

RESOLUTION OF THE CITY COUNCIL

No. 96

Approved March 11, 2005

WHEREAS, When municipalities undertake road/sidewalk work, they encounter problems with the location of utility poles and the wires, cables, etc. that are on these poles. Many times the poles, located within the Towns' rights of way, are situated such that ADA compliance cannot be achieved without relocating the apparatus; and

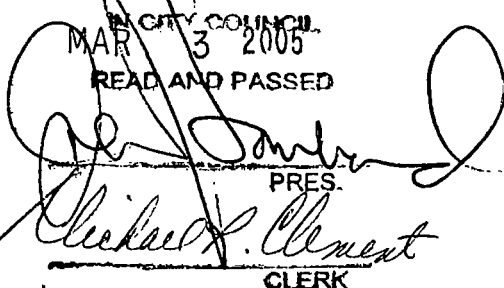
WHEREAS, The cost (charges) to relocate these facilities is astronomical and the process is very time consuming and cumbersome, and the municipalities are expected to bear this excessive cost, even when ADA laws require relocation of these facilities; and

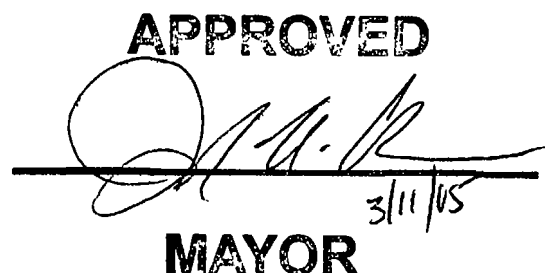
WHEREAS, It is unclear how those additional charges (costs) are derived by the utility companies; and

WHEREAS, Fees and charges should be based on reasonable, verifiable estimates of the actual cost for the service provided. It might be prudent to investigate how these charges are determined and who guards against potential abuses.

NOW, THEREFORE, BE IT RESOLVED, That we, the City Council of Providence, respectfully request that the State Legislature and the Governor's Office support legislation to require utility and other companies who maintain infrastructure within municipal rights of way to pay for all costs to relocate their infrastructure when public works projects are constructed within those rights of way. Specifically, when utilities have to be relocated to meet Federal and State mandates, including but not limited to the "Americans with Disabilities Act", the utility or other company will bear all costs to relocated their infrastructure; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.

CITY COUNCIL
MAR 3 2005
READ AND PASSED

PRES.
Michael J. Clement
CLERK

APPROVED

3/11/05
MAYOR

100

TOWN OF BURRILLVILLE

Office of Town Clerk

Louise R. Phaneuf
Town Clerk



TOWN BUILDING
HARRISVILLE, R.I.

Telephone: (401) 568-4300 ext. 114
FAX: (401) 568-0490
E-mail: townclerk@burrillville.org
TDD: (401) 568-9461

RESOLUTION SUPPORTING LEGISLATION REQUIRING UTILITIES TO PAY FOR RELOCATION OF INFRASTRUCTURE

WHEREAS, when municipalities undertake road/sidewalk work, they encounter problems with the location of utility poles and the wires, cables, etc. that are on these poles. Many times the poles, located within the Towns' rights of way, are situated such that ADA compliance cannot be achieved without relocating the apparatus; and

WHEREAS, the cost (charges) to relocate these facilities is astronomical and the process is very time consuming and cumbersome, and the municipalities are expected to bear this excessive cost, even when ADA laws require relocation of these facilities; and

WHEREAS, it is unclear how those additional charges (costs) are derived by the utility companies; and

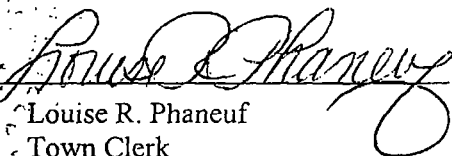
WHEREAS, fees and charges should be based on reasonable, verifiable estimates of the actual cost for the service provided. It might be prudent to investigate how these charges are determined and who guards against potential abuses.

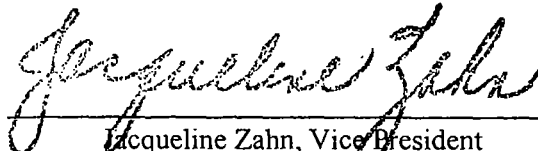
NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville, respectfully request that the State Legislature and the Governor's Office support legislation to require utility and other companies who maintain infrastructure within municipal rights of way to pay for all costs to relocate their infrastructure when public works projects are constructed within those rights of way. Specifically, when utilities have to be relocated to meet Federal or State mandates, including but not limited to the "Americans with Disabilities Act", the utility or other company will bear all costs to relocate their infrastructure.

BE IT FURTHER RESOLVED that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.

PASSED AS A RESOLUTION of the Burrillville Town Council this 9th day of February 2005.

ATTEST:



Louise R. Phaneuf
Town Clerk


Jacqueline Zahn, Vice President
Burrillville Town Council

**BURRILLVILLE
TOWN CLERK**

Memo

To: Michael R. Clement, City Clerk
From: Louise R. Phaneuf, Burrillville Town Clerk
Date: 2/10/2005
Re: Council Resolution - Relocation of Infrastructure



At the Regular Meeting of the Burrillville Town Council held on Wednesday, February 9, 2005, at 7:07 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main St., Harrisville, and at which time a quorum was present and acting throughout the Town Council voted to adopt a resolution asking our legislators to introduce legislation that would require utilities to pay for relocation of infrastructure.

It is the feeling of this Town Council that charges to relocate these facilities are astronomical, the process is very time consuming and cumbersome and the municipalities are unfairly expected to bear an excessive cost, even when ADA laws require relocation of these facilities.

Attached is a copy of the Burrillville Town Council resolution, for your reference. The Burrillville Town Council respectfully requests that the various City and Town Councils of the State of Rhode Island consider and support the proposal.

105 Harrisville Main St.
Harrisville, RI 02830
Phone: (401) 568-4300 Ext. 14
FAX: (401) 568-0490
T.D.D. (401) 568-9461

Town Clerk
Town of Burrillville
105 Harrisville Main Street
Harrisville, RI 02830-1499

FILED

2005 FEB 14 P 12:18

DEPT. OF CITY CLERK
PROVIDENCE, R.I.

MR. MICHAEL CLEMENT
CITY OF PROVIDENCE
25 DORRANCE ST.
PROVIDENCE, RI 02903



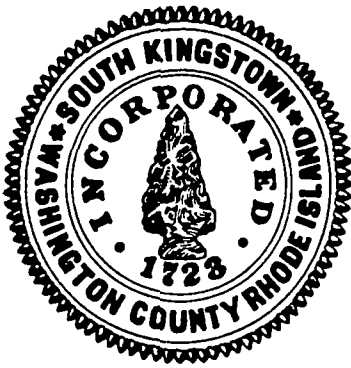
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**THIS ENVELOPE IS RECYCLABLE AND MADE
WITH 30% POST CONSUMER CONTENT.**



Town of South Kingstown, R.I.

TOWN CLERK'S OFFICE

CLERK OF THE TOWN COUNCIL AND PROBATE COURT

Town Hall, 180 High Street
Wakefield, Rhode Island 02879

Dale S. Holberton
Town Clerk & Probate Clerk
401-789-9331

April 15, 2005

Michael R. Clement, City Clerk
City of Providence
25 Dorrance Street
Providence, RI 02903

Dear Mr. Clement:

Thank you for providing us with the resolution recently adopted by the Providence City Council. At their meeting held on Monday evening, April 11, 2005 the South Kingstown Town Council voted as follows:

UNANIMOUSLY VOTED: that a resolution adopted March 11, 2005 by the Providence City Council seeking support for their request that the General Assembly introduce legislation to require utilities to pay for relocation of infrastructure within municipal rights of way, is received and placed on file.

No further action was taken at that time.

Very truly yours,

Dale S. Holberton, CMC
Town Clerk

DSH:smf

cc: Town Manager

Town Of South Kingstown

Town Clerk's Office

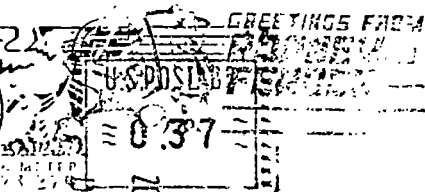
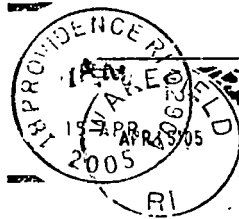
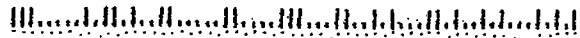
P.O. Box 31

Wakefield, RI 02880-0031



Michael R. Clement, City Clerk
City of Providence
25 Dorrance Street
Providence, RI 02903

02903+1787



DEPT. OF CITY CLERK
PROVIDENCE, R.I.

2005 APR 18 P 12:33

FILED