

DEPARTMENT OF CITY CLERK

CITY HALL

MAY 28, 1997

The Committee on Public Works meets this day at 6:00 o'clock P.M., in the Conference Room, Third Floor, City Hall.

PRESENT: Chairman Robert M. Clarkin, Vice-Chairman Joseph DeLuca and Councilman Ronald W. Allen.

ABSENT: Councilwoman Rita M. Williams and Councilwoman Balbina A. Young.

Also present are John D'Amico, Senior Assistant City Solicitor; Robert Mac Lean, Attorney; Councilwoman Carol A. Romano; Captain Charles J. Deitrick, Salvation Army; Ferdinand Ihenacho, Director of Public Works; Barbara A. Poirier, Second Deputy City Clerk and Sheri A. Petronio, Assistant Clerk.

**PETITION TO ABANDON A PORTION OF ACORN STREET.**

CHAIRMAN CLARKIN: Has the clerk received anything from Public Works.

BARBARA A. POIRIER: John did the reviewing.

JOHN D'AMICO: Mr. Chairman, the council person at that location has written a letter in favor of the proposed abandonment. Both Police and Fire have no objection, Public Works requires a full sewer easement, no objection by Superintendent of Parks, easements are required by Narragansett Electric, NYNEX and neither Narragansett Bay nor The Gas Company have an objection. The City Plan Commission has indicated that they are requesting that the lots be merged with the existing lots and that has to be done pursuant to the City Development Review Regulations in section 705 of the Zoning Ordinance. It was unclear to me whether or not the proposal for this land indicated whether or not it was going to be developed. Finally the Water Supply Board has indicated that there is a \$750.00 capping fee because they are going to be terminating service to that portion of Acorn Street and they do not, however, require an easement as I understand it and the letter from the Water Supply Board though is rather lengthy. Finally there are approximately 3,160 square feet of land and the estimated price is \$1.60 per square foot for a total of \$5,100.00.

CHAIRMAN CLARKIN: The councilman up there has spoken to me and he is in favor of it so that makes a big difference. It seems like there is no opposition except for the easements.

COUNCILMAN ALLEN: John can we draft a document that will satisfy the concerns of the easements issued in terms of NYNEX, Narragansett Electric, Gas Company and the Narragansett Bay Commission.

JOHN D'AMICO: Usually what we have done is the form of the resolution for the council would be that the abandonment would be conditioned upon an exchange of an easement satisfactory to the utility company. Additionally, we do not have a letter from Irene Testa over at Traffic Engineering but that is also conditioned that we can put in if the committee would so disposed that it would be conditioned upon receipt of a letter from the Traffic Engineer indicating that there was no objection or incorporating any objection she might have.

COUNCILMAN DE LUCA: Is there any issue of an abutting property owner?

JOHN D'AMICO: I don't think so, I think on Acorn Street they are both the same people.

COUNCILMAN DE LUCA: Mr. Chairman, I would like to make a motion to move passage of this petition with the conditions set forth by the City Solicitor's Office.

On motion of Councilman DeLuca, seconded by Councilman Allen, it is voted to approve the foregoing petition.

CHAIRMAN CLARKIN: All those in favor.

COMMITTEE: Aye.

CHAIRMAN CLARKIN: All those opposed.

#### **PETITION TO ABANDON A PORTION OF CYREL COURT.**

CHAIRMAN CLARKIN: Do we have all the letters in, do we have any opposition?

JOHN D'AMICO: We have the letters and there is no objection from the Gas Company, Narragansett Bay Commission, both NYNEX and Narragansett Electric would require an easement, Traffic Engineering has no objection, Superintendent of Parks has no objection, there is no sewer easement required and there is no objection, Fire and Police have no objection, Water Supply Board opposes the abandonment.

CHAIRMAN CLARKIN: Why did they oppose it?

JOHN D'AMICO: Again, in a relatively likely letter it has got to do with the configuration of the lots. Let me show the committee the diagram, this is the lot sketch. Additionally, I have a question. At one point the petitioners indicate

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that they are contemplating development and then there is I believe a letter from their representative that indicates that they assume that there is going to be development is speculative. The City Plan Commission has indicated and their letter is somewhat lengthy is that evidently with this petition there is a conditional grant of zoning or something in that vain but before the zoning is fully granted they were required to apply for an abandonment of this particular area. The City Plan Commission would ask that we require that they comply with sections 409 and 410 of the Zoning Ordinance and that there is full compliance with the conditions of the Zoning Board and with the report of the City Plan Commission. Those are things like planting of a hedge, paving surfaces pursuant to 705.4 and they have to erect a tight board fence. Additionally, there are 7,650 square feet on this particular proposed abandonment and the estimated price is \$2.50 a square foot for a total of \$19,125.00. There is some indication of a right-of-way to remain and it is brought up that there is a Myron Wolf as an abutter who owns a section which ends up abutting on Cyrel Court. Now, the question that the Chair asked has to do with the objections by the Water Supply Board. One, they note that it is not a paper street and I have not seen this one but it is not a paper street as indicated in the petition that in fact it is a paved right-of-way. In petition item number three this is Syl Pauley's letter and he is writing that in petition item number three referencing the petition filed by the applicants it is stated that the petitioners "intend to reserve all access rights to lots abutting said Cyrel Court owned by said petitioners so that street access will be permitted for development if any regarding said lots owned by your petitioners." And goes on to say "Your petitioners will provide a legal right-of-way to said lots should same be developed."

CHAIRMAN CLARKIN: It is my understanding at the hearing that these lots were all owned by one person except for 447 which is the one that they want the access to, the want the right-of-way so that they can get to their back yard if they wanted to. My understanding was that this was going to be allowed that they would have the access to the back and all the other lots abutting this is owned by the same person. If they don't want to build on it that is their problem, in my opinion I don't care and if they don't want to build lot 396 or 528 that is their problem. So I don't understand about the Water Supply Board outside of saying that they have to get underneath there then.

JOHN D'AMICO: Like I said the letter from Water Supply Board is rather lengthy. He talks about convenient mail delivery, refuse collection and any other

services that will travel on public streets. If the five previously mentioned lots which are 396, 523, 524, 525 and 528 were to be sold or built upon by the current owners, each lot will require its own water service connected to the Manton Avenue main. In the case of the same owner, the Water Supply Board will not allow the extension of water service from an existing building that they own to cross property lines to another structure that they own or plan to build so they are saying that they have separate services. If you have a separate service so many closely spaced taps along a short section of water pipe located in the nearest public street it creates potential for premature failure of a section of the Manton Avenue main. Further more, sewer laterals from each lot to Manton Avenue in lieu of the installation of a single collector pipe in Cyrel Court will further complicate installation of water services if the street abandonment is approved.

CHAIRMAN CLARKIN: But if Cyrel Court is abandoned with the same easements that we give for every other thing and say the Water Supply Board has a right to go down there what is the difference?

JOHN D'AMICO: Because Water Supply Board has a four inch cast iron main originally installed in 1924 which is no longer in use and is probably unfit for use. No water main exists in the street.

CHAIRMAN CLARKIN: So here is a man that owns this property and he wants to do whatever he wants to do which is legal and he wants to be able to do it and my intention is if he wants to sell it and develop it he has a problem. It is his problem after we go along with it not ours. If he is willing to take this on speculation that is his problem.

COUNCILMAN ALLEN: Mr. Chairman, it seems to me like this gentlemen owns this property and the problem is not with the property it is with the sewer and the lines of the Water Supply Board. I mean if we don't do anything with the street and he wants to develop it there has still got to be some mechanism to get water from wherever to the property. So the problem doesn't seem to be with the property, the problem is with the water system that is there. The piping whether it is cast iron or big enough the problem is with the sewer line and whether we do anything with this street or not it seems to me if he is going to develop it then that problem is going to exist no matter what we do with the street as long as the proper easements are there.

JOHN D'AMICO: I am not an engineer but what it seems to me to be is that if there is development first of all these are fair warnings in the event that

somebody gets it but if there is development you are right that there is some impediments to development that will prove more costly than usual.

COUNCILMAN DE LUCA: To address this development issue let's be realistic because the back of this property looks like Beirut, I am talking about those little streets there in the back which are Capron, Bodine and Putnam. I mean talking about developments they should be developed but we are not talking about Western Cranston where it probably will be. We are talking about an area that we hope would be but more than likely not so I don't think that is a major issue and the other issue raised by the Water Supply Board is that of ability to supply enough water to a condensed development like that. Across the street is the Atlantic Mill Factory and they are not being utilized at this point and if the Water Supply Board was able to take care of that earlier on in the thirties when you had two hundred fifty thousand people in the city, I don't think having enough water is an issue.

JOHN D'AMICO: Let me tell you again. Police and Fire have no objection, Public Works no objection and no sewer easement, Water Supply Board opposes the abandonment for the reasons that I explicated. No objection from Parks and Traffic Engineering, Electric and NYNEX require easements, Gas and Narragansett Bay have no objection, City Plan Commission indicated those restrictions that we talked about with respect to zoning and side yard construction and it is 7,650 square feet at \$2.50 a square foot for a total of \$19,125.00 and there would have to be some condition for that right-of-way. I frankly did not recall that conversation so I will have to look at the minutes to see how that works out.

COUNCILMAN DE LUCA: Question through the Chair. Robert there is discussion about the conditions by the Planning Commission regarding some greenery and fencing. Are you familiar with this issue?

ROBERT MAC LEAN: Yes, very familiar.

COUNCILMAN DE LUCA: Is there a problem with this.

ROBERT MAC LEAN: No, there is no problem. We agree with Zoning, the Planning Commission and we agree with Mr. Mryon.

COUNCILMAN DE LUCA: The right-of-way issue, is there any problem with giving that lot you don't own?

ROBERT MAC LEAN: The agreement was part of the Plan Commissions decision.

COUNCILMAN DE LUCA: So you have no issues and you are willing to except under these conditions.

ROBERT MAC LEAN: Yes.

COUNCILMAN DE LUCA: Mr. Chairman, at this point we have from time to time set prices anywhere from \$3.50 to 50 cents depending on the geography or the conditions. If the previous item on the agenda that we dealt with was a value of \$1.60 and I see this as a lesser value area than it is on the Acorn Street portion which I expected to be higher so I am going to make a motion that based on the previous conditions that we spoke about that comply with the commitments made to the Planning Board. Easements for the phone and Electric Company. The right-of-way issue that we set a price figure of \$1.60 a square foot for this 7,650 foot square parcel and whatever figure that comes out to be that will be the selling price. Under those conditions I move passage.

On motion of Councilman DeLuca, seconded by Councilman Allen, it is voted to approve the foregoing petition.

CHAIRMAN CLARKIN: All those in favor.

COMMITTEE: Aye.

CHAIRMAN CLARKIN: All those opposed.

**PETITION TO ABANDON A PORTION OF HEBRON AND GAINER STREETS.**

JOHN D'AMICO: There is no objection from Police, Fire, Public Works, Water Supply Board, Superintendent of Parks, Traffic Engineering, Narragansett Electric and NYNEX. There has been gas installation in a new building on Hebron Street or Gainer Street and they just couldn't fix where it is so they don't care if it is abandoned as long as it is not in front of the building. So I think realistically I will just have to either talk with the Gas Company or go by and get a fix on where it is because they don't care if there is no service there. No objection from Narragansett Bay, City Plan Commission approves it, the Department of Public Works estimated the square feet at 912 square feet plus or minus and the estimated value is \$1.25 a square foot and somebody else did the multiplication and came up with \$1,140.00.

COUNCILWOMAN ROMANO: I have no objection.

COUNCILMAN ALLEN: Move passage with the appropriate supporting documents.

On motion of Councilman Allen, seconded by Councilman DeLuca, it is voted to approve the foregoing petition.

CHAIRMAN CLARKIN: All those in favor.

COMMITTEE: Aye.

CHAIRMAN CLARKIN: All those opposed.

**PETITION TO ABANDON A TRIANGULAR PORTION OF LAND  
AT THE INTERSECTION OF BROAD AND HAYWARD STREETS.**

CHAIRMAN CLARKIN: This is the Salvation Army.

JOHN D'AMICO: No objection from Police and Fire, no objection and no sewer easements from Public Works, no objection from Superintendent of Parks. I did not see a letter from Traffic Engineer or Narragansett Electric on this one so depending on what the committee does if we want to pass it we could pass it subject to receiving those letters with no objection. Providence Gas needs an easement, NYNEX does not need an easement they have no objection, Narragansett Bay does not have an objection, City Plan Commission approves it. There is a letter from the council person in that area and she expresses her favor for the proposal. The square footage is 1,705 and the estimated value was 50 cents for a total of \$852.00. Now what I want to point is this at one point was in front of the City Property Committee and I just want the committee to be aware that there is an estimated value from the City Assessor for this land of \$2,500.00 because I guess the request had made Chairman Lombardi as to the value and the response was for \$2,500.00.

CHAIRMAN CLARKIN: That is before the next revaluation.

JOHN D'AMICO: Water Supply Board requires an easement but there is a letter just so the committee is informed. They do not request an easement but this is what they say. The petitioner had talked about the construction of a playground and there is a six inch water main under the proposed area for abandonment under that triangle. Usually Water Supply Board requires a twenty four hour access and no erection of permanent or semi-permanent structures. Taking all of this into consideration any playground equipment would have to be carefully located so it is not to impact the easement. If the petitioner desires full unrestricted use of the land, Water Supply Board would allow the relocation of the water main out from under the triangle and into Hayward right-of-way but of course and it has been the practice in the past is that the petitioner would be required to pay for that.

CHAIRMAN CLARKIN: Well we can pass it with the stipulation if they want it that way then it is up to them.

JOHN D'AMICO: With the easement.

CHAIRMAN CLARKIN: If I was him I would leave it there and don't worry about the easement.

CAPTAIN CHARLES J. DEITRICK: We are not putting permanent equipment in there because the area is not big enough.

JOHN D'AMICO: So it would subject to an easement or a relocation and the committee has done that in the past. The square footage is 1,705 and the estimated value is 50 cents a square and they have a total of \$852.00 and that is the usual request that you folks get and there is, however, that letter from the City Assessor indicating that it is a price of \$2,500.00.

COUNCILMAN DE LUCA: We mentioned this in City Property because they are a non-profit organization and we would take that into consideration and set the price at 50 cents a square foot. So I move passage with the stipulation that the equipment that is put there that and easement stays with the Water Supply Board.

On motion of Councilman DeLuca, seconded by Councilman Allen, it is voted to approve the foregoing petition.

CHAIRMAN CLARKIN: All those in favor.

COMMITTEE: Aye.

CHAIRMAN CLARKIN: All those opposed.

**PETITION TO ABANDON A PORTION OF CHALKSTONE AVENUE.**

JOHN D'AMICO: There is no objection from Police and Fire, Public Works has no objection and requires no easements, Water Supply Board has an eight inch and twenty four inch mains so that they would require an easement, Parks has no objection, the City Plan Commission has requested that you deny the petition and the rational is that the petitioner did not appear when requested. There were other conditions that easements were required on certain landscaping and tree plantings and this letter is from January 25, 1996. Petitioner must seek an appropriate variance from Zoning Board of Review because they inquired it to what the plan was. I do don't know if they have had conversation with Director Ihenacho. Here is another letter from City Plan Commission which requires a variance and be abandoned subject to the following conditions. Landscape strip of evergreen plantings section 705.7. Appropriate variance from Zoning Board and all required easements so they changed it they are not opposed to it, they say conditioned upon that. The appraisal is for 55 cents per square foot and there are 4,171.8 for a total of \$2,300.00 is what they have here and that is as of April 4, 1997. There is an earlier appraisal of 75 cents a square foot for a total of \$3,100.00 and I don't know if that is because there is a difference in an easement, I



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don't know what the reason is. Traffic Engineering has no objection, Narragansett Electric would require an easement, NYNEX would require an easement, Gas Company requires and easement, Narragansett Bay has no objection. This is the lot where there was an installation of a fence.

FERDINAND IHENACHO: Honorable Chairman and members of the committee, we have received a few complaints of parking on the sidewalk in that vicinity and it is a auto body shop so that is why the Fire Department required the trees to shade and to make sure the place looks in good shape. So I think if this committee could some way put in there don't park on the sidewalk or make sure the place is clean, I think that would be enough.

CHAIRMAN CLARKIN: That is very difficult for us to put in to ask someone to keep it clean because parking on the sidewalk is really a police matter and by right they should be towing them but the trees and the other stuff does seem to be a true stipulation, they have a right to do that.

COUNCILMAN DE LUCA: Mr. Chairman, at this point I would like to move passage of this petition to close this portion of Chalkstone Avenue with the previous said price of last April being 55 cents a square foot for 4,171.8 square feet with the various conditions and easements that the City Solicitor stipulated and further more that the petitioner comply with the plan that he has agreed to with the Planning Commission regarding shrubs, trees, fencing, etc.

On motion of Councilman DeLuca, seconded by Councilman Allen, it is voted to approve the foregoing petition.

CHAIRMAN CLARKIN: All those in favor.

COMMITTEE: Aye.

CHAIRMAN CLARKIN: All those opposed.

**PETITION OF PAUL PINAULT, P.E., EXECUTIVE DIRECTOR,  
NARRAGANSETT BAY COMMISSION DATED MARCH 26, 1996,  
REQUESTING PERMISSION FOR AN EASEMENT WITHIN THE  
PUBLIC RIGHT-OF-WAY ON MANTON AVENUE IN THE  
VICINITY OF THE BRIDGE CROSSING THE  
WOONASQUATUCKET RIVER.**

JOHN D'AMICO: There is an amended petition filed and a review of the file indicates that Traffic Engineering, Water Supply Board and Gas Company have no objection. Narragansett Electric indicates that minimum clearances from overhead wires required by OSHA must be maintained so the construction would have to account for that. Inspection and Standards replied indicating that this does not come under their jurisdiction and also that interceptors and sewers are exempt

from zoning. It really should be subject to an agreement between NYNEX and the petitioner during the construction phase because they talk about the new sewer line that will cross beneath a conduit system that they have and that it will require protection.

FERDINAND IHENACHO: We have no objection to it.

JOHN D'AMICO: So your not asking for an easement here?

FERDINAND IHENACHO: No, we are not.

CHAIRMAN CLARKIN: So the only easement basically was the electrical lines, they want to make sure that they are high enough.

JOHN D'AMICO: I don't have anything from the Plan Commission because they are exempt and I don't have anything from City Planning.

BARBARA A. POIRIER: Do you want me to get that?

JOHN D'AMICO: I don't know if they are going to give you a price because it is really an easement.

CHAIRMAN CLARKIN: Then we can throw it in with the stipulations received then?

COUNCILMAN DE LUCA: Mr. Chairman, this is a long drawn out deal and initially it was going to be closer to the bridge than it was moved down a poles length. I was at first concerned because it looked like a description of three feet wide but it is three feet tall and rather narrow, it is really a little box. It is really insignificant because it is not going to bother any part of the public right-of-way and it is only an easement so they can have their control box there and I don't see it as a complicated issue.

On motion of Councilman DeLuca, seconded by Councilman Allen, it is voted to approve the foregoing petition.

CHAIRMAN CLARKIN: All those in favor.

COMMITTEE: Aye.

CHAIRMAN CLARKIN: All those opposed.

**RESOLUTION REQUESTING THE TRAFFIC ENGINEER TO  
CAUSE THE INSTALLATION OF A "SLOW CHILDREN" SIGN IN  
FRONT OF 25 HARMONY DRIVE.**

BARBARA A. POIRIER: No objection.

On motion of Councilman Allen, seconded by Councilman DeLuca, it is voted to approve the foregoing resolution.

CHAIRMAN CLARKIN: All those in favor.

COMMITTEE: Aye.

CHAIRMAN CLARKIN: All those opposed.

**RESOLUTION REQUESTING THE TRAFFIC ENGINEER TO ESTABLISH HARMONY DRIVE FROM FREEDOM ROAD TO CHALKSTONE AVENUE AS A ONE-WAY STREET.**

BARBARA A. POIRIER: No objection.

On motion of Councilman Allen, seconded by Councilman DeLuca, it is voted to approve the foregoing resolution.

CHAIRMAN CLARKIN: All those in favor.

COMMITTEE: Aye.

CHAIRMAN CLARKIN: All those opposed.

**AN ORDINANCE WITH RESPECT TO STREET OPENINGS.**

JOHN D'AMICO: If I could just have a moment. I didn't anticipate passage at all, actually what I wanted to know if there were any questions that I would be able to answer now. I will be brief but let me tell you what has happened in the interim is that Jerry Florio and Director Ihenacho has meet with folks from utilities commissions and the public contractors and other people who are interested in this and it was a frank yet cordial exchange. They had some concerns that I think were valid and I have attempted to make some of those changes in the document, they really have to do with tense and things like that. Also, we focused on the idea that what we wanted to do was have the person seeking the application be responsible and there is no magic to that. What we want to do is for the most part is these permits for the street and sidewalk excavations are sort by utility companies and some other individuals. If you have changes in contracting you have difficulty in enforcing it. Yes they are bonded but we are not looking for lawsuits and bonding, we are looking to get the streets paved correctly so we are trying to make the permittee the owner of whoever is putting anything in the street or doing the excavation if it is abutting that side. The fees are there and they are relatively modest increases I suspect when you consider that the last time they were done was between 1972 and 1975.

COUNCILMAN DE LUCA: John, one issue that came about regarding the size of the patch that they put back, is that addressed in here anywhere?

JOHN D'AMICO: Well, yes and no. In conjunction with this Ordinance we have the departmental rules and regulations that I believe you have and if you don't we will mail them out tomorrow, right?

FERDINAND IHENACHO: We could yes but there are minor changes we agreed to do with the utility contractors.

JOHN D'AMICO: Now in those regulations what we are doing is they are still retaining the cut back. If you want a two foot hole you don't open it two feet, you open it three feet all around because it makes the paving stronger.

CHAIRMAN CLARKIN: What you mean is you can get the three feet but you only cut the hole two feet because the asphalt is cut out a little farther.

JOHN D'AMICO: That is right, it is a foot cut back from each side. The other thing is what seems to be the biggest complaint to both the Mayor's Office and to the council people is when you ride along the street you ride over what they call key hole cuts and those are primarily made by the Gas Company because that is how they do the investigation on older mains. They have been very cooperative with this because we have indicated this is the problem. We had originally said that they would not do key hole cuts, we will allow them under the present proposal to do key hole cuts but they have to repave it as if it is a trench and the only one that comes to mind is on Smith Street and I know they did some on Charles Street.

COUNCILMAN DE LUCA: Also on Petteys Avenue which is a brand new road which must have had about twenty cuts two feet by two feet all the way down. With something like that they would do the hole street.

JOHN D'AMICO: What our plan is is that we are going to be measuring from six inches before the earliest to six inches behind the last cut and our plan is to get them to pave the entire section. No your not going to get a new street again?

COUNCILMAN DE LUCA: I understand that but how far out?

JOHN D'AMICO: Well there are regulations. If the cut is within two feet of the curb they pave from the outside of the cut to the curb and if it is more than twenty four inches from the curb it is the foot around but it will be all the way up.

COUNCILMAN ALLEN: I go down some streets and there is one long strip.

JOHN D'AMICO: That is from fiber optics and that is what gave rise to all of this review.

COUNCILMAN ALLEN: Camp Street and some of the streets up through there.

FERDINAND IHENACHO: Camp Street is the Gas Company and fiber optics. Both of them went in there one after the other.

COUNCILMAN ALLEN: The councilman from that ward which is Councilman Jackson, he had some concern about that. Just recently we were talking about fee schedules and I don't know if that is accurate or not. It seems like we starting talking about this six months ago and all of a sudden it is all over the place and it doesn't seem like you talk about the integrity of the street and it doesn't seem like the integrity of the streets were honored.

JOHN D'AMICO: Well, I don't want to speak about anything in particular but one of the things that we talked about is the infra-red patches. Now the infra-red patching is also the patching that I think they are doing there. If it is Brooks Optic what they are doing is you may be seeing the temporary patch because the patches at the Post Office are not that good if it is them too. The patch that they did is also the patch that runs across the street next to the Welfare Building. Now that is an infra-red patch so you will get that kind of patch. We do not have a scheme that says that you will no get a long patch if that is what the councilman is asking.

CHAIRMAN CLARKIN: As long as the patch is done right.

COUNCILMAN ALLEN: We had some discussion about re-doing the fee schedule.

JOHN D'AMICO: That is only excavating the road.

COUNCILMAN DE LUCA: Where are the regulations as far as re-paving it.

FERDINAND IHENACHO: You will have those within a week.

JOHN D'AMICO: They can have the draft earlier.

COUNCILMAN DE LUCA: The original discussion on this issue is that they pave from the middle of the street over. So I would like to review those regulations.

JOHN D'AMICO: We meet and it is the Directors sense that if you should see the scheme of aged streets in the city that they will be publishing a list so that they know the work in advance. So for example say any street our plan is that if they know it is going to be paved next year and say it is ten or fifteen years old it is going to cost them a quarter a square foot. If they put the new paving down it cost them a dollar a square foot to open it up so what we hope to do is get them in while the street is older then once you repave it you don't have that discretionary cut. Now that means the Gas Company is still going to have go in to do emergencies and Water Supply Board is also going to go in. But you are not going to get capital improvement that opens the street up for an extended period of

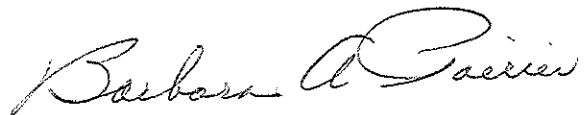
time. The other thing that we were thinking about doing because I had spoken with Irene Testa is put in a nominal fee whenever you close any part of the road like a traffic impact fee. Now that is around I mean Fred had heard about traffic impact fees earlier when we were doing the original research on this. I did not anticipate any committee action on this it is just that I wanted to answer as many questions as I could.

CHAIRMAN CLARKIN: I don't have any questions but I do want to put this letter from the Gas Company in the record. Fred do you have a copy of that recommendation?

FERDINAND IHENACHO: Yes I do.

CHAIRMAN CLARKIN: I am going to try to contact you myself this week and if not sometime maybe the beginning of next week and we will talk about this.

**ADJOURNMENT:** On motion of Councilman DeLuca, seconded by Councilman Allen, it is voted to adjourn the meeting at 7:00 o'clock P.M.

  
SECOND DEPUTY CITY CLERK

  
Assistant Clerk