

PUBLIC WORKS COMMITTEE

Regular meeting of the Public Works Committee was held on Thursday, October 12, 2006 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 7:40 P.M. by the Chair.

Present: Councilman John E. Lanni, Jr., Chair
Council Member Maria A. Bucci, Vice-Chair
Councilman Terence Livingston
Councilman Kirk McDonough
Councilman Jeffrey P. Barone
Council President Aram G. Garabedian

Also Present: Councilman Allan W. Fung
Council Member Cynthia M. Fogarty
Council Vice-President Paula McFarland
Paul Grimes, Director of Administration
Michael Glucksman, City Solicitor
Evan Kirshenbaum, Assistant City Solicitor
Marco Schiappa, Director of Public Works
Jared Rhodes, City Planner
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

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

CORRESPONDENCE:

OLD BUSINESS:

6-06-5 Ordinance in amendment of Chapter 9.08 of the Code of the City of Cranston, 2005, entitled "Public Peace, Morals and Welfare" (50/50 Tree Program). (Tabled 7/13/2006, 8/17/2006 and 9/14/2006).

No action.

6-06-6 Ordinance in amendment of Chapter 12 of the Code of the City of Cranston, 2005, entitled "Streets, Sidewalks and Public Places" (Sidewalk 50/50 Program). (Tabled 7/13/2006, 8/17/2006 and 9/14/2006).

No action.

Petition from National Grid for pole location at Marine Drive (Tabled 7/13/2006, 8/17/2006 and 9/14/2006).

No action.

Petition from National Grid for pole location at Hope Rd. (Tabled 9/14/2006).

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

Mr. Schiappa appeared to speak.

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

Petition for Abandonment of a portion of Pettaconsett Ave. – Public Hearing (Cont. 8/17/2006 at the request of applicant; Tabled 9/14/2006).

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

Robert Murray, Esq., appeared to represent the applicant. No one appeared to oppose.

On motion by Councilman Livingston, seconded by Councilman Barone, it was voted to recommend approval of this Abandonment with the following stipulations: \$59,200 appraisal be paid to the City and the requested easement from Providence Water. Motion passed unanimously.

NEW BUSINESS:

Report and Discussion of Flooding Issue following Zinnia Drive site visit

Mr. Schiappa stated that a site visit was held a week ago with members of the Council and Administration. He presented an aerial photo of the area. He stated that the line is clear and the problem is the water was getting into the pipe and the area is overgrown. This is causing flooding in the area properties.

Council Vice-President McFarland stated that there is water running somewhere off the ground. When she went to the area, the yard was like a leach field and there has not been any heavy rain recently. Mr. Schiappa stated that many of the structures in the yards are not on the pipe. As to the easement, there needs to be 20' easement, 10' on each side of the pipe. There is a cement wall built illegally right on the property line and he does not know if this is causing this problem. What he would like to do is send a letter to the residents stating that there is an easement on the property lines and the encroachments need to be removed. Councilman Lanni stated that he has been told by more than one resident that since they have lived in this area, they were never told verbally or in writing that they were to keep that land clear from any debris. One suggestion he would have is for the City to clean that easement once and thereafter, tell the residents it is their responsibility to keep it clean. Council President Garabedian stated that he agrees that the City go in and clean this area once and then certified letters be sent to the residents advising them it is their responsibility to keep this area clean. Councilman Barone also agrees that the City should clean this area and residents be made aware that it is their responsibility to keep it clean and in addition, advise the residents not to throw grass clippings in that area.

Councilman Fung questioned if there is an Ordinance regarding the maintaining of easements and if not, an Ordinance should be drafted addressing this issue. Mr. Schiappa stated that this is not City property, it is private property with a service easement on it. If there is an Ordinance, it could be listed in the Code under "Minimum Housing".

Artie Jochmann, Superintendent of Highway Maintenance, appeared to speak and stated that before the City attempts to do any cleaning of this area, if the City is going to, we need to legally make sure that there is an way to get in and out of the site, because we would have to go through private properties with City vehicles. The property should be surveyed because he believes the residents do not know their exact property lines. There is no way that we can safely get into this area. Councilman Livingston stated that he does not think the City should be paying for surveying of private properties. The residents can hire a private surveyor on their own or hire an attorney. Mr. Jochmann stated that his other suggestion would be to send letters to the residents directing them to clean this area up. Council President Garabedian asked how many residents would be involved. Mr. Jochmann stated approximately 15.

Councilman Lanni suggested that the Solicitor send letters to the residents possibly stating that all stockade fences or obstacles would have to be removed or they would be removed by the City at their expense within 30 days.

Petition from National Grid for pole location at New London Ave.

Mr. Schiappa stated that National Grid has withdrawn this request.

Petition from National Grid for pole location at Whiting St.

Gerald Mirabile of National Grid appeared to speak.

On motion by Councilman Livingston, seconded by Council Member Bucci, it was voted to approve this request. Motion passed on a vote of 5-1. The following being recorded as voting "aye": Councilmen Lanni, Livingston, Barone, Council Member Bucci and Council President Garabedian -5. The following being recorded a voting "nay": Councilman McDonough -1.

Sewer Adjustments

Mr. Schiappa appeared to speak.

On motion by Councilman Livingston, seconded by Councilman McDonough, it was voted to approve these adjustments. Motion passed unanimously.

***Petition for Abandonment of a portion of Amflex Dr. (Public Hearing)**

Robert Murray, Esq. appeared to represent the applicant and stated that present in the audience are Arthur DelFino, Principal Manager and Allison Geib, NE Real Estate Manger. He presented a site plan prepared by Caito Engineering and a detail of the right of way abandonment. He stated that if this Abandonment is approved, applicant will go forward with an Administrative Subdivision.

Councilman Barone asked if there are any homes on Sundale Rd. Mr. Schiappa stated, yes. He also indicated that this went before the Site Plan Review and he was not present, but was told that there were residents present at that meeting to find out what the plans were. Councilman Barone stated that his concern is once this is developed, would Sundale Rd. residents experience flooding due to the construction. Attorney Murray stated that per the Public Works Director, Sundale Rd. is at a higher elevation.

Councilman McDonough asked how much applicant will pay for this Abandonment. Attorney Murray stated that his client is asking that this be conveyed for no consideration. Councilman Lanni questioned how much this land is worth, since the applicant would be getting an additional 19,453 feet of land.. Council President Garabedian stated that the Ordinance in effect requires an appraisal for Abandonments. Attorney Murray requested a continuance to confer with his client regarding this. No one appeared to oppose.

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

***Petition for Abandonment of Mayberry St. (Public Hearing)**

Dave DiMartino, 112 Kingwood Ave., appeared to speak and stated that this street abuts his front yard. He questioned what the plans are for this Abandonment. Councilman Lanni stated that this location is the site of the present Police Station and this parcel will be up for sale once the Police Station moves to their new location.

Mr. Rhodes appeared to speak and stated that by abandoning this portion of the street, it would eliminate any possibilities of connecting Atwood Ave. to this neighborhood.

Joseph DiMartino, Kingwood Ave., appeared to speak and ask questions.

Councilman Lanni recommended that restrictions be placed whereby no connection be in place to Atwood Ave. and a buffer zone be placed to protect the neighborhood. He also suggested that these restrictions be placed in the deed as a recommendation by the Public Works Committee.

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

The meeting adjourned at 8:45 P.M.

Respectfully submitted,

Rosalba Zanni
Assistant City Clerk/Clerk of Committees