

## PUBLIC WORKS COMMITTEE

Regular meeting of the Public Works Committee was held on Thursday, November 15, 2007 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:05 P.M. by the Chair.

Present: Council Member Maria A. Bucci, Chair  
Councilman Richard D. Santamaria, Jr., Vice-Chair  
Councilman John E. Lanni, Jr.  
Councilman Emilio L. Navarro  
Councilman Jeffrey P. Barone

Also Present: Councilman Anthony J. Lupino  
Frank Migliorelli, Deputy Director of Administration  
Aubrey Lombardo, Assistant City Solicitor  
Anthony Sylvia, Director of Public Works  
Maria Medeiros Wall, City Clerk  
Rosalba Zanni, Assistant City Clerk/Clerk of Committees  
Heather Finger, Stenographer

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

On motion by Councilman Barone, seconded by Councilman Navarro, 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:**

None.

### **OLD BUSINESS:**

**Status of draft of ordinance requiring a bond from Utilities. Chair Bucci** (Cont. 7/12/2007, 9/10/2007, 10/11/2007).

**Mr. Sylvia** appeared to speak and stated that he is in favor of requiring bond for utilities and at this point, he would like to establish a bond requirement for each and every road permit. require a bond for each and every road opening permit. He is looking into having the City sign up with Dig Safe.

Councilman Lanni stated that in the past, this Committee has been told that in an emergency, the utility does not need to go through Dig Safe. Mr. Sylvia stated that this is not correct, the utilities are required to contact Dig Safe prior to placing a shovel in the dirt and this includes emergencies.

**Providence Water – Discussion on repair of City roads** (Report from Director of Public Works).

On motion by Councilman Santamaria, seconded by Councilman Lanni, it was voted to continue this item to next month's meeting and request that a representative from Providence Water appear at that meeting. motion passed unanimously.

**Status update on the installation of traffic lights at Scituate Ave. and Pippin Orchard Rd. and Phenix Ave. and Furnace Hill Rd.** (Cont. 10/11/2007).

Councilman Lanni stated that Council President Garabedian gave him a letter to read into the record this evening, since he could not attend this meeting, dated October 24, 2007 from Mr. Rocchio of D.O.T. Council President Garabedian asked him to state that through his efforts, through Council Member Buccì's efforts and himself, by them going to the State, the installation of these traffic lights is going to be done in a short period of time.

**Pippin Orchard Rd. – Providence Water tie-in** (Cont.10/11/2007 – Update by Director of Public Works).

Councilman Lupino stated that he requested that this item be placed on the agenda. He stated that there is one resident who owns a nursery, but is having a problem with the water pressure in his home and he filed an application with the City for tie-in and was told to request this to Providence Water, which he did. He was told by Providence Water that there are no more emergency tie-ins. This is an emergency hardship and this application is still in the City's system. Mr. Schiappa, former Director of Public Works, and Nick Capezza, City Engineer, both are aware of this issue. Mr. Sylvia stated that he will look into this. As to the Water Impact Fees, the revisions on the Ordinance are almost complete.

On motion by Councilman Santamaria, seconded by Councilman Navarro, it was voted to continue this item to next month's meeting. motion passed unanimously.

## **PUBLIC HEARINGS/NEW BUSINESS:**

**Park Cinema (Referred by City Council 10/22/2007)**

**Richard James**, Vice-President of Apex Construction, appeared to speak. Chair stated that the reason he was requested to appear before this Committee was to discuss the closure of a portion of Pontiac Ave. for such a long period of time. She asked if the street needs to be closed and does it need to be closed during the Winter months. Mr. James stated that the street does need to be closed because the crane operation is being used every day.

**Councilman Lanni** asked what Mr. James is planning to do to correct the problem of the North side of the building, which is leaning and is unsafe. Mr. James stated that the engineers are looking at it right now, but he would like to knock it down. Right now, it has not affected the timetable. With the permits he has in hand, this project should be completed by the end of December.

**Councilman Barone** questioned why the contractor can't have Police detail, similar to other construction projects in the City and have the street open for two-way traffic. This is hurting businesses in the area, in particular, Antiques In The Attic. Mr. James stated that there are deliveries that are being done almost daily at various times. They need room to unload the trucks. There will be considerable amount of deliveries in the next few months. Councilman Barone stated that he does not think Mr. James is the right person to speak to about this issue. The owner of the building is the person to address these concerns to. Mr. James stated that they have tried to be good neighbors by giving Antiques In The Attic money to have signs made and put up and they have placed signs on the Park Cinema building.

**Councilman Navarro** stated that he has seen some progress and asked that the contractor do as much as possible and move forward to try to get this street re-opened as soon as possible. Mr. James stated that he will sit down and review the delivery schedule and try to have this street re-opened.

**Councilman Lanni** stated that realistically, it is not feasible to open this street now. He agreed to move forward and get this project done and get this street open.

**Councilman Lupino** addressed the statement made by Mr. James earlier that "with the permits he has in hand". He indicated that if the walls on the North side need to be knocked down, the contractor does not have a building permit to do that. he would need entirely new zoning setback requirement and he would have to go through Planning and Zoning.

**Assistant Solicitor Lombardo** stated that she has been asked to look into what would be required if the contractor decides to knock down the walls and she will have this opinion by next week.

**Diana Gordon**, owner of Antiques In The Attic, 363 Pontiac Ave., appeared to speak and stated that Park Cinema has impacted her business by closing the street.

**Councilman Barone** asked Ms. Gordon what solution she would have besides opening the road. Ms. Gordon stated that she would like some type of tax relief, since she was not able to pay her taxes. Councilman Barone asked how the City would recoup that. It is not the City that closed the road, it was Park Cinema. There are grant programs that may be available to Ms. Gordon. He suggested that the road be re-opened, have Police Officer present and direct the traffic when deliveries are made.

**Mr. Migliorelli** asked Ms. Gordon if she met with the Mayor a few weeks ago regarding this issue and if he offered her assistance. Ms. Gordon stated that she did meet with the Mayor and he gave her some suggestions, such as signage, which has not helped. Mr. Migliorelli stated that there are City agencies that may be able to help Ms. Gordon, such as Community Development and Community Action.

**Richard Drugan** appeared to represent the owner of Park Cinema and he stated that he will make Mr. Patel aware of this issue.

**Councilman Navarro** stated that he would like to see some more community involvement from Mr. Patel and if he can help Ms. Gordon of maybe finding another area in the City that she can operate her business from, in the meantime. We need to find some sort of relief for Ms. Gordon.

**Councilman Barone** asked Mr. James why a Police Officer can't control traffic and let traffic go down both ways. Mr. James stated that the Police would have to be paid approximately \$80 per hour. Councilman Barone stated that that is not the City's problem or Ms. Gordon's problem.

**Assistant Solicitor Lombardo** stated that after researching the Code, as to the issue of the walls being knocked down, per the Code, Section 17-12.10 and RIGL 45-24.1, this would be an alteration and since this is a historic building, the contractor would have to submit an application to the Historic District Commission, who would issue a Certificate of Appropriateness.

**Councilman Lanni** stated that Ms. Gordon does not have a parking lot and by re-opening the street would still be a problem. The customers cannot stop at this business because part of the road is closed because of the no off-street parking. Ms. Gordon stated that she has a parking lot for approximately six cars and she has one place in front of her business.

On motion by Councilman Lanni, seconded by Councilman Navarro, it was voted to continue this item to the January meeting.

Under Discussion:

**Ms. Gordon** asked that she be notified of this meeting date. Councilman Barone asked that Mr. Patel be asked to appear before this Committee so he could be made aware of this situation and he may have a remedy. Chair stated that Mr. Patel will be asked to appear before the Safety Services and Licenses Committee in December, since the Park Cinema will be listed on that Committee's agenda.

**\*Capuano proposed land donation: Phenix Ave. 4.3 acres (AP 17 Lot 195)**

On motion by Councilman Navarro, seconded by Councilman Santamaria, it was voted to approve acceptance of this donation.

Under Discussion:

**Councilman Barone** asked if there are any plans for what this land will be used for. Chair stated that it is a wildlife and she assumes it will be left as Open Space. She asked if this item will be placed on the Council Docket. City Clerk stated that procedurally, there would be a Resolution drafted authorizing the acceptance of the land contingent upon the approval of a Phase 1 Environmental Impact Study.

Roll call was taken and motion passed unanimously.

**\*Sewer Adjustments - See List**

***101 Comstock Parkway***

**Mr. Sylvia** appeared to speak and recommended approval. Councilman Navarro asked if the City checks to see if there are any taxes owed before giving any abatements. Mr. Sylvia stated that he is not sure, since he has been Director of Public Works for only a few months, but he would assume a check is done prior to giving any abatements. Councilman Lanni stated that as part of the motion, there should be a stipulation that taxes be checked.

On motion by Councilman Lanni, seconded by Councilman Navarro, it was voted to approve this sewer adjustment subject to taxes being paid in full. Motion passed unanimously.

***20 North St.***

**Mr. Sylvia** appeared to speak and recommended approval.

On motion by Councilman Santamaria, seconded by Councilman Lanni, it was voted to approve this sewer adjustment subject to taxes being paid in full. Motion passed unanimously.

***41 Webb St.***

**Mr. Sylvia** appeared to speak and recommended approval.

On motion by Councilman Lanni, seconded by Councilman Santamaria, it was voted to approve this sewer adjustment subject to taxes being paid in full. Motion passed unanimously.

***170 Terrace Ave.***

**Mr. Sylvia** appeared to speak and recommended approval.

On motion by Councilman Santamaria, seconded by Councilman Lanni, it was voted to approve this sewer adjustment subject to taxes being paid in full. Motion passed unanimously.

*2147 Cranston St.*

**Mr. Sylvia** appeared to speak and recommended approval.

On motion by Councilman Lanni, seconded by Councilman Santamaria, it was voted to approve this sewer adjustment subject to taxes being paid in full. Motion passed unanimously.

*15 Standish Ave. and 1500 Pontiac Ave.*

**Mr. Sylvia** stated that he would like to have the above two sewer adjustments continued, since he does not have an opinion on these.

On motion by Councilman Lanni, seconded by Councilman Santamaria, it was voted to continue the above two sewer adjustments. Motion passed unanimously.

**Assistant Solicitor Lombardo** stated that she was asked in the past how far back the City can go regarding the adjustments. She stated that there is nothing in the Code that specifies how long you can go back. She was told by the Public Works Department that it was at their discretion as to how far back they want to go.

**Request from National Grid for pole location at Oxford St.**

On motion by Councilman Barone, seconded by Councilman Santamaria, it was voted to approve this pole location. Motion passed unanimously.

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

On motion by Councilman Barone, seconded by Councilman Santamaria, it was voted to approve this pole location. Motion passed unanimously.

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

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

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

On motion by Councilman Barone, seconded by Councilman Santamaria, it was voted to approve this pole location. Motion passed unanimously.

**Request from National Grid for pole location at Amflex Dr.**

On motion by Councilman Barone, seconded by Councilman Santamaria, it was voted to approve this pole location. Motion passed unanimously.

The meeting adjourned at 8:30 P.M.

Respectfully submitted,

Rosalba Zanni  
Assistant City Clerk/Clerk of Committees