

1 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

2
3 PROCEEDINGS AT:

4 Providence City Hall
5 City of Providence

ORIGINAL

6
7 IN RE: Committee on Public Works
8 Public Hearing

9
10 DATE: Tuesday, October 21, 2003
11 TIME: 6:00 P.M.
12 PLACE: Providence City Hall
13 25 Dorrance Street
14 Providence, RI

15 BEFORE:

16 Terrence M. Hassett, Chairman
17 Rita Williams, Councilwoman

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21 ALLIED COURT REPORTERS, INC.
22 115 PHENIX AVENUE
23 CRANSTON, RI 02920
24 (401) 946-5500.

1 (TUESDAY, OCTOBER 21, 2003)

2 CHAIRMAN HASSETT: The public hearing
3 for the Committee on Public Works will come to
4 order. We have several items. I am Councilman
5 Hasset. I am chair of the Committee on Public
6 Works. We are waiting for some of the committee
7 members who have not yet arrived who will be
8 meeting in the committee on the rise of this
9 public hearing committee. We do not need a
10 quorum to conduct the public hearing.

11 Initially, there will be no votes taken for
12 the public hearing, only public comments for
13 testimony for the prospective parties in favor or
14 against, and we do give some latitude. We would
15 appreciate it if you can and certainly we don't
16 want to curtail anyone's comments.

17 The first item on the agenda is a resolution
18 requesting abandonment of that paper portion of
19 Milo Street located on Assessor's Plat 115, Lot
20 214 and also a portion of the abutting Assessor's
21 Plat 115, Lot 215 on the Stanfield Street side.
22 Are there parties that are associated with this?
23 Would you like to come forward, and I think we
24 have a sign-up sheet.

1 At this time if there is anyone who is going
2 to be testifying, I would ask you to please come
3 up and sign the sheet. There are two sheets.
4 One is in favor, and one is in opposition. I ask
5 you to sign the appropriate sheet and we will
6 announce your name. Just come forward for your
7 testimony.

8 Our first person to testify is opponent
9 Raymond Caraara, 323 Killingly Street,
10 Providence. Last name spelled C-A-R-A-A-R-A.

11 MR. CARAARA: Sir, the thing about
12 that piece of land, we know that it's a paper
13 street, and it hasn't been paved or anything as
14 of yet but there are houses that are being built
15 on the street as of now, and if they take and
16 they cut off Milo Street so it becomes a dead
17 end, we no longer have the ability to have fire
18 trucks, snow plows, police; and furthermore, the
19 sewer runs underneath that piece of property that
20 goes all the way down Milo Street. If the sewers
21 go all the way down to the end of it and they buy
22 that piece of land or they abandon that piece of
23 land, the city does, then we're in trouble
24 because of the fact that supposing some day

1 someone wants to take or something happens to the
2 sewerage, how are they going to get to the
3 sewerage?

4 And, also, the City of Providence wants to
5 sell the lot to some, I mean, unknown person. I
6 should think if they were going to do something
7 like this here then there should be some kind of
8 a contingency in the selling of the property that
9 would pertain to the City of Providence being
10 able to go on the land at any time to dig up the
11 sewerage and await for fire department to get in
12 there and turn around and snow plows to get in
13 there and turn around.

14 That is what I've got to say. I don't think
15 it's feasible, myself personally or anyone else
16 around there that I have talked to really wants
17 the street to become a dead end street. I know
18 there were some easements granting for sewage and
19 utilities and so forth, so that might be a
20 problem. There would be utilities involved
21 because sewerage is in utilities.

22 CHAIRMAN HASSETT: Okay. Thank you,
23 Mr. Caraara.

24 MR. CARAARA: Thank you.

1 CHAIRMAN HASSETT: The next person to
2 testify is John Motado, 8 Eugene Street,
3 Providence.

4 MR. MOTADO: That's right.

5 CHAIRMAN HASSETT: Speak up into the
6 microphone.

7 MR. MOTADO: The same as he was
8 saying, I can't have in excess of two lots,
9 they're on that street. They want to sell the
10 street, the paper street, to the tenants next
11 door. If he buys it, I can't even get in to get
12 into my lots. I want to keep it clean and even
13 if they block that off like he was saying, Ray
14 was saying, the fire trucks can't even turn
15 around and everything because they're going to
16 build the house. There's eventually -- that's
17 about it. I can't get in. They block the other
18 side.

19 As John, Councilman John Igliazzi said, they
20 will open the other side of the street in the
21 spring time, and I can't get in there to keep the
22 property clean.

23 CHAIRMAN HASSETT: Okay, all the
24 things you mentioned, we'll definitely check to

1 make sure everything is --

2 MR. MOTADO: I want to get back
3 access to the lot so I can keep it clean.

4 CHAIRMAN HASSETT: Thank you.

5 MR. MOTADO: That's it.

6 CHAIRMAN HASSETT: Thank you,
7 Mr. Motado. Are there any proponents for Milo
8 Street? Okay, the next item on the agenda is a
9 petition from Carl S. Levin, Esquire, Calenda &
10 Iacoi, Ltd., requesting permission to abandon a
11 portion of Bassi Lane. If there are proponents
12 and opponents, I would ask you to please see the
13 clerk so you can sign up on the sheet. If there
14 are persons who are here for other matters for or
15 against, please see the clerk so you can sign up
16 as a proponent or an opponent. That will save us
17 some time.

18 (BRIEF PAUSE FOR SIGNING IN)

19 COUNCILMAN HASSETT: Has everyone signed
20 up for their prospective positions on all the
21 items? Item two, we have three proponents, first
22 is James Iacoi, 171 Broadway, Providence, Rhode
23 Island. You can step up to the microphone
24 please. Hold it close to your mouth.

1 MR. IACOI: Sure. Okay,

2 Mr. Chairman, I am one of the principals of the
3 law firm that Carl Levin works at. He was unable
4 to attend so I am here in his absence. I am here
5 on behalf of David Lafredo who's my client and
6 Attorney David Spinell and I am here on behalf of
7 his client, St. Thomas Church. The purpose of
8 our meeting tonight is simply to declare or ask
9 your board to declare as abandonment of Bassi
10 Lane which has already been approved by the
11 planning commission on March 18 of 2003, and I
12 also want to properly reflect that we are jointly
13 applying for the position. Half of the petition
14 is of a concern for the church and half is for my
15 clients. The purpose is to simply protect the
16 abutting lots of each other.

17 We had approached Mr. Floriano who determined
18 the value of the property in question, and we
19 objected to that value, and it has been brought
20 to my attention, it has been determined that we
21 have come to an agreement as to the dollar amount
22 of the property in question, and we together do
23 not object to that at all. So it's my opinion
24 that it was \$125,000 for the abandonment.

1 CHAIRMAN HASSETT: The committee will
2 resolve that.

3 MR. IACOI: Yes, they will resolve
4 that.

5 CHAIRMAN HASSETT: Next, can you
6 state your name.

7 MR. OTTER: Francis K. Otter, and I
8 am the pastor of St. Thomas parish. Bassi Lane
9 abuts our school yard where our parish school is
10 so that really by our acquiring half of Bassi
11 Lane, it would really protect the children and be
12 a security issue for our play yard to keep that
13 as a buffer, and also as Bassi Lane goes down, it
14 would also provide us with some excess parking as
15 well.

16 So these are really the two main areas the
17 church is looking at, security of the children
18 and potential parking for the church.

19 CHAIRMAN HASSETT: Thank you. Next
20 is Attorney David Spinnelo.

21 MR. SPINNELO: Mr. Chairman, I think
22 everything that's been said has been said.

23 CHAIRMAN HASSETT: Thank you. You
24 are a proponent? Thank you.

1 MR. SPINNELO: Thank you.

2 CHAIRMAN HASSETT: Thank you for
3 coming out. Item three, petition from Keith
4 Cullen, Project Manager, Providence Biltmore
5 Hotel, requesting permission to abandon public
6 lands located in front of the main entrance to
7 the hotel on Dorrance Street. Do we have
8 proponents or opponents that have signed up?
9 John McCaffrey, he is opponent.

10 MR. MCCAFFREY: Mr. Chairman and Vice
11 Chairman, my name is John McCaffrey, I live at 56
12 Chalker Street in Providence, Rhode Island. I am
13 against. Now you told me exactly what piece of
14 property the Biltmore wants, the islands where
15 the flags are in. Tell me exactly what they
16 want, please. Do they want part of the park?
17 What do they want, public land?

18 CHAIRMAN HASSETT: Is there someone
19 here from the Providence Biltmore? For purpose
20 of the testimony, there won't be, excuse me,
21 there will not be questions and answers, just
22 state what your opposition is.

23 MR. MCCAFFREY: I want to express in
24 the City of Providence we have been tooling

1 abandoned property in Downtown Providence. We
2 abandoned the building where Johnson & Wales is
3 now. We let it go for a song. All right, look
4 what it cost the taxpayers, where they wanted to
5 build a complex. They had to pay twice as much.
6 The idea is if we're going to I would say abandon
7 into land in front of the Biltmore, we have had a
8 recent bad RIPTA accident right there and that
9 should be warning enough. The island that's
10 there with the flags, is that city property? I
11 think it is.

12 I see what they want to do, well, you know,
13 you should have something here before the meeting
14 so people can study it in detail. It doesn't
15 give me a chance to study it on a small piece of
16 paper in the newspaper like this here, see, but I
17 am opposed to giving anymore downtown land away
18 to people or selling it outright.

19 The thing is, imagine now when the RIPTA bus
20 had the accident, it could have been worse. What
21 do they want that land for? There's no more
22 land. Are they going to tear down the hotel to
23 make more land? We have been good enough to the
24 Biltmore when they needed a two-million dollar

1 loan. The City of Providence gave it to the
2 journal to keep the Biltmore from going under.
3 But when the City of Providence goes under and it
4 becomes, like, insolvent or has to raise high
5 taxes, we don't hear from these kinds of people
6 wanting to put their hand out, only to certain
7 individuals who do favors for them in the city.

8 That's what we're getting at, and another
9 thing too while I am here on Public Works, the
10 Providence fire and police station should have
11 been boarded up right away by the Department of
12 Public Works, and the acting director of public
13 property, he shouldn't be in that position
14 anymore. When he first took that job, he never
15 had the correct qualifications. I am just
16 bringing that up.

17 CHAIRMAN HASSETT: Mr. McCaffrey, we
18 have to take to the issue.

19 MR. MCCAFFREY: I am showing you
20 where the city is negligent in taking care of
21 their properties. You got a piece of property
22 now, you want to give it to the Biltmore, I say
23 no.

24 CHAIRMAN HASSETT: Okay. Thank you.

1 Next person is Jena Carlin, 191 Power Street.

2 MS. CARLIN: Good evening, Chairman
3 Hassett and members of the city council, my name
4 is Jena Carlin. As stated, I live at 191 Power
5 Street, and I am also a representative for Local
6 217 which represents the workers at the Biltmore
7 Hotel. I am here tonight because I have a couple
8 of questions regarding this proposal by the
9 hotel.

10 First, does this proposal and will it allow
11 the public the right to walk along the sidewalk
12 on Dorrance Street in front of the hotel or will
13 it require the public to walk across the street
14 instead of in front of the hotel where the public
15 now has the right to currently walk?

16 Clearly, the bottom line here is pretty
17 obvious where I am going, is if the sidewalk is
18 abandoned and no longer public property and
19 instead is private property, will the public
20 continue to have a right to walk there?

21 That's obviously a big issue. I mean it's
22 pretty obvious what has been happening recently.
23 The sidewalk has been slightly blocked because of
24 construction the hotel is doing, and it's clearly

1 created some public safety issues with people
2 walking in the street. It just doesn't -- I
3 think it's an example of what might happen would
4 this proposal be accepted or to move out of the
5 Public Works Committee, I guess, and I guess I
6 also have one further question about this, and it
7 seems to me it wouldn't be right for the city to
8 agree to give away public land when the hotel
9 itself is delinquent in its taxes.

10 We have discovered that the most recent
11 records from the Providence tax assessor's office
12 show that the Biltmore has an unpaid balance for
13 the last year of over \$250,000 in taxes and
14 approximately this year to date. For this
15 quarter it still owes approximately \$27,000 in
16 unpaid taxes so that's obviously a concern for
17 the city. Thank you very much.

18 CHAIRMAN HASSETT: Thank you. Are
19 there any proponents? There are none. We will
20 move on to item four, petition from Arrow
21 Holdings, LLC, requesting permission to abandon
22 Corsica Street. We have one proponent, John
23 Mancini, 25 Dorban Street.

24 MR. MANCINI: Thank you,

1 Mr. Chairman, members of the committee. I am a
2 proponent. My name is John Mancini. I am the
3 attorney with offices at 55 Pine Street, and I
4 represent the applicant, Arrow Holdings, who
5 would seize to have Corsica Street abandoned.

6 Arrow Holdings, it owns all of the parcels
7 which abut the road. Corsica Street is a paper
8 street, some paved. It's inhabited, and Arrow
9 holds a request that the city abandon the street
10 for its development, and that's all we have
11 today. Thank you, Mr. Chairman.

12 CHAIRMAN HASSETT: Thank you. Just
13 want to state for the record, we have
14 Councilwoman Rita Williams here with us. The
15 next item, item 5, petition from Thomas G. Trenn,
16 139 Windmill Street, Providence, Rhode Island
17 02904, requesting permission to abandon a portion
18 of Swift Street. Are there any proponents or
19 opponents for item number 5? We have no persons
20 to testify.

21 MR. MCCAFFREY: I want to say
22 something while I am here, Mr. Chairman. You
23 know the streets well enough in there in case a
24 fire truck has to go to places. You abandon

1 these trucks very easy. That's why I want to get
2 to you people on the Public Works department.

3 CHAIRMAN HASSETT: Being no further
4 business before the Public Works, the public
5 hearing is concluded.

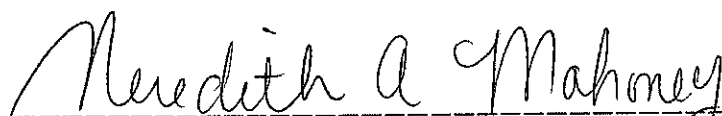
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7 (HEARING ADJOURNED AT 6:25 PM)

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C E R T I F I C A T E

I, Meredith A. Mahoney, do hereby certify that the foregoing is a true, accurate, and complete transcript of my notes taken at the above-entitled hearing.

IN WITNESS WHEREOF, I hereunto set my hand this 30th day of August 2004.



MEREDITH A. MAHONEY, RPR, NOTARY PUBLIC
MY COMMISSION EXPIRES 11/31/04

DATE: October 21 , 2003

IN RE: City of Providence, Public Hearing

HEARING OF: Committee on Public Works

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS