

DEPARTMENT OF CITY CLERK

CITY HALL

JANUARY 27, 2003

The Committee on Public Works meets this day at 6:00 o'clock P.M., in Committee Room "A", Third Floor, City Clerk's Department, City Hall.

PRESENT: Councilman Terrence M. Hassett, Councilwoman Rita M. Williams, Councilwoman Josephine DiRuzzo and Councilman David A. Segal.

ABSENT: Councilman Ronald W. Allen.

Also present are Makrim H. Megalli, Director of Public Works; Richard Licht; Anna M. Stetson, Second Deputy City Clerk and Sheri A. Petronio, Assistant Clerk.

ELECTION OF CHAIRPERSON

Councilman Hassett, being the First Named Member, calls for nominations for Chairperson of the committee.

Councilwoman Williams nominates Councilman Hassett and the nomination seconded by Councilwoman DiRuzzo.

Councilman Hassett calls for further nominations and there being none, the Clerk is directed to cast one ballot for Councilman Terrence M. Hassett as Chairman.

CHAIRMAN TERRENCE M. HASSETT

IN THE CHAIR

ELECTION OF VICE-CHAIRPERSON

Chairman Hassett calls for nominations for Vice-Chairperson for the committee.

Councilman David Segal nominates Councilwoman Rita M. Williams and the nomination is seconded by Councilwoman DiRuzzo.

Chairman Hassett calls for further nominations and there being none, the Clerk is directed to cast one ballot for Councilwoman Rita M. Williams as Vice-Chairwoman of the committee.

PETITION OF JOHN F. PALMIERI, DIRECTOR, DEPARTMENT OF PLANNING & DEVELOPMENT, REQUESTING THE ABANDONMENT OF BOWDITCH PLACE.

PETITION OF SCOTT MITCHEL, 14 FALES STREET,

REQUESTING PERMISSION TO ABANDON A PORTION OF FALES STREET.

PETITION OF JOHN CRABTREE, 55 MACGREGOR STREET, REQUESTING PERMISSION TO ABANDON A PORTION OF STANHOPE STREET.

CHAIRMAN HASSETT: Item number one is a petition of John F. Palmieri, Director of the Department of Planning & Development, requesting the abandonment of Bowditch Place. That item is to be scheduled for a Public Hearing which is anytime after February 10th. What do we have available?

ANNA M. STETSON: The 11th.

CHAIRMAN HASSETT: Do you want to try the 11th?

ANNA M. STETSON: Do you want to check with the committee to make sure that is okay.

CHAIRMAN HASSETT: How is February 11th for the Public Hearing? Actually, we can consolidate some items too because there are other items that have to be set for a Public Hearing. They are item six, petition of Scott Mitchel, 14 Fales Street, requesting permission to abandon a portion of Fales Street. We can put that on the same item and item seven petition of John Crabtree, 55 McGregor Street, requesting permission to abandon a portion of Stanhope Street, that can also go for the 11th. Is that it for Public Hearings? Okay, so no objection. That will be 6:00 o'clock, February 11th for the Public Hearing on those items.

PETITION OF FRANK J. DAY OF 114 EDGEWORTH AVENUE, REQUESTING THE ABANDONMENT OF A PORTION OF SEDAN STREET.

JANUARY 27, 2003

**PETITION OF STEPHEN T. DAY OF 116 EDGEWORTH AVENUE,
REQUESTING THE ABANDONMENT OF A PORTION OF SEDAN
STREET.**

**PETITION OF LARRY WYSONG OF 118 EDGEWORTH AVENUE,
REQUESTING THE ABANDONMENT OF A PORTION OF SEDAN
STREET.**

CHAIRMAN HASSETT: Okay, item three, petition of Frank J. Day of 114 Edgeworth Avenue, requesting the abandonment of a portion of Sedan Street. In addition to that there are similar petitions. Item four is a petition of Stephen T. Day of 116 Edgeworth Avenue, requesting the abandonment of a portion of Sedan Street and the petition of Larry Wysong of 118 Edgeworth Avenue, requesting the abandonment of a portion of Sedan Street. So that is items three, four and five. Councilwoman Romano that is your ward.

COUNCILWOMAN ROMANO: This property here is a dead end street and the Day's and Larry Wysong, they have been maintaining this property and they would like to purchase a portion of it. To keep it clean and grow some plants and have a garden and they have small children that can go right there to play and this has been on for a while I think, hasn't it?

VICE-CHAIRWOMAN WILLIAMS: Was there a Public Hearing held Mr. Chairman?

COUNCILWOMAN ROMANO: No.

CHAIRMAN HASSETT: Anna, was there a Public Hearing?

VICE-CHAIRWOMAN WILLIAMS: So does it not need a Public Hearing then?

ANNA M. STETSON: No, this is the one that there was that problem so we didn't go any further with it.

CHAIRMAN HASSETT: There is a problem, we got a report back from the Department of Planning and Development. The Committee on Public Works has requested the City Plan Commission's recommendation on the petitions of three property owners on Edgeworth Avenue to abandon a portion of Sedan Street. I

think the map is included for your perusal. Upon review of the City Assessor's map, department staff have determined that none of these lots abut Sedan Street. There is an intervening sliver of another lot between them and Sedan Street. Since the petitioners properties do not abut the right-of-way, it is inappropriate for the Commission or the City Council to consider the petition as presented.

COUNCILWOMAN ROMANO: Who is that from Mr. Chair?

CHAIRMAN HASSETT: That is from the Department of Planning & Development. There are no other objections by the way.

COUNCILWOMAN DI RUZZO: Mr. Chairman, this map that we have here is done in a sloppy way and I can't really tell.

CHAIRMAN HASSETT: This is a better map here, it is a sliver of land.

COUNCILWOMAN DI RUZZO: This is Sedan Street and where are the lots we are talking about.

CHAIRMAN HASSETT: Here are the petitioners lots here and that is the sliver of land.

MAKRIM H. MEGALLI: The green is the sliver of land in between and the yellow is Sedan Street so if it is abandoned it would go to the green sliver just like it says which falls between the street and the three lots that are petitioned so they would gain nothing, it wouldn't go to them.

COUNCILWOMAN DI RUZZO: It wouldn't?

MAKRIM H. MEGALLI: No.

CHAIRMAN HASSETT: It wouldn't go to them by ordinance.

MAKRIM H. MEGALLI: By operation of law because when it goes into the abutting land the abutting land is a green piece.

CHAIRMAN HASSETT: So the green is the sliver of land, right?

MAKRIM H. MEGALLI: Yes, the green is a lot, it has a lot number and everything.

VICE-CHAIRWOMAN WILLIAMS: So who does it belong too?

MAKRIM H. MEGALLI: I don't know who it belongs to but it doesn't belong to the petitioners.

COUNCILWOMAN DI RUZZO: So the petition to abandon would be null and void and they would have really to seek out another route to do what they are thinking of doing. Can I pose a question through the Chair to Councilwoman Romano.

CHAIRMAN HASSETT: Go right ahead, absolutely.

COUNCILWOMAN DI RUZZO: Councilwoman, I just want to pose a question to you. These lots, who do they belong to? They are not city lots, are they vacant lots?

COUNCILWOMAN ROMANO: They belong to I believe Joe Casale who is trying to sell them, however, he cannot sell them because it isn't a street, there is no road there and the city will not put a road there and we are not going to start building roads and bridges and all. There is nothing there.

COUNCILWOMAN DI RUZZO: Does he want to sell the lots? Does he want to give them to these people?

COUNCILWOMAN ROMANO: No.

COUNCILWOMAN DI RUZZO: Would he consider not selling them and just having them use it.

COUNCILWOMAN ROMANO: No, he will not.

CHAIRMAN HASSETT: So the petitioner has three lots and that part of Sedan Street, is this open land?

COUNCILWOMAN ROMANO: Yes.

CHAIRMAN HASSETT: And who owns that sliver.

COUNCILWOMAN ROMANO: I think Joe Casale owns that sliver and right now he is in the process of trying to sell them.

COUNCILWOMAN DI RUZZO: He owns that long portion of land too?

COUNCILWOMAN ROMANO: No.

MAKRIM H. MEGALLI: It would be the green color.

COUNCILWOMAN ROMANO: In between here, right?

MAKRIM H. MEGALLI: The green color is the piece of land that is the lot that separates the petitioners from the street.

COUNCILWOMAN DI RUZZO: But he doesn't own the lots. Does he own the lots that these people want to plant on as well.

COUNCILWOMAN ROMANO: Yes, he owns all of it.

VICE-CHAIRWOMAN WILLIAMS: Is the yellow a street?

COUNCILWOMAN ROMANO: Yes, it is Sedan Street.

VICE-CHAIRWOMAN WILLIAMS: And it is a street.

COUNCILWOMAN ROMANO: No, it is a paper street.

VICE-CHAIRWOMAN WILLIAMS: It is not a developed street.

MAKRIM H. MEGALLI: I don't believe so, although I haven't seen it personally.

COUNCILWOMAN DI RUZZO: You're saying he owns both the land and the lots. Do we have an opinion from the City Solicitor?

VICE-CHAIRWOMAN WILLIAMS: We have nothing, no feed back at all.

CHAIRMAN HASSETT: I think we should.

COUNCILWOMAN DI RUZZO: We really should get one to make a determination as to what direction we should go in or we can go in.

COUNCILWOMAN ROMANO: I think what he wants to do here is put water in and he wants to put sewers but he is having a hard time.

MAKRIM H. MEGALLI: I am not aware of that.

COUNCILWOMAN ROMANO: He is having a hard time doing this so it is basically going to be abandoned.

VICE-CHAIRWOMAN WILLIAMS: Mr. Chairman, I noticed there is no feedback from any utilities or anything on this as there are on other petitions and

also for an abandonment you do need a public hearing so we do need more information so why don't we just continue it.

CHAIRMAN HASSETT: Actually Councilwoman there is something from the Electric Company.

VICE-CHAIRWOMAN WILLIAMS: We don't have anything attached.

COUNCILWOMAN ROMANO: What does it say Mr. Chair.

CHAIRMAN HASSETT: Narragansett Electric has no objection to the abandonment, New England Gas does not maintain any facilities there, therefore, they have no objection and Narragansett Bay Commission has no objection to the abandonment of the property either. However, I think perhaps the City Solicitor should be consulted as to whether or not it should be an outright sale by an owner or whether it is appropriate for the city to abandon it. So is that fair to say?

COUNCILWOMAN DI RUZZO: Yes.

CHAIRMAN HASSETT: Okay, that will be items three, four and five and if the Clerk can make that note we will get a letter over to the Solicitor.

ANNA M. STETSON: So noted Mr. Chair.

On motion of Councilwoman DiRuzzo, seconded by Vice-Chairwoman Williams, it is voted to continue items three, four and five.

CHAIRMAN HASSETT: All those in favor.

COMMITTEE: Aye.

CHAIRMAN HASSETT: All those opposed.

Motion Carries

PETITION FROM ALAN SEPE, ACTING DIRECTOR, PUBLIC PROPERTY, REQUESTING PERMISSION TO ABANDON A PORTION OF OCEAN STREET, FOR THE NEW HIGH SCHOOL BEING BUILT ON THE MANDELLA WOODS SITE.

CHAIRMAN HASSETT: It has been brought to our attention that in 1941 this street was already abandoned, therefore, can we entertain a motion to postpone it indefinitely.

JANUARY 27, 2003

On motion of Councilwoman DiRuzzo, seconded by Vice-Chairwoman Williams, it is voted to postpone indefinitely the foregoing petition.

CHAIRMAN HASSETT: All those in favor.

COMMITTEE: Aye.

CHAIRMAN HASSETT: All those opposed.

Motion Carries

**RESOLUTION GRANTING THE ABANDONMENT OF
WAMSUTTA PLACE AND TO TRANSFER ALL RIGHTS, TITLE
AND INTEREST TO THE ABUTTING LANDOWNER.**

CHAIRMAN HASSETT: We have no objections across the board. Do we have someone here?

VICE-CHAIRWOMAN WILLIAMS: Yes. Mr. Chairman, you may recall that we did pass this out of committee and then it was referred back to committee because right next to it is the School Department's building which is owned by the PBA. So I understand that the PBA has had a chance to speak with Richard Licht who is representing Wamsutta Place so he will probably give us some feedback regarding that.

RICHARD LICHT: As Councilwoman Williams stated this passed before. It was part of two abandonments, Normal Court and Wamsutta Place, somehow along the way they got split. It passed the committee and was sent to the full council but on the condition that we get the approval of both the Fire Marshal and the PBA. We met with the Fire Marshal and he was very happy about it and the PBA had one issue and we now resolved it and that was they were concerned what the fencing would be like because all we are going to do is park trucks there, we are not putting anything else but we have to be able to do that to be able to operate our business because we gave Normal Court, where we used to park our trucks, to the Armory Revival so they could build those new lofts. So we now have worked that out with them and my cousin Gary Licht who runs Jacob Licht, Inc. has or will meet with one of the board members of the PBA just to show how we are fencing

it. That is all they cared about and everybody is happy and we would appreciate it if you could send this on to the full council.

CHAIRMAN HASSETT: Thank you Mr. Licht. We do have a letter from the Providence Fire Prevention Bureau. On April 30, 2002, I forward a letter to the Committee on Public Works stating my objection to the abandonment of a portion of Wamsutta Place. After receiving a request from the petitioner to visit the site for further clarification of the proposal, I met with Mr. Gary Licht on October 17, 2002. Mr. Licht explained the specifics of the proposed use of Wamsutta Place, should the City grant the request to abandon this street. After further review and discussion, the Fire Department has no objection provided the following conditions are imposed:

1. Permanent barriers shall not be constructed that would prevent access for fire department personnel using ground ladders and other firefighting equipment along Wamsutta Place. A chain link fence with a gate that would allow vehicle access would be suitable.
2. A fire lane shall be established utilizing the right-of-way from Washington Street to the northerly end of Wamsutta Place.
3. Suitable signs shall be posted along the fire lane, indicating: FIRE LANE – NO PARKING.

RICHARD LICHT: Mr. Chairman, all those things are agreeable to us.

VICE-CHAIRWOMAN WILLIAMS: And I believe they are included in this. Was there anything else, did this have to be amended at all? Was that the original one that we passed?

RICHARD LICHT: Yes, and it was going for some technical amendments. One was the price which I think we agreed on. This seems to have been the amendment, the price is right so this must be correct now.

COUNCILWOMAN ROMANO: Alright, the Law Department amended this.

RICHARD LICHT: Yes, these are in here so this is the amended version.

CHAIRMAN HASSETT: It that the one with the \$7,000.00.

RICHARD LICHT: Yes.

ANNA M. STETSON: And in Section Five Mr. Chairman it shows where the requests are.

CHAIRMAN HASSETT: So that basically mirrors what the letter says. Okay, what is the pleasure of the committee.

On motion of Councilwoman DiRuzzo, seconded by Vice-Chairwoman Williams, it is voted to approve the foregoing resolution.

CHAIRMAN HASSETT: All those in favor.

COMMITTEE: Aye.

CHAIRMAN HASSETT: All those opposed.

Motion Carries

RESOLUTION REQUESTING THE TRAFFIC ENGINEER TO POST THE APPROPRIATE STREET SIGNS TO ALLOW PARKING FOR THE STAFF MEMBERS OF THE CARL G. LAURO SCHOOL LOCATED ON THE DEPASQUALE AVENUE SIDE OF THE BUILDING.

CHAIRMAN HASSETT: This is back from April 6, 1995.

COUNCILWOMAN DI RUZZO: Mr. Chairman, I am reading the disposition from the Traffic Engineer and without even reading it I have to say look, we can't it is too crowded on that street and I have the same problem on Clarence Street near Webster Avenue School because the teachers require the parking and they are overloading the streets and the people who live there have no place to park or can't get out of their driveways at all and you would have the same situation here. I mean I hate to say no.

VICE-CHAIRWOMAN WILLIAMS: Well, you have to, it's alright.

COUNCILWOMAN DI RUZZO: This is not an appropriate way to do it.

CHAIRMAN HASSETT: We do have a recommendation from the Traffic Engineer that the item be denied. This area is posted "No Parking Any Time" and we cannot allow parking on the westerly side of DePasquale Avenue.

On motion of Vice-Chairwoman Williams, seconded by Councilwoman DiRuzzo, it is voted to deny the foregoing resolution.

CHAIRMAN HASSETT: All those in favor.

COMMITTEE: Aye.

CHAIRMAN HASSETT:: All those opposed.

Motion Carries

RESOLUTION REQUESTING THE DIRECTOR OF PUBLIC WORKS TO CAUSE A SURVEY TO BE CONDUCTED OF THAT PAPER PORTION OF PRESCOTT STREET, LOCATED IN OLNEYVILLE, TO DETERMINE THE COST AND FEASIBILITY OF DEVELOPING THE ENTIRE STREET.

COUNCILWOMAN DI RUZZO: Mr. Chair?

CHAIRMAN HASSETT: Yes Councilwoman DiRuzzo.

COUNCILWOMAN DI RUZZO: Let me explain why I did this. By the way, I don't represent this area anymore I am doing this for you Mr. Chairman because you represent this area now and it has been an ongoing problem. At the end of Prescott Street, I'm sure your familiar with it, we represented most of that area for a long time, is the junk yard. The junk yard has extended itself on the paper street and is using the paper street for their own benefit and they have managed to junk up the whole neighborhood. I got them to clean it up for a while but it was like constant, I had to watch it, I was like the watch dog over there and what it is doing Mr. Chair is it is having a very negative effect upon the rest of the neighborhood because as you know there are some new homes there and most of them are occupied and there are cars all over the place as a result of it. Everybody is doing it, they are not supposed to be doing it because this problem is encouraging everyone to misbehave so what I wanted to do is I sent the police there a number of times to get them to clear off the paper street part and I sent Code Enforcement and Environmental over there to try then to get them to tidy it up a bit but without my watchful eye I'm afraid this is never going to be rectified. So that is the reason why I asked for the Engineering Department to look at it, to

keep it in good order the paper street that we as the City rightfully owns. These people have been taking advantage of it for a long time. There are two brothers there and they are very nice people but they just know that the city is not watching over it so they are just abusing it so that is why I asked for that and now I see we don't have the money for it but somebody's got to do something about it and now it's not my problem anymore, its yours so I tried to help you out.

CHAIRMAN HASSETT: Well, thank you.

COUNCILWOMAN DI RUZZO: We want to make the City a better place and particularly now when we have all those projects on going in that area. I mean I'm trying to improve the neighborhood and these people are taking advantage of making a mess out of it.

VICE-CHAIRWOMAN WILLIAMS: Mr. Chairman, is there any intention of wanting to make this, is it a thru street at all because we don't have a mp so it is hard to see. I'm just curious about whether or not it would be in the best interest of the City and the abutters to abandon it and have them buy it from the City and then they will take care of it.

COUNCILWOMAN DI RUZZO: I will consider that Mr. Chairman. I've thought of a number of ways to handle this and I don't think that is the right way to do it because I had continual complaints from the business people there. They want to make the neighborhood better and they cannot do it and if we decide to move in that direction they are really going to take advantage of us. Who is going to follow them when they go out of business, we don't know what is going to happen after that so I think we have to move in the direction of identifying what truly is ours because with the Eagle Square Project well on its way now and my new project, my 45 million dollar project, there are a lot of developers now interested in that area and someday I think it will probably extend down to Valley Street. I don't know but I think you should look into it.

CHAIRMAN HASSETT: It crosses over River Avenue, Prescott, right?

COUNCILWOMAN DI RUZZO: Yes, but I am going in the other direction to where all those business are. Yes it does cross over River Avenue but that was your area so I didn't take care of your area at that time but now this is your area. In fact I would like to see somebody go look at this.

CHAIRMAN HASSETT: Is that possible to do?

MAKRIM H. MEGALLI: I will be glad to look at it and report back to you one way or another.

CHAIRMAN HASSETT: Okay, if you could furnish that with a map too just for visual so we can get to look at it. Alright, any objection to just continue this until we get that.

On motion of Councilwoman DiRuzzo, seconded by Vice-Chairwoman Williams, it is voted to continue the foregoing resolution.

CHAIRMAN HASSETT: All those in favor.

COMMITTEE: Aye.

CHAIRMAN HASSETT: All those opposed.

Motion Carries

CHAIRMAN HASSETT: That is what we will do. We will have the Director come back with a map and some explanation as to perhaps what some of our options are now that it will be my headache and not Councilwoman DiRuzzo's.

COUNCILWOMAN DI RUZZO: No, but it is a good one.

CHAIRMAN HASSETT: It is.

COUNCILWOMAN ROMANO: Mr. Chair, if you go back to number seven the response for the abandonment right here it says Narragansett Electric Company has no facilities, they have it for Sedan Street this is wrong, this is Stanhope Street. They got this Sedan Street on this one so you may want to make the correction here.

VICE-CHAIRWOMAN WILLIAMS: There is no map but we should have a map for the Public Hearing.

COUNCILWOMAN ROMANO: A map for?

VICE-CHAIRWOMAN WILLIAMS: For the abandonment. Usually there is a map that accompanies it.

COUNCILWOMAN ROMANO: I thought there was one, yes there is I have it.

VICE-CHAIRWOMAN WILLIAMS: That is not a map, usually there is map that shows the streets.

MAKRIM H. MEGALLI: I was informed that there was no abandonment because of the fact that it does defeat the purpose of trying to reverse it so everything was stopped. If you desire I could prepare a map and I will be glad to continue but it is my understanding that you were going to check with the City Solicitor.

VICE-CHAIRWOMAN WILLIAMS: No, that is for Edgeworth Avenue, item number seven which we are talking about that's going to have a Public Hearing. Items two, six and seven will be having a Public Hearing on February 11th so we should have maps.

MAKRIM H. MEGALLI: I was speaking of Sedan Street.

COUNCILWOMAN ROMANO: No.

CHAIRMAN HASSETT: That is one of them.

MAKRIM H. MEGALLI: You are looking for?

COUNCILWOMAN ROMANO: Stanhope.

CHAIRMAN HASSETT: What we will need is a map of Stanhope Street as well as Fales Street and Bowditch Place.

VICE-CHAIRWOMAN WILLIAMS: We do have Fales.

MAKRIM H. MEGALLI: I will be happy to get you anything.

CHAIRMAN HASSETT: For those abandonments if you could just bring the maps with you just so that there are plenty in case we want to look at them. There is one thing we should say for the record to for Stanhope is from the Water

Board records indicate that there is an active six inch water main located within the right-of-way of the proposed street abandonment. This main must remain active. Providence Water has no objection to the street abandonment, provided that the petitioner grants a full utility easement to Providence Water to maintain, construct, repair, etc. The existing water main and its appurtenances and that no permanent construction, whatsoever, be allowed within the easement.

VICE-CHAIRWOMAN WILLIAMS: Mr. Chairman, I just wanted to mention and I had mentioned it to the Clerk that there is an item from Verizon regarding Thayer and Power Street, did you locate that Anna.

ANNA M. STETSON: No, I don't recall that.

VICE-CHAIRWOMAN WILLIAMS: It is a Brown University property and they are looking for an easement or an abandonment I'm not sure and I had gotten a call requesting that as soon as the Public Works Committee was reformed that they would be notified. They would like to be placed on the docket as soon as possible for the next meeting.

CHAIRMAN HASSETT: That is what?

VICE-CHAIRWOMAN WILLIAMS: It is Thayer and Power Street.

CHAIRMAN HASSETT: Okay. Any further business, okay I would entertain a motion to adjourn.

ADJOURNMENT: On motion of Vice-Chairwoman Williams, seconded by Councilman Segal, it is voted to adjourn the meeting at 6:30 o'clock P.M.


Second Deputy City Clerk


Assistant Clerk

