

RESOLUTION OF THE CITY COUNCIL

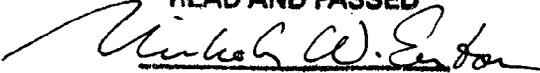
No. 441

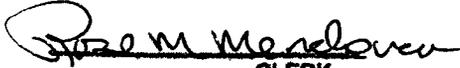
Approved September 24, 1990

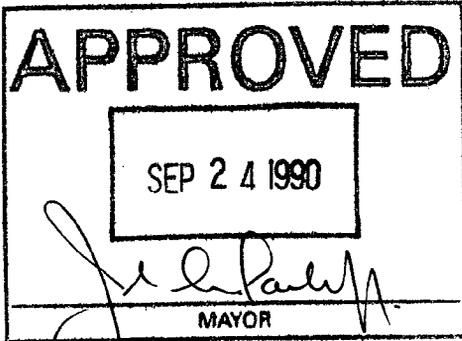
RESOLVED, That the Department of Public Works is requested to take over the maintenance of that sewer line located along Cold Spring Street.

IN CITY COUNCIL
SEP 20 1990

READ AND PASSED


PRES.


CLERK



Councilman Clarke (By Request)

August 17, 1990
19 Cold Spring Street
Providence, RI 02906

Councilman James Petrosenelli
Chairman Public Works Committee
City Council Office
City Hall
Providence, RI 02903

Dear Councilman Petrosenelli,

Councilman Clarkin suggested that I write you regarding our problems with the sewer line on Cold Spring Street.

To make a long story short, earlier this summer Providence Gas performed excavation work in front of my next door neighbor's house (Francis Bene, #15) to remove a gas line. Shortly thereafter the Water Supply Board excavated in the same location to repair a broken water main. A few days later two things occurred: 1. The temporary patch in the street where the excavation work took place caved in, opening up a crater about three feet wide and two feet deep; 2. The sewer line to our house backed up flooding our basement with raw sewage twice within one week.

Significant erosion of the sandy soil under the road must have occurred to cause the road to cave in, as the sink hole was much more severe than would have occurred due to normal settling. As it turns out the sewer line on the street runs fifteen feet from the curb, directly under that sink hole!

It appears that the erosion which caused the cave-in also undermined the sewer line, causing it to drop and break (It may have actually broken a day later when the City poured a load of fill into the hole prior to repairing the patch.) This occurred in mid July.

Last week the street caved in for the second time in the exact same location, about one month after the crater appeared for the first time. Also last week the sewer backed up into our basement two more times and into our other neighbor Suzanne Kelley's basement as well. I have confirmed that the line from our house to the street is clear and am quite sure that the flooding is due to blockage in the street where the cave-in occurred. The fact that sewage is also backing up into our neighbor's basement further confirms this.

Soon after the above problems developed I was surprised to learn, as I'm sure Councilman Clarkin has told you, that the sewer line on Cold Spring Street is not maintained by the City. For reasons which I'm sure you can appreciate, we would like to petition the City Council to take over the sewer on Cold Spring Street.

As best as I can determine the Street has been a city street for a long time, possibly since it was paved in 1939 or 1940 (my neighbor Fran Bene has lived on the street since before then). I would suggest, as a matter of public service, that the City should provide a sewer connection to taxpayers who live on City streets. Also, there is no mention in my deed or in any prior land records of a private sewer, so it's not clear who actually does own it.

Councilman Petrosenelli, I hope this letter fairly describes our predicament. My wife and kids have had to move out of our house to stay with my mother in Connecticut and the situation continues to be extremely unsanitary. We greatly appreciate anything you can do to help us out, and if there is anything else I can do please let me know. My home number is 272-2112 and my work number is 861-9191.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Duke', written in a cursive style.

John Duke

P.S. Our expenses for professional cleanup and roter service resulting from this problem so far total \$850 plus damage to things stored in the basement. Please let me know if there is a way we can recover for this.

cc: Robert Clarkin

B. JAMES SUZMAN
DIRECTOR



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Public Works
"Building Pride In Providence"

October 1, 1990

Ms. Rose Mendonca
City Clerk
City Hall - Prov., R.I. 02903

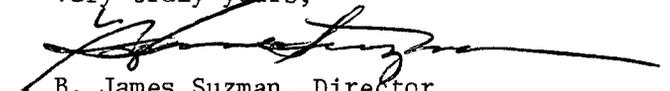
Re: Resolution No. 441
Take Over by the City of the Cold Spring St. Sewer

Dear Ms. Mendonca:

Per the above-captioned request by the City Council regarding the City's take over of the maintenance of the Cold Spring Street sewer, please be advised that this is a private sewer line and will not be taken as part of the City's sewer system as it is not built per City Specifications per departmental policy. I do not recommend the taking over by the City of substandard and/or private sewer lines which may lead to further City liability.

If I can further assist you regarding this matter, please do not hesitate to contact my office.

Very truly yours,


B. James Suzman, Director
Department of Public Works

BJS

CC: Jtm
Jlc