

# RESOLUTION OF THE CITY COUNCIL

No. 488

*Approved* August 16, 1999

IT IS HEREBY RESOLVED, That His Honor, the Mayor, is authorized to grant an underground easement below Blackstone Street in the City of Providence. Said easement shall be conditioned precedent specifically upon the following:

1. Said easement shall be appropriate only for the installation and maintenance of two (2) four (4) inch PVC lines for fiberoptic interconnection of Petitioner's two facilities. Said easement shall not exceed the area indicated on the accompanying map attached and marked as Exhibit A.
2. Any breakout necessary for installation and/or repair or replacement shall be resurfaced/rehabilitated to the approval of the Director of the Department of Public Works.
3. Woman and Infants Hospital shall tender the sum of not less Two Thousand Five Hundred Dollars (\$2,500.00).
4. Said easement shall be deemed to run with the land and shall operate against any successors in title and the easement or a memorandum of same shall be recorded in the Office of Land Records for the City of Providence.
5. Woman and Infants Hospital shall execute an indemnification and hold-harmless agreement approved by the Department of Law of the City of Providence.
6. Woman and Infants Hospital shall supply the City of Providence with an insurance policy naming said City of Providence as an additional-named insured in a sum not less than one hundred thousand dollars (\$100,000.00), which policy shall be approved by the Department of Law of the City of Providence.
7. Woman and Infants Hospital shall not construct or affix to the realty any temporary or permanent structure.
8. Said easement shall be temporary and non-exclusive and shall extinguish at the earliest occurrence of any one of the following: (1) the passage of fifteen (15) years; (2) a reasonable need by the City to utilize said space for a public undertaking, included but not limited to schools, public safety and the like. The City shall provide Petitioner not fewer than ninety (90) days notice of such need; and

IN CITY COUNCIL  
MAY 6 1999  
FIRST READING  
REFERRED TO COMMITTEE ON  
PUBLIC WORKS  
*Michael R. Clement*  
CLERK

THE COMMITTEE ON  
PUBLIC WORKS  
Approves Passage of  
The Within Resolution  
*Barbara A. Power*  
7/19/99 CLERK

(3) the easement is no longer utilized exclusively for the purposes of a raceway.

9. Petitioner shall not lease, sub-lease, rent or demise or in anyway alienate totally or partially said land.

10. Petitioner shall not during construction or maintenance of its easement interfere with existing underground utilities.

11. Receipt by the City Clerk of a communication from Commission John Partington and Director Ferdinand Ihenacho that the public safety will not be adversely impacted by the easement.

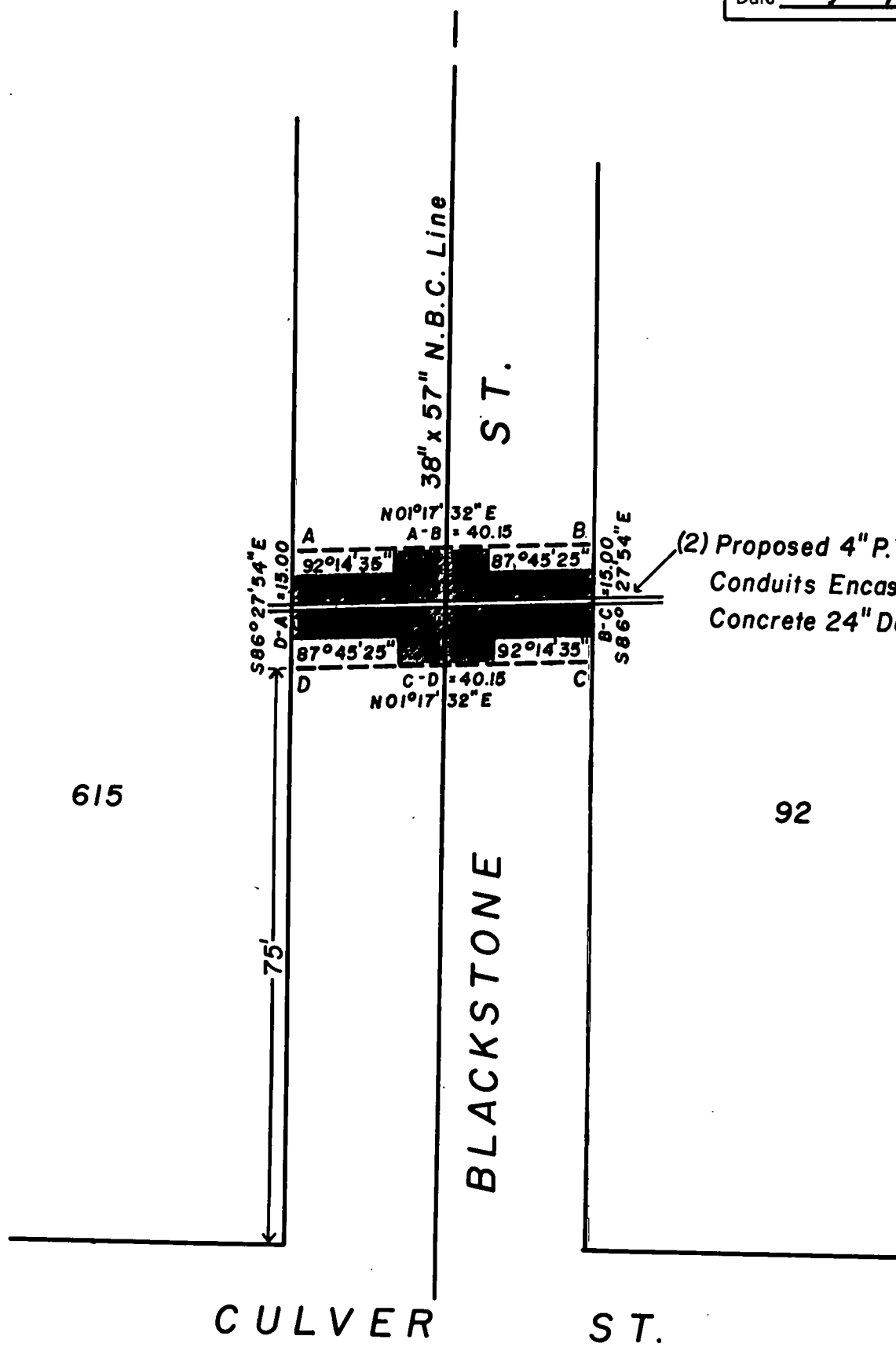
12. Said easement shall be subject to a right of reverter/right of reversion in the event that the situs of the easement is no longer utilized for the aforesated purposes.

13. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee of Public Works and may be deemed appropriate by His Honor the Mayor or the Department of Law of the City of Providence.

CITY COUNCIL  
AUG 5 1999  
READ AND PASSED  
*[Signature]*  
PRES.  
*[Signature]*  
CLERK

**APPROVED**  
AUG 16 1999  
*[Signature]*  
MAYOR

PROVIDENCE, R. I.  
 P. W. DEPT. - ENGINEERING OFFICE  
 STREET LINE SECTION  
 Plan No. 064631  
 Date May 18, 1999



**NOTES:** Shaded area (A-B-C-D-A) indicates proposed easement.  
 Total square footage = 602.25'  
 Full sewer easement required.  
 N.B. Commission line.  
 Lot Numbers taken from A.P. 46.

CITY OF PROVIDENCE, R. I.  
 Public Works Dept. - Engineering Office  
 Showing Proposed Easement on  
Blackstone St. (Fiber Optic Conduit)  
 Drawn by A. Zisades Checked by J.T.M.  
 Scale 1" = 20' Date 5/18/99  
 Corrected [Signature] Associate Engr.  
 Approved [Signature] CHIEF ENGINEER

CHIEF OF DEPARTMENT

DAVID N. BOCK

ASS'T. CHIEF OF DEPARTMENT



MAYOR

JOHN J. PARTINGTON

COMMISSIONER

## Department of Public Safety, Fire Department

*"Building Pride In Providence"*

July 19, 1999

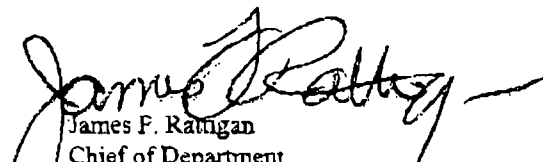
City Council  
City Hall  
Providence, RI 02903

To Whom It May Concern:

Please be advised that the Providence Fire Department has no objection to install 2-4" PVC underground raceways encased in concrete at the rear of 45 Willard Avenue and terminate at the rear of 2 Dudley Street.

If you have any questions, please do not hesitate to contact me.

Yours truly,

  
James F. Rattigan  
Chief of Department  
JFR:trl

CHIEF OF DEPARTMENT

DAVID N. BOCK

ASS'T. CHIEF OF DEPARTMENT



MAYOR

JOHN J. PARTINGTON

COMMISSIONER

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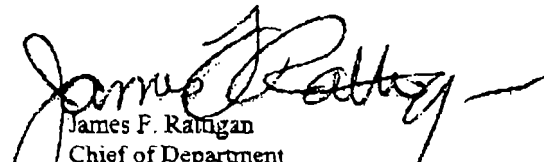
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Yours truly,

  
James F. Rattigan  
Chief of Department  
JFR:rl

Ferdinand C. Ithenacho, P.E.

Director



VINCENT A. CIANCI, JR.

Mayor

## Department of Public Works

*"Building Pride In Providence"*

May 19, 1999

Hon. Robert M. Clarkin  
Chairman of the Public Works Comm.  
Providence City Council - City Hall  
Providence, RI 02903

Re: Proposed Easement  
Blackstone St.  
(Fiber-Optic Conduit  
Servicing Women & Infants Hospital)

Dear Councilman Clarkin:

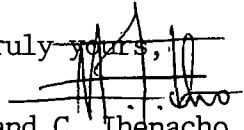
This Department has no objection to the proposed easement across Blackstone Street, as shown on our plan entitled, "Providence, RI, P.W. Dept.-Engineering Office, Street Line Section, Plan No. 064631, Date: May 18, 1999".

Area of easement is shown as shaded area, designed as "A-B-C-D-A, on the accompanying plan. Said easement will contain two (2) proposed 4" PVC Fiber-Optic conduits encased in 12" x 18" concrete, 24" deep. The easement, if granted, will originate at the rear of 45 Willard Ave., to terminate at the rear of #2 Dudley St. The fiber-optic connection will interface Women & Infants Hospital computer room with their branch office located at 2 Dudley St.

It is noted that the total square footage related to this proposed easement will be 602.25 ft. Further note that a Full-Sewer Easement will be required for the Narragansett Bay Commission's 38" x 57" sewer in said Blackstone St. Lot numbers for this proposed easement were taken from City of Prov. A.P. 46.

If we can further assist in this regard, please advise.

Very truly yours,

  
Ferdinand C. Ithenacho, P.E.  
Director

CC: FCI  
G.F.  
M.Clement-City Clerk  
J.D'Amico, Esq.  
JTM  
JLC  
SZ

700 Allens Avenue • Providence, Rhode Island 02905

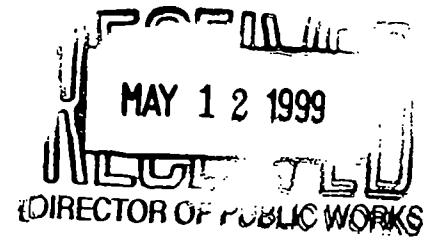
(401) 467-7950 (Voice) • 751-0203 (TDD) • 941-2567 (Facsimile)



Rhode Island

## Department of City Clerk

### MEMORANDUM



DATE: May 11, 1999

TO: Ferdinand Ihenacho, Director of Public Works

SUBJECT: **SEE ATTACHED PETITION**

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman, Committee on Public Works

DISPOSITION: The accompanying petition is referred to you for study, report and recommendation and report back in writing to the above-named committee as soon as practical.

*Barbara A. Cairns*  
Deputy City Clerk



# PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE: Women and Infants Hospital  
and our Contractor, Hope Electric Company, Inc. *The undersigned respectfully petitions your honorable body*

for a permanent easement to install 2-4" PVC underground raceways encased in concrete. The raceways will originate at the rear of 45 Willard Avenue and terminate at the rear of 2 Dudley Street.— The raceways will be used to supply Fiber Optic Cables to interconnect Women and Infants Hospital computer room with their branch office located at 2 Dudley Street.

Attached is the plan of proposal easement drawn by Garafalo and Associates Engineering. The raceways will cross Blackstone Street as shown on the attached plan.

Respectfully submitted by:

Women and Infants Hospital

Bruce A. Reirden

Bruce Reirden  
Chief Information Officer  
Care New England

Hope Electric Company, Inc.

Albert L. Trazi

Albert L. Trazi  
President

State of Rhode Island  
County of Providence

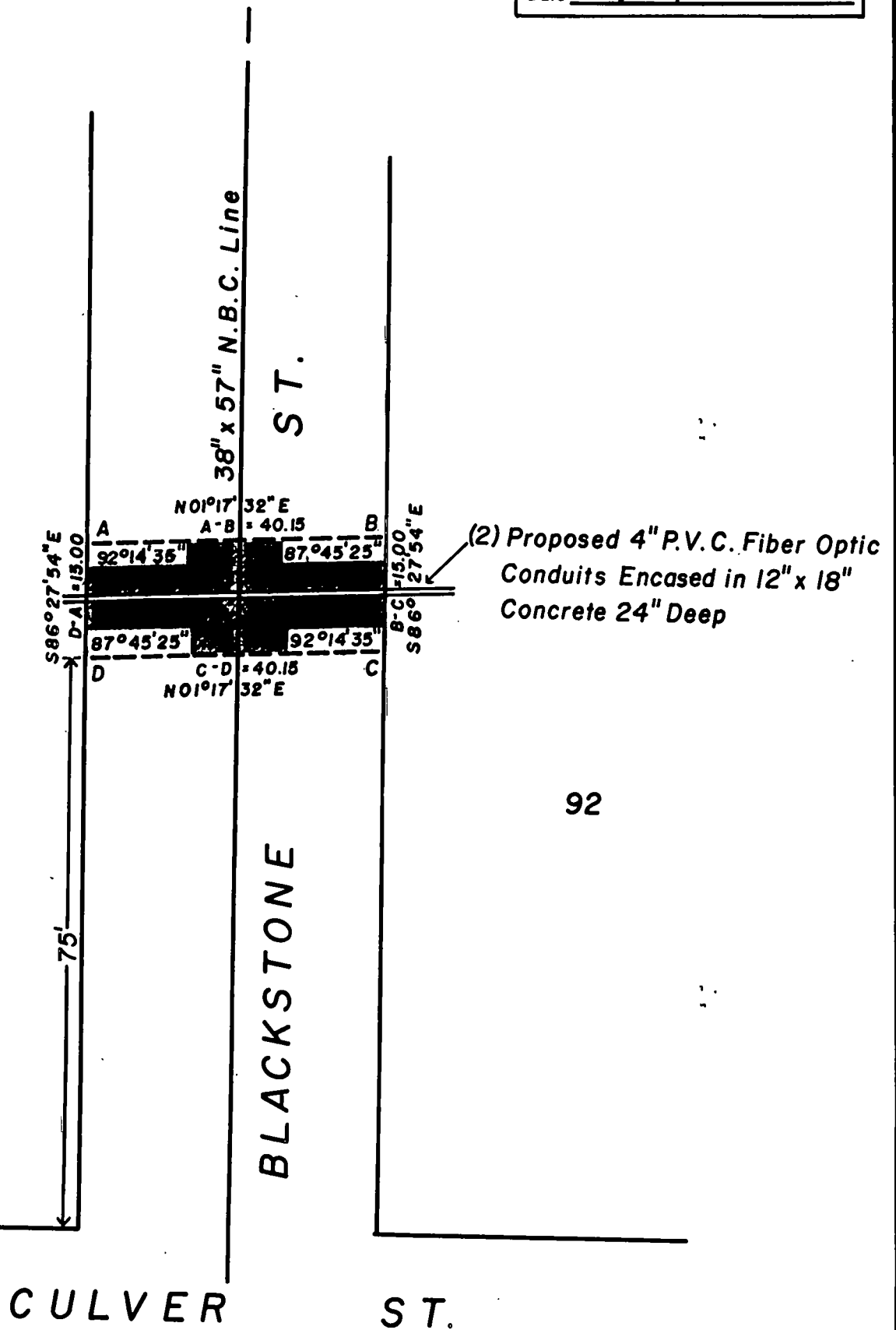
Subscribed and sworn to before me this 26th day of April 1999.

Notary 

Joseph DePasquale

Commission expires: November 24, 2000.

PROVIDENCE, R. I.  
P. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064631  
Date May 18, 1999



**NOTES:** Shaded area (A-B-C-D-A) indicates proposed easement.  
Total square footage = 602.25'  
Full sewer easement required.  
N.B. Commission line.  
Lot Numbers taken from A.P. 46.

CITY OF PROVIDENCE, R. I.  
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Drawn by A. Zislaides Checked by J.T.M.  
Scale 1" = 20' Date 5/18/99  
Correct [Signature] Associate Engr.  
Approved [Signature] CHIEF ENGINEER

ARMANDO PARILLO  
Chairman

JOEL D. LANDRY, II, ESQ.  
Vice Chairman

ROBERT J. KILDUFF, ESQ., P.E.  
Secretary

FERNANDO S. CUNHA, ESQ.  
Legal Advisor

BOYCE SPINELLI  
Ex-Officio



VINCENT A. CIANCI, JR.  
Mayor

RICHARD O. RAFANOVIC, P.E.  
General Mgr./Chief Engr.

JOSEPH DE LUCA  
City Councilman

RITA M. WILLIAMS  
City Councilwoman

MARY A. NOCERA  
Member

JOSEPH D. CATALDI  
Member

June 24, 1999

Councilman Robert M. Clarkin, Chairman  
Committee on Public Works  
25 Dorrance Street  
Providence, Rhode Island 02903

**SUBJECT: Petition for 15' Permanent Easement  
Across Blackstone Street  
Providence, Rhode Island**

Dear Councilman Clarkin:

The referenced Petition received from the Department of City Clerk has been reviewed for the impact that the proposed easement may have on the Providence Water Supply Board (PWSB) Distribution System. Our records indicate that PWSB owns and maintains a 16-inch cast iron water main in the portion of Blackstone Street being proposed for an easement. This water main services properties along Blackstone Street and, accordingly, must remain as situated in the event the easement is approved.

The Petitioners, Women and Infants Hospital and their Contractor, Hope Electric Company, Inc., are proposing to install two (2) 4-inch PVC underground raceways encased in concrete within the proposed easement across Blackstone Street. The raceways will be used to supply fiber optic cables to interconnect the Women and Infants Hospital computer room with their branch office located at # 2 Dudley Street.

In accordance with the **Plan Of Proposed Easement For Fiber Optic Conduit, Situated On Blackstone Street**, as prepared by **Garafolo and Associates Engineering**, the concrete encased raceways are to be installed to a depth of 3-feet from existing grade. Our water mains and service laterals are traditionally buried with at least a 4'-6" depth of cover. Therefore, PWSB has no objection to the proposed easement, provided that the concrete encasement is installed to a maximum depth of 3-feet and the Petitioners grant PWSB the right to maintain, construct, repair, etc., the existing water main and appurtenances within the proposed easement.

Councilman Clarkin

Blackstone Street Petition

June 24, 1999

Page 2 of 2

Should you have any questions, or require additional information with respect to our facilities in Blackstone Street, please call Dennis Haworth at 521-3600 Extension 7228.

Respectfully,  
PROVIDENCE WATER SUPPLY BOARD  
Richard O. Rafanovic, P.E.  
General Manager and Chief Engineer

By: Dennis Haworth  
Engineering Records Manager



cc: P. Gadoury, P.E., PWSB  
S. Pauley, P.E., PWSB  
B. Reirden, Women & Infants  
A. Trazi, Hope Electric  
File

H:\HOME\DENNISH\BLACKSTN\LETRHD99.WPD June 24, 1999

GEORGE CALCAGNI

Chair



VINCENT A. CIANCI, JR.

Mayor

## PROVIDENCE CITY PLAN COMMISSION

*"Planning the Future of Providence"*

July 29, 1999

Councilman Robert M. Clarkin, Chairman  
Committee on Public Works  
City Hall  
Providence, Rhode Island 02903

ATTENTION: Mr. Michael R. Clement, Jr., City Clerk

CPC Referral No. 3152. Petition from Women & Infants Hospital for a permanent easement at Blackstone Street.

Dear Councilman Clarkin:

The City Plan Commission, at its regular meeting on Tuesday, July 20, 1999, reviewed and evaluated the request from the Committee on Public Works on the petition to establish a permanent easement on Blackstone Street.

The proposed easement is requested due Women & Infants need to install 2-4" PVC underground raceways encased in concrete to supply Fiber Optic Cables between the Hospital's office at 2 Dudley Street and the Hospital's computer room at 45 Willard Avenue.

The Commission has reviewed and evaluated the request for consistency with the City's Comprehensive Plan. The Commission found that the proposed abandonment of said right-of-way is consistent with *Providence 2000: The Comprehensive Plan*.

The City Plan Commission voted to recommend to the Committee on Public Works there is no objection to the permanent easement on Blackstone Street and that this easement is subject to approval by the Department of Public Works.

Regards,

  
Thomas E. Deller, AICP  
Deputy Director

cc: David Porter, Senior Land Specialist, Women & Infants Hospital  
Councilwoman Balbina A. Young, Ward 11  
George Calcagni, Chair, City Plan Commission

NANCY L. DERRIG  
Superintendent of Parks



VINCENT A. CIANCI, JR.  
Mayor

## Department of Public Parks

*"Building Pride In Providence"*

June 10, 1999

Mr. Michael Clement  
City Clerk  
City Hall  
Providence, RI 02903

RE: Easement for electric raceways Blackstone Street

Dear Mr. Clement:

Upon review of all Department of Public Parks plans and records. It is the conclusion of the Parks Department that the easement for electric raceways that will cross Blackstone Street, will in no way effect any Parks Department facilities, and or future plans for the area.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John A. Izzo".

John A. Izzo  
Supervisor of Engineering & Planning

IRENE J. TESTA  
Traffic Engineer

JOSEPH W. CAPRIO  
Deputy Director



VINCENT A. CIANCI, JR.  
Mayor

Department of Traffic Engineering  
"Building Pride In Providence"

## MEMORANDUM

TO: Councilman Robert Clarkin, Chairman  
Committee on Public Works

FROM: Irene J. Testa, Director

A handwritten signature in cursive script, appearing to read "Irene J. Testa", is written over the printed name of the sender.

DATE: July 19, 1999

RE: PENDING MATTER

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**REQUEST:** To grant a permanent easement to install 2-4" PVC underground raceways encased in concrete. The raceways will originate at the rear of 45 Willard Avenue and terminate at the rear of 2 Dudley Street. The raceways will be used to supply Fiber Optic Cables to interconnect Women and Infants Hospital computer room with their branch office located at 2 Dudley Street. The raceways will cross Blackstone Street.

**DISPOSITION:** No objection.

Department of Planning and Development  
City Plan Commission  
Regular Meeting July 20, 1999

**Advisory on CPC Referral # 3152 - Petition from Women & Infants Hospital for a permanent easement at Blackstone Street.**

**Background**

The Commission received a request from the City Council Committee on Public Works to submit an advisory opinion on the proposal by Women & Infants Hospital (petitioner) to establish a permanent easement on Blackstone Street.

The proposed easement is requested due to the Hospital's need to install 2-4" PVC underground raceways encased in concrete to supply Fiber Optic Cables between the Hospital's office at 2 Dudley Street and the Hospital's computer room at 45 Willard Avenue.

This Department determined that the proposed easement would not conflict with the Women & Infants Hospital Master Plan.

**Recommendation**

The Department recommends that the City Plan Commission vote to recommend that there is no objection to approving the permanent easement on Blackstone Street as long as the construction of the conduit and its installation would not disrupt traffic on Blackstone Street and subject to approval by the Department of Public Works.

SJS - prepared July 14, 1999



Narragansett Electric  
*A NEES company*

July 21, 1999

Ms. Barbara A. Poirier  
Department of City Clerk  
Providence City Hall  
25 Dorrance Street  
Providence, RI 02903

**Re:   Petition to the City Council For a Street Abandonment  
      Women & Infants Hospital - Blackstone Street**

Dear Barbara:

The Narragansett Electric Company (NEC) presently has overhead facilities situated in the area proposed for abandonment. NEC has no objection to the abandonment of this area provided that in the event the street is abandoned, an easement acceptable to NEC will permit the retention of our facilities in their existing locations.

If you have any questions feel free to call me at 401-784-7513.

Sincerely,



Tracey A. Cicilline  
Real Estate Consultant

Bell Atlantic - Rhode Island  
85 High Street  
Pawtucket, RI 02860  
401 727-9555

Right of Way Department



June 21, 1999

Providence City Council  
Providence City Hall  
25 Dorrance Street  
Providence, Rhode Island 02903

Attn: Mr. Robert Clarkin

RE: PETITION TO GRANT EASEMENT OVER A PORTION OF BLACKSTONE STREET.

Upon investigation it has been determined that Bell Atlantic has facilities in the portion of Blackstone Street on which Women & Infants Hospital has requested an easement.

These facilities include underground cable that provide service to the surrounding area.

Bell Atlantic will not object to the granting of said petition, provided that in the event the petition is granted, the City will convey an easement to Bell Atlantic, which will permit retention of its facilities in existing locations with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities.

If it is decided by the petitioner that telephone facilities are to be relocated, the petitioner will assume all costs of the relocation.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Mary C. Hanley".

Mary C. Hanley  
E/P Manager - Right of Way



6/17/99

Ms. Barbara A. Poirier  
Second Deputy City Clerk  
Department of City clerk  
City of Providence  
Providence, RI 02903

Re: Petition to Establish a Perpetual Easement within the Blackstone Street for the  
Women and Infants Hospital Fiber Optic Interconnect, Providence

Dear Ms. Poirier

Providence Gas Company owns and maintains a 30" gas line intersecting the proposed easement as shown on the plans. This gas line cannot be taken out of service and must be maintained. The proposed drawing also shows a potential conflict with this gas line and the proposed installation of the raceway. Our gas mains typically have 30" of cover. The proposed installation is 12" deep with 24" cover.

We do not wish to relinquish our rights to install and maintain our gas mains through this easement. However, if we are granted access within the easement to operate and maintain our existing facilities in their present position and to install future facilities within the easement without conflicting with any other utilities as we traverse the easement, we have no objections.

If you have any further questions please feel free to call me at 401 272-5040 ext. 573.

Sincerely,

Michael McGuire  
Manager of Engineering Design & Drafting

401 • 222 • 6680  
401 • 222 • 2584 FAX  
401 • 222 • 6660 TDD  
<http://www.narrabay.com>

Paul Pinault, P.E.  
Executive Director



July 16, 1999

**Subject: Easement of City-Owned Property**

We have reviewed your memoranda and documentation dated July 15, 1999 concerning the granting of a permanent easement on Blackstone Street east of Culver Street in Providence.

The NBC has no objection to the granting of a permanent easement for the installation of fiber optic cables crossing Blackstone Street east of Culver Street.

We appreciate your notification of this easement and the opportunity to comment.

Sincerely,

John F. Gutz

John Zuba  
Project Coordinator

cc: Joseph Fillipone

[illegible]

# RESOLUTION OF THE CITY COUNCIL

No. 488

*Approved* August 16, 1999

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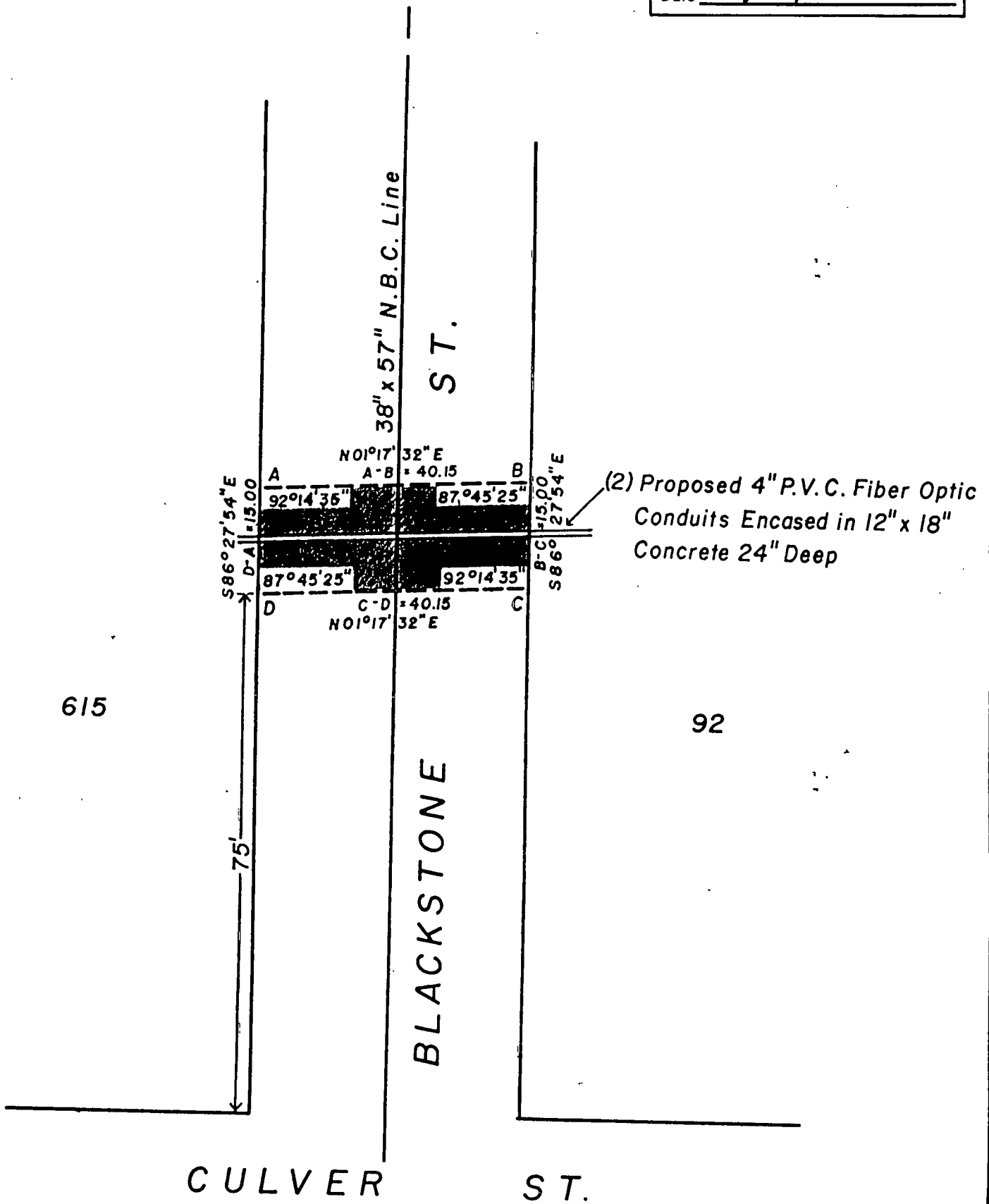
12. Said easement shall be subject to a right of reverter/right of reversion in the event that the situs of the easement is no longer utilized for the aforestated purposes.

13. Such other terms and conditions as may be reflected in the record and minutes of the City Council Committee of Public Works and may be deemed appropriate by His Honor the Mayor or the Department of Law of the City of Providence.

A True Copy,  
Attest:

*Michael R. Clement*  
Michael R. Clement  
City Clerk

PROVIDENCE, R. I.  
P. W. DEPT. - ENGINEERING OFFICE  
STREET LINE SECTION  
Plan No. 064631  
Date May 18, 1999



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Lot Numbers taken from A.P. 46.

CITY OF PROVIDENCE, R. I.  
Public Works Dept. - Engineering Office  
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Drawn by A. Zislaides Checked by J.T.M.  
Scale 1" = 20' Date 5/18/99  
Corrected [Signature] Associate Engr.  
Approved [Signature] CHIEF ENGINEER

Received for Record at 10 o'clock 30 min A in  
Recorder of Deeds

AUG 31 1999

*Robert L Ricci*

FILED

OCT 7 2 53 PM '99

DEPT. OF HEALTH  
PROVIDENCE, R.I.

4170/52-54

C

25023

RECEIVED FOR RECORD  
MIN.

OCT 10 1999  
PROVIDENCE, RI

*Robert J. Ricci*

Recorder of Deeds

Witness:

Fee: 1