovery to tie into the City's sewer system. (Cont. from 4/13/2006 and 5/11/2006).**

Mr. Schiappa appeared to speak and presented an analysis to the Committee. Councilman Barone asked how many hours a day this plant operates. Mr. Schiappa stated there is nothing there right now. He does not know if their plan is for a 24/7 or not. Council President Garabedian asked if currently, RIRRC owes the City any money and how much. Mr. Schiappa stated \$1.3 million. Council President Garabedian asked if this amount is in dispute. Mr. Schiappa stated, yes. This is the amount in sewer fees due since the contract was passed. Claude Cote of RIRRC, appeared to speak and stated that there has been a contractual dispute dating back approximately ten years. There also are a number of technical discharge issues. All the funds in question that are due, have been placed in escrow pending a resolution of the dispute. The dispute is a contract that was agreed to approximately 10-12 years ago to allow for 400,000 gallons capacity per day and the City has not met this agreement. Mr. Schiappa stated that the City is working on meeting this and should be completed in approximately 6-9 months.

Councilman Pisaturo asked if RIRRC would agree in terms of releasing some of those funds in escrow to the City as this project is being completed. Mr. Cote stated that he does not believe this will be a problem as long as two or three terms are met by the City. He would be in agreement to get something in writing between RIRRC attorneys and the Solicitor setting an agreement in releasing some of these funds.

Councilman Barone asked if the system has the capability of increase in intake. Mr. Schiappa stated, yes, we would have to upgrade the treatment plant.

Chair asked what the \$1.3 million would be used for and what kind of impact this additional money would have on the sewer fee rate. Mr. Igoe stated that this would be a one-time payment and you could look at reducing the sewer rate for that year, but the contract cost would also go up. We have actually recorded that each year as revenue. We have it on our books right now as a receivable.

Council President Garabedian motioned that this request be approved subject to and contingent on document of a payment plan for release of the escrowed \$1.3 million. Councilman Barone seconded this motion. Motion passed unanimously.

**Sewer Adjustment for 10 Garfield Avenue** –Richard Luke and Robyn Robidoux (Cont. from 4/13/2006 and 5/11/2006).

Mr. Schiappa appeared to speak.

On motion by Councilman Barone, seconded by Council Member Bucci, it was voted to approve this Adjustment. Motion passed unanimously.

NEW BUSINESS:

**Abandonment of a portion of Pettaconsett Ave. (Motion to institute proceedings for a public hearing)**

On motion by Councilman Barone, seconded by Councilman Lanni, it was voted to motion to institute proceedings for a public hearing.

Under Discussion:

Robert Murray, Esq., appeared to represent the petitioner and stated that this is not the public hearing, but he is present to answer any questions from the Committee. Mr. Kirshenbaum stated that this is not the public hearing and discussion should be held at the public hearing.

Motion passed unanimously.

**Pole location request from National Grid for Field St.**

Mr. Schiappa appeared to speak.

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

### **Pole location request from National Grid for Scituate Ave.**

Mr. Schiappa appeared to speak.

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

### **Pole location request from National Grid for Flynn Ave.**

Mr. Schiappa appeared to speak.

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

### **Sewer Abatement for 210 Sockanossett Crossroad – Chapel View**

Mr. Schiappa appeared to speak and stated that the total amount in abatement this resident is seeking is \$9,302.27 for years 2001, 2002, 2003, 2004 and 2005. John Bolton, Esq., appeared to represent the petitioner.

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

### **Pond View Rd. – DEM Violations**

Mr. Schiappa appeared to speak and stated that last October, when the City had a lot of rain, this property was flooded. Since, then, he is not sure if this property has been flooded. This area is near an apartment complex that is under construction.

Peter Maggiacomo, 15 Pond View Rd., appeared to speak and stated that since the October flooding, the residents have not had any resolution with the area. He lives right behind the apartment complex under construction and before this development, he never had any water on his property. Since, he has flooding every time it rains. This is an ongoing situation since October. There are only five or six homes on this street and he feels since he is the only one effected, nothing is being done. He believes this problem is coming from the retention pond since the development tied into it. He is looking for the City to help with this problem. In May, he experienced some major flooding and the Fire Department responded and there is documentation that the retention pond is not doing the job it is supposed to. The Fire Department's report states that his property cannot handle the amount of overflow coming from the retention pond. DEM and the City is aware of this and they insist that the retention pond is doing its job.

Councilman Pisaturo stated that the Council has created a Flood Study Commission and he believes that this area is one of the areas this commission is going to be studied. Mr. Maggiacomo questioned why the construction can't be stopped until this problem is fixed. The developer is aware of this problem.

Councilman Barone asked if anyone has determined that this problem is caused by the construction. Mr. Maggiacomo stated, yes, DEM and the construction company agree that this is caused by the construction.

Chair stated that he spoke to DEM and they stated that this problem is caused by the outflow type that drains out wetlands brush and tree branches get caught in the drains. A solution is to place a fence trap and he has documentation on it. He asked that the Public Works Director give this Committee an independent study on this issue, even the placing of a fence trap.

On motion by Councilman Barone, seconded by Council Member Bucci, it was voted to continue this item to next month's meeting and in the meantime, the Public Works Director is to review this and report back with any recommendations to correct this problem.

Councilman Barone stated that he has a big problem with Waste Management picking up their yard waste and their trash on time. He receives calls every week from constituents stating that Waste Management is 4-5 days behind in picking up their trash. He would like to either place this issue on next month's agenda or meet with them with other members of the Council. We need to know whether they are meeting their contract.

Council President Garabedian stated that he would like to draft an Ordinance, that based on constituent complaints, requiring that when calls come in, they be placed by Wards and what the course of action is.

On motion by Councilman Barone, seconded by Council Member Bucci, it was voted to place this item on next month's agenda and have a representative from Waste Management present. Motion passed unanimously.

The meeting adjourned at 8:20 P.M.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees