

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

PUBLIC WORKS COMMITTEE

Regular meeting of the Public Works Committee was held on Thursday, February 13, 2025 in the Council Chambers, City Hall, Cranston, Rhode Island.

I. CALL MEETING TO ORDER

The meeting was called to order at 6:04 P.M. by the Chair.

II. ROLL CALL

Present: Councilman Richard D. Campopiano
Councilman Chistopher E. Buonanno
Councilman Andy Andujar
Council Vice-President Daniel Wall
Councilwoman Kristen E. Haroian, Vice-Chair
Councilwoman Bridget R. Graziano, Chair

Also Present: Councilman Frank J. Ritz, Jr.
John Verdecchia, Assistant City Solicitor
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Heather Finger, Stenographer

III. APPROVAL OF MINUTES

- **Approval of minutes of the January 16, 2025 2024 Regular meeting**

On motion by Council Vice-President Wall, seconded by Councilman Andujar, it was voted to dispense with the reading of the minutes of the January 16, 2025 meeting and they stand approved as recorded. Motion passed unanimously.

IV. COMMITTEE BUSINESS MATTERS CARRIED OVER

None

IV. PUBLIC COMMENT

Robert Murray, Esq., 21 Garden City Dr., appeared to speak and represent applicant, Bryan White, for the Abandonment of portion of Elmhurst Ave. He stated that this matter is on the agenda for the Resolution which was introduced at the January meeting. It is here this evening at his request and consultation with Mr. Verdecchia because this Abandonment petition was approved by the Public Works Committee December 5th and then sent to the City Council in December. Because it was a short month, he did not have the Resolution ready for that evening so at his suggestion, it was continued to the Public Works Committee meeting in January and it was then determined that a formal Resolution was needed

so that was introduced at the January 27th meeting. He presented some Exhibits to the Committee which he thinks might be helpful to the new Committee members.

On motion by Councilman Campopiano, seconded by Council Vice-President Wall, it was voted to accept Exhibits presented by Attorney Murray into the record. Motion passed unanimously.

Chair indicated that a public comment was sent to her directly and then sent to the Clerk's Office from Drake Patten of questions and concerns to the Committee.

On motion by Council Vice-President Wall, seconded by Councilwoman Haroian, it was voted to accept communication by Drake Patten into the record. Motion passed unanimously.

V. NEW MATTERS BEFORE THE COMMITTEE

RESOLUTION for Approval of the **PETITION** for the **ABANDONMENT** of portion of Elmhurst Avenue; Petitioner: Bryan D. White; Sponsored by Councilman Campopiano.

Attorney Murray appeared to speak and asked if he could be provided with a copy of Ms. Patten's email. He explained the process for a petition and stated that once it's filed, a Resolution is prepared. What is before the Committee this evening is the Resolution that was introduced at the January meeting. Mr. White has gotten permission to build a duplex on the land behind his house. In an Abandonment situation, when the City Council determines that a road or a drift way is no longer needed for public purposes under the Law, you have the right to abandon it. By operation of law, when you abandon a property, each side of the road picks up half so in this instance, if you abandon this road, half of Elmhurst Ave. will go to Mr. White and other half would go towards the Carpianton Group. He has a letter from the Carpianton Group, which the Clerk was provided with, saying that they did not oppose this, in fact, they support the Abandonment and they have no objection to it. If the Council approves this Resolution, ultimately what will happen is first Mr. White will pay \$15,000 to the City, which was the value determined by the Tax Assessor of this portion of Elmhurst Ave. He will pay the full \$15,000 even though he is only getting half the road and an Administrative Subdivision would be prepared and recorded in consultation with the Planning Department. They would then get a Deed from the Purchasing Agent. The other factor in this matter is the Resolution before the Committee speaks to certain Easements. Right now, as we speak, there is a sewer line in this portion of Elmhurst Ave. which serves Citizens Bank on Atwood Ave. When this is abandoned, you are not giving up the private rights anyone has so the Abandonment would be subject to that sewer line and there will be Easements needed because Mr. White is going to pay to extend the water line down Elmhurst Ave. to his lot. There would also be an Easement granted to RI Energy if there are any utilities in that portion of the road. What is there today is preserved in terms of the sewer line. The reason Mr. White came forward is he is ready to proceed forward with the construction of his duplex. The Providence Water Supply Board, because of where his proposed house is situated, they would require you to come in at a 90 degree angle with the water line. He is not able to do that presently. This is what the basis of the Abandonment was. If the City Council abandons it, he will then be able to extend the water and then with a 90 degree angle go towards the duplex with the water line and they will meet the satisfaction of Providence Water Supply Board.

Chair stated that the Council President could not attend this evening, but she would like to offer some comments that she provided to her. The Council President noted that she has some concerns regarding the proposed Resolution. Chair confirmed and would like on the record that the proposal is for the applicant to pay \$15,000 to the City of Cranston for the parcel. Attorney Murray stated that that is correct. Chair stated that there are concerns that Council President does not find this acceptable to the taxpayers of Cranston. All Real Estate has value and she does not want to support the transfer of the

Abandonment without proper compensation. She has not seen the situation of Abandonment of property and she is asking who originally initiated this Abandonment and was it initiated in October 2024? Attorney Murray stated that he was not involved in the initial introduction. He got involved after, but it was introduced to the City Council on August 26, 2024 and that was when it was filed. It was referred to the Planning Commission, who gave a positive recommendation to the City Council. They have worked with the Public Works Department and the Planning Department on this.

On motion by Councilman Campopiano, seconded by Council Vice-President Wall, it was voted to approve the above Resolution.

Under Discussion:

Chair stated that she has concerns with regards to this. Her background is working for a municipality and generally the way she would operate is she would have these Easements already set up. Her concern is that we are doing the Easements after the fact. We have no idea of the width of the Easement required by the Water Department. There seems to be some uncertainty about which energy, electrical or gas goes through there. She is concerned that no one had Dig Safe out there to determine what is actually in the ground. She would never recommend to her DPW to accept an Abandonment without having a draft Easement set up to be able to reference in the title transfer. Her other concern is that Ed Tally from DPW commented that there are no existing sewer Easements and that concerns her as well because Citizens Bank sewer must connect to the City's sewer at some point and this does not make any sense to her knowing how sewers work. It is not a private sewer system in the middle of our right of way. Her comfort level is to have the Easements drafted referencing a plan showing the Easements on the plan. The Easements are not shown on this plan and she is concerned who is going to pay for that plan to show Easements. Attorney Murray asked that Mr. White be allowed to address this.

Bryan White, 145 Wayland Ave., appeared to speak and stated that Citizens Bank had backup to the main on Atwood Ave. and they put a forced grinder pump and forced sewer up back of their property, which goes through Elmhurst and ties into Elmhurst sewer line. That has been there ever since he has lived at his house his entire life. That sewer line is connected. He has done Dig Safe back there and there is nothing underneath that ground. There is no overhead power, no underground gas and there is no water. Casale Engineering has done engineering designs and everything is documented as far as what is underground and what is not aboveground.

Councilman Andujar thanked Mr. White for investing in Cranston and he thinks it will be a great impact for the shortage of housing we have.

Council Vice-President Wall stated that as far as the Easements, he asked Solicitor if that is a normal situation where we get the Easements on the document prior to taking a vote on this as a Council. He asked what the protocol is. Solicitor stated that under the Code of Ordinances that relate to Abandonment, that is not required, however, this Committee, like the Council, has discretion to basically do what they want to do. It is within the discretion of the Committee.

Councilwoman Haroian asked if this will be a rental property. Mr. White stated that he is planning on selling them.

Chair stated that it is also not clear if the City could have other options for this parcel like stormwater. They could use it to add stormwater or different type of rain gardens or something to assist with our MS4 permit. She is a little concerned that we are just handing it over and also what the legal fees are on our end to do the transfer of land and who is paying for that, drafting the title, but overall, she is concerned about the sewer Easement. She would really like to see that sewer Easement for the City's protection prior to an issuance of Abandonment. Attorney Murray stated that the form of the Resolution that is before the Committee has been used in other Abandonment Resolutions so this is not

new to this particular project. He helped draft some of this language. As far as preparation of the Easements, the Administrative Subdivision and any other documentation recording costs and filing fees is all on Mr. White. The City will not incur any expenses and that has been traditionally the way it has been. The Resolution is subject to the granting of the Easements. His hope would be for the Council's consideration, if the Committee, who has already approved this once, he would have no problem with a stipulation of a recommendation of approval that prior to the completion of this, the City's Legal Department review all the documentation.

Councilman Buonanno stated that Attorney Murray has stated that he is not against, on behalf of this client, the stipulations that the Easements are seen at a later date. He would like to see if this could be incorporated into the motion. He asked Solicitor if that is appropriate because he as well as the Chair feel that that is important. Solicitor stated, yes, you may.

On motion by Councilman Buonanno, seconded by Council Vice-President Wall, it was voted to approve the above Resolution subject to proper Easements being recorded in proper way for sewer or utilities. Motion passed on a vote of 5-1. The following being recorded as voting "aye": Councilmen Campopiano, Buonanno, Andujar, Council Vice-President Wall and Councilwoman Haroian -5. The following being recorded as voting "nay": Councilwoman Graziano -1.

NOTIFICATION of Street Name Change and Number Change – 1365-R New London Ave. to 10 Lilyana Way. (No votes will be taken – Informational only)

No action needed.

VII. COUNCIL COMMUNICATION:

None.

VI. ADJOURNMENT

The meeting adjourned at 6:42 P.M.

Respectfully submitted,

/s/ Rosalba Zanni
Assistant City Clerk/Clerk of Committees