

*(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).*

## **FLOOD COMMITTEE**

A meeting of the Flood Committee was held on Monday, May 16, 2011 in the Council Chambers, City Hall, Cranston, Rhode Island.

### **CALL MEETING TO ORDER:**

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

Present: Councilman Richard D. Santamaria, Jr., Chair  
Michael Behm  
Brian Dupont  
Richard Martin  
Representative Robert Jacquard

Absent: Councilman Emilio L. Navarro, Vice-Chair  
Councilwoman Leslie Luciano  
Senator Beatrice Lanzi  
Christopher Brouillette  
Amy Sinyei

Also Present: Council President Anthony J. Lupino  
Gerald Cordy, Deputy Director of Administration  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees

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

On motion by Mr. Martin, seconded by Mr. Dupont, 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:**

**Terry Gray** of DEM appeared to address issue that came up at the last meeting regarding what effects oil and gas from vehicles have on the roads and residents when streets or parking lots flood. He stated that impacts are not that unusual. This is storm water. The State has a program to control storm water contamination not just gas and oil from vehicles, but also fertilizer and other bacterias. When a constituent needs to be concerned if when they see a real strong stain. Best way to address this is to clean it up with kitty litter and dry it up and dispose of it.

**Doris Bruno**, resident of River View Terrace, who has had to move out of her home due to last floods, appeared to speak and stated that the residents' concerns are when the gas and oil goes into their yards not in the streets or parking lots. Mr. Gray stated that it is a matter of degree. Most of the leaks are seriously diluted. If a resident is concerned, they should call DEM. Ms. Bruno stated that she persistently complained to the State, but no testing was ever done.

**Maria Jendza**, owner of Creative Center Preschool, appeared to speak and asked questions.

- **Report from Administration regarding:** (Cont. from 3/14/11)
  - **Mayor's concerns stated in his Veto message for Ordinance regarding tax relief**

**Mr. Cordy** stated that the Mayor's veto message states that there is nothing that we can do to pass this Ordinance, because it violates State Law and also a fiscal statement needs to be attached to that Ordinance. Unless these issues are addressed, the Mayor cannot do anything to change the Ordinance to make it acceptable.

**Council President Lupino** stated that as to the State Law violation, those provisions have been allowed in other cities and towns and there have been exceptions made. He has stated before that floods will happen again. He is very concerned about a statement made by the City's Building Inspector stating that there is nothing that he could do to prevent people from building in flooded areas, however, in doing his own research, he found there is a 50% rule for the State Building Inspections, where if someone builds, they have to meet the current State Code.

**Mr. Cordy** stated that as to the waiving of interest in taxes, that is the Council's prevue. As to the building of a new home after a flood, it has to be according to FEMA flood standards. Council President Lupino stated that people whose homes were destroyed by floods, should not be allowed to rebuild because the floods will happen again.

**Chair** asked that this item be continued to the next meeting.

- *Assessment of how many people were displaced or affected by the floods*

**Mr. Cordy** stated that at various Committee meetings, he has stated and will state the answer to this question. FEMA and RIMA's information was provided to him regarding this and referred to an email from FEMA and RIMA regarding this issue and it states that there is not one area where a final assessment can be made.

**Council President Lupino** stated that once we receive General Assembly approval, maybe we can send a survey questionnaire to the flooded areas asking such questions as were they affected and how long and this way we can get a somewhat accurate number.

**Chair** indicated that this cannot be enacted until we have State approval.

- *Status of issue regarding swampy area behind ball field on Atwood Ave.*

**Rosemary Portukalian**, 40 Kingwood Ave., appeared to speak and stated that water never ran over Randall St. and into the field behind Peters School. She purchased her home in 1986. When it rained, the field would flood for a day or two and then go away and the City would cut the grass in the area. In 1996-1997, the softball field was worked on and water more and more accumulated there. The grass cannot be cut any more. The City built a retaining wall by the playground and this is the cause of this flooding between the DEM wetland property and the playground. There is a lot of debris in that area. Mr. Cordy stated that the minutes of the last meeting, Ms. Portukalian stated that she called the Mayor's Office and received no help. He indicated that Carlos Lopez, the City's Constituent Affairs, has been very active with this issue. Last year, the Public Works Department was at this area and found large boulders, which was adding to the flooding and they were removed.

**Bob Nero**, Chair of Pawtuxet River Authority, appeared to speak and stated that the Randall Pond is owned by the State and he was advised that the City owns lots around the pond. He was also advised that the ball fields were part of wetland areas. It was a municipal landfill. Ball field was built, School was built and these have impacted the wetlands area. The area is all wetlands, but the City owns the land.

**Ms. Bruno** stated that it is extremely important that the City is aware of the number of families that were affected by the floods in order to move forward to ask for help from the State and the Federal Government. A year and a half later, she is still displaced. We need to know how many permits were given out and how many Certificates of Occupancy were given out. Mr. Cordy stated that he has provided this information for the last meeting and a complete list of people affected. They still do not tell us how long the people were displaced and how many people never applied for building permits. Also, at the last meeting, he provided numerous printouts of every emergency response from Police and Fire. As to the City not doing anything about preventing sale of flooded area, a restriction could be placed in the deed indicating that the home is in a flooded zone, but the homeowner would have a problem with that because it would affect their value. He also indicated that there are floodplain maps available to the public to view at any time in the Planning Office.

- *Is there a flood preparedness policy currently in place alerting residents of floods and how to obtain help?*

**Mr. Cordy** stated that there is a very detailed emergency response plan. It is mandated by Homeland Security and we have an Emergency Management Member and also safety people who are also involved. As to the public getting information, they can call 411.

- *Who handles the Scituate Dam?*

**Mr. Cordy** stated that Providence Water Supply Board owns the Dam.

**Chair** asked Clerk for report from Providence Water as to the safety, maintenance, etc. of the Dam for the next meeting.

**Mr. Nero** stated that dams flowing into the Pawtuxet River are at Johnston Memorial Park, Dam at upper Simmons and Cranston Print Works. The Pawtuxet River Authority owns two Dams: Pawtuxet Falls and Harris Dam.

**Council President Lupino** asked who enforces the release of water at Scituate Dam. Mr. Nero stated that he does not know, but approximately one million gallons a day is released.

**Mr. Dupont** stated that he asked the question of who handles the Scituate Dam be placed on the agenda for this evening because during the floods, in 2010, the Scituate Dam was at maximum peak or not, if not, why was it left open.

**Chair** stated that a meeting was held at Cranston High School East and proposal was to build a wall on Fletcher Ave. and questionnaires were being taken. He asked for update on this. Mr. Cordy stated that there is no more time for questionnaires. He has no update at this time.

**Cheryl Zincone**, 17 Fletcher Ave., appeared to speak and stated that she did fill out the questionnaire and she stated in the questionnaire that the plan was to build a retention pond behind her building and she would be in favor of this if it was purchased from her, but they would have to purchase the entire property.

**Chair** asked for update on the questionnaire for the next meeting.

**Marty Madden**, 131 Fordson Ave. Unit 10, President of River View Terrace Association, appeared to speak and stated that approximately 50 people were not allowed to live in their homes at this location for almost five months.

**Council President Lupino** stated that we need to have a representative from the Administration attend these meetings on a regular basis, since there is no Public Works Director. Either the Acting Public Works Director or the Deputy Director of Administration needs to attend these meetings. Mr. Cordy stated that no one in the Administration received an invitation to attend these meetings.

**Patricia Cambio**, River View Terrace, appeared to speak and stated that the flat rate on sewers is disgusting. It is not fair that she has one bathroom and her neighbors may have more than one and she pays the same amount in sewer fees as her neighbors.

- *Explore the avenue of establishing Flood Relief Zoning Districts if Tax Abatement does not pass at the State level*

**Mr. Cordy** stated that Zoning is used for land uses not for taxation. The Solicitor's opinion on this is, if legislation is not drafted very creatively, it too would violate State Law, because you would be giving relief to flood victims and not other taxpayers.

**Council President Lupino** stated that there is precedent out there because of the Cullion settlement. Cullion was getting relief up until the settlement because this was not in a flooded area.

**Mr. Martin** stated that the people who do not get flooded get to use their property 365 days a year and do not have their streets flooded 365 days a year. The flooded people cannot use their property. It is unfair that they should pay the same amount of taxes that the rest of the people pay. He is urging the City to come up with a way to help the flooded people now. Waiting for General Assembly approval could take years or could take a miracle to get approved.

**Rebecca Bond** appeared to speak and stated that she has lived on Fletcher Ave. for 35 years. She has attended meetings after meetings and finally gave up because nothing gets done. She asked how long this flooding problem on Fletcher Ave. is going to take to be addressed. She was told at one of the meetings that if the Dams break, it will affect all of Atwood Ave. through Fletcher and people will die.

#### **PUBLIC HEARING/NEW BUSINESS:**

*Pawtuxet River Authority* – Mike Marandola

Discussion regarding this issue took place at the beginning of the meeting.

Chair indicated that the next meeting will be June 20<sup>th</sup>.

The meeting adjourned at 9:00 P.M.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees