

## PUBLIC WORKS COMMITTEE

Regular meeting of the Public Works Committee was held on Thursday, March 16, 2006 in the Cranston High School East Auditorium, 899 Park Ave., Cranston, RI.

The meeting was called to order at 6:05 P.M. by the Vice-Chair.

Present: Council Member Maria A. Bucci, Vice-Chair  
Councilman Terence Livingston (appeared at 6:25 P.M.)  
Councilman Michael S. Pisaturo  
Councilman Jeffrey P. Barone  
Council President Aram G. Garabedian

Absent: Councilman John E. Lanni, Jr., Chair

Also Present: Councilman Allan W. Fung  
Paul Grimes, Director of Administration  
Robin Muksian-Schutt, Deputy Director of Administration  
Michael Glucksman, City Solicitor  
Marco Schiappa, Director of Public Works  
Maria Medeiros Wall, City Clerk  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees  
Tracy Sheperd, Stenographer

On motion by Council President Garabedian, seconded by Councilman Barone, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded.

### **CORRESPONDENCE:**

City Clerk stated that she received a letter from applicant for Abandonment of a portion of Carlsbad St. requesting that final action on this be postponed to next month, but public comment could be taken this evening.

### **OLD BUSINESS:**

**Plainfield Pike Plaza Sewer Connection** – Issue of Fine (Con't 12/8/2005; 1/12/2006, 2/16/3006)

**Chris Wahlberg, Esq.**, appeared to represent the applicant and introduced Guido Petrosinelli, Keith McGovern and Jeff Johnson. Council President Garabedian asked for an explanation of the connection and authorization of this connection. Attorney Wahlberg addressed a letter dated December 9, 2005 to his client from the Director of Public Works, asking that they appear at the January Public Works Committee meeting.

**Guido Petrosinelli** explained what took place. He stated that he did receive an approval letter from Cranston to connect to the sewer system with some contingencies that he had to follow. In his opinion, he followed the process and he has a copy of this letter. He did get a permit, which he does not have a copy of. The contractor obtained it. At first, the City did not sign off when they did the inspection because of some issues. These issues were taken care of in September, 2005 and the City was to go back to re-inspect, but it never happened. He tried to contact the inspector. When he received the Public Works Director's letter, he asked the Public Works Director to help him get the inspector to go out and re-inspect. He was told that he would go out there after Thanksgiving. He negotiated this sewer connection without knowing what the fee would be. He knew there was going to be a connection fee, but did not know what the cost would be. He has paid approximately \$35,000 to the City to date. He was told it would be \$3,000 for sewer usage fee that was pro-rated. He was also told the sewer usage fee would be in the \$7,000 range.

Council Vice-President McFarland asked what the City has indicated to him and if they signed off on the permit. Mr. Petrosinelli stated that he obtained the sign off, but does not recall when.

Council President Garabedian stated that in regards to the letter from the Public Works Director, the City gave permission to the applicant. The problem is the Council never authorized this connection. The reason Mr. Petrosinelli was asked to appear at this meeting was to address this issue, because he was given permission in violation of our City Code and applicant should not be charged or penalized.

Mr. Schiappa appeared to speak and stated that as to the fees that were paid, the applicant paid \$24,752 capital recovery fee. He paid a sewer use fee of \$3,176 pro-rated from day one that he was tied in. Council Vice-President McFarland asked who set the rate. Mr. Schiappa stated that these rates were presented to this Committee and approved in January, since the contract was signed by the applicant in February. Council Vice-President McFarland asked the City Clerk to check the minutes because she does not recall this Committee approving this. Council Vice-President McFarland addressed Mr. Schiappa and asked if he was aware of this connection, since his letter to the applicant is dated 2004. Mr. Schiappa stated that that was an oversight on his part with regards to the Ordinance that was in place. Council President Garabedian asked Mr. Schiappa if he received authorization from the Administration to send this letter to the applicant. Mr. Schiappa stated that he did this on his own.

On motion by Councilman Barone, seconded by Councilman Fung, it was voted to relieve the applicant the fine portion of the fee, based on the letter submitted and building permit that was submitted.

Under Discussion:

Council President Garabedian stated that he feels we not take any action and a motion is not necessary.

## **Harbour Terrace – Procedure for Sewer connection (Con't 12/8/2006, 2/16/2006)**

Drayton Fair, 32 Harbour Terrace, appeared to speak. He stated that he and his neighbors are looking to tie into the City sewer system. There are seven homes involved. Council Vice-President McFarland asked if there is a lateral in the street near Mr. Fair's home. Mr. Fair stated that there is a main at Harbour Terrace. Council Vice-President McFarland asked Mr. Fair if he has had any meetings or correspondence with the Public Works Department regarding this. Mr. Fair stated that a design has been submitted to the Public Works Department, cost estimates to this Committee was done in January of 2005. He has not checked with his contractor. The last time he checked with the contractor, he had the permits and is waiting to proceed. To run the main line down the street would cost approximately \$25,400. Lateral to each home is approximately \$3,050. Design cost is \$9,000 to connect from the home to the curb. Council Vice-President McFarland addressed Mr. Schiappa and asked if he is going to submit anything to this Committee. Mr. Schiappa stated, no. These residents are coming before this Committee asking that the City pay for this connection. Mr. Schiappa stated that the issue is where the funding would come from. The neighbors are asking that the City pay approximately \$25,000 for the main to be run down the street. The lateral, they are willing to pay for.

Councilman Livingston stated that we ought to find a way, maybe during the budget process, to help these residents.

Council Member Bucci stated that if the Council approves this, they are going to have to find a way to help the rest of the residents in the City who are not tied into the sewer system, because there are people in Western Cranston who are also not tied into the system. Maybe we should wait until the budget process is over and address this issue with entire City.

Councilman Pisaturo asked how many residents in the City do not have sewers that would want sewers. Mr. Schiappa stated approximately 4,000. Councilman Pisaturo stated that he would like to see an estimate of what it would cost to have every resident connected.

Councilman Livingston motioned to approve some type of funding for this project. Council President Garabedian seconded this motion for discussion purposes.

### Under Discussion:

Council President Garabedian suggested that an Ordinance be drafted to address some type of funding for this. Councilman Barone suggested taking this issue up after the budget process so the Council can find out more about the bonding. His fear is that if this is approved, people will be coming out of the woodworks asking for the same. Councilman Pisaturo stated that he is in favor of an Ordinance addressing this issue.

Councilman Livingston withdrew his motion and Council President Garabedian withdrew his second to the motion.

Mr. Schiappa stated that the issues with an Ordinance is he does not believe all seven residents are willing to participate in the connection. If someone is not willing to tie in, is the Council going to require them to tie in? There are a lot of issues with the Ordinance.

**Ordinance 11S-05-1** in Amendment of Chapter 12 of the Code of the City of Cranston, 2005 Entitled “Streets, Sidewalks, and Public Places” (**Snow & Ice Removal**) (Continued from 1/12/2006, 2/16/2006)

Council Vice-President McFarland asked that this be continued a few months.

On motion by Councilman Barone, seconded by Council President Garabedian, it was voted to continue this Ordinance to July. Motion passed unanimously.

**Sewer Adjustment for:**

**1401 Park Ave.** – Steven Vota (Tabled 1/12/2006, 2/16/2006)

Mr. Schiappa appeared to speak.

On motion by Councilman Livingston, seconded by Council President Garabedian, it was voted to remove this item from the table. Motion passed unanimously.

On motion by Councilman Livingston, seconded by Council President Garabedian, it was voted to approve this sewer adjustment. Councilman Barone abstained.

**50 Quail Hollow Rd.** – Barry W. Kilbane (Continued 2/16/2006).

Mr. Schiappa appeared to speak and recommended denial.

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to remove this item from the table. Motion passed unanimously.

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to deny this sewer adjustment. Motion passed unanimously.

**NEW BUSINESS:**

**Ordinance 2-06-1** In Amendment of Chapter 12.04 of the Code of the City of Cranston, 2005, entitled “Streets, Sidewalks and Public Places” (Discharges to City Streets).

City Clerk stated that this Ordinance was approved last year. This is being re-introduced due to an issue with the advertisement. No one appeared to oppose.

On motion by Councilman Barone, seconded by Council President Garabedian, it was voted to recommend approval of this Ordinance. Motion passed unanimously.

**Abandonment of a portion of Carlsbad St.** (Public Hearing)

No one appeared to speak in favor or to oppose.

This item was continued to next month at the request of the applicant.

**Abandonment of John Hazen White Sr. Way** (Public Hearing)

City Clerk stated that this Abandonment has already been approved. The original Public Hearing notice was defective and this is just to correct the advertisement.

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

**Abandonment of a portion of Burton St.** (Motion to Institute Proceedings for Public Hearing)

On motion by Council President Garabedian, seconded by Councilman Pisaturo, it was voted to institute proceedings for the Abandonment of a portion of Burton St. Motion passed unanimously.

**Abandonment of Richfield Ave.** (Motion to Institute Proceedings for Public Hearing)

On motion by Council President Garabedian, seconded by Councilman Pisaturo, it was voted to institute proceedings for the Abandonment of Richfield Ave. Motion passed unanimously.

**Joint Pole Location:**

Harborside Blvd.

Mr. Schiappa appeared to speak.

On motion by Council President Garabedian, seconded by Councilman Barone, it was voted to approve this Joint Pole Location.

Under Discussion:

Pat Matulaitis of Narragansett Electric, appeared to speak. Councilman Pisaturo stated that there was a homeowner a few months ago who requested that a pole be removed and the utility company refused, and now the company is asking the City's cooperation to install a pole. He stated that he would like to review the former pole location that the utility company refused to remove and the minutes of that meeting and the homeowner be contacted and see if he is still interested in having the pole removed. He asked that this Joint Pole Location be tabled until then. Ms. Matulaitis stated that this pole provides service to the Johnson & Wales dorms. Council President Garabedian removed his motion.

On motion by Council President Garabedian, seconded by Councilman Pisaturo, it was voted to continue this item. Motion passed on a vote of 3-2. The following being recorded as voting "aye": Councilmen Livingston, Pisaturo and Council President Garabedian -3. The following being recorded as voting "nay": Councilman Barone and Council Member Bucci -2.

The meeting adjourned at 7:25 P.M.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees