

THE CITY OF PROVIDENCE  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# RESOLUTION OF THE CITY COUNCIL

No. 168

Approved March 17, 1975

RESOLVED, that the Acting Director of Public Works is requested to cause the investigation and the responsibility of causing retaining walls to be constructed along portions of Joseph and Wilna Streets.

IN CITY COUNCIL  
MAR 6 1975

READ AND PASSED

Ralph Fernald PRES.  
William C. C. C. CLERK

APPROVED

MAYOR

William C. C. C.

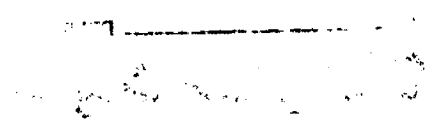
MAR 17 1975

Councilman Petrucci and  
Councilman Salvatore (Hyungue)

On the 1st day of March, 1934, the following resolution was adopted by the Board of Aldermen of the City of New York:

IN CITY COURT

READ AND PASSED





CITY OF PROVIDENCE, RHODE ISLAND

~~MAYOR JOSEPH A. DEBRY, JR.~~

MAYOR VINCENT A. CIANCI, JR.

DEPARTMENT OF PUBLIC WORKS . 700 ALLENS AVENUE . 02905

~~Lawrence P. McGarry, Director~~

Daniel E. Healy, Acting Director

Joseph J. Campo, Deputy Director

March 31, 1975

Chairman of the Public Works Committee  
Providence City Council  
City Hall - Providence, R.I. 02903

RE: Resolution No. 168 - Approved 3/17/75  
Responsibility for Retaining Walls,  
Joseph and Wilna Streets

Dear Sir:

City records reveal that responsibility for retaining walls on Wilna Street is unquestionably that of Jamco Construction Company, as is documented in the data enclosed herewith.

Also, City records reveal that Joseph Matteo, President of Jamco Construction Company, constructed a twelve-unit apartment on Joseph Street, Plat 79, Lots 464 and 466. Correspondence relative to Joseph Street on file at the Department of Public Works has been enclosed for your perusal.

Sincerely,

*Daniel E. Healy*

Daniel E. Healy  
Acting Director of Public Works

DEH:JJC/jlc  
Encs.

JOSEPH STREET

No.

11/18/71

Joseph Matteo

intends to build a 12 unit apt.

60 Joseph St

Plot 79 Lot 466

and requests line

is

rec'd can be given

is

rec'd can be given

No.

11/18/71

Joseph Matteo

intends to build a 12-unit apt

74 Joseph St

Plot 79 Lot 464

and requests line

is

rec'd can be given

is

rec'd can be given

*Mr. Campo*  
*File: Joseph*  
*St.*

August 8, 1974

Mr. Louis A. Mascia  
City Solicitor  
Law Department  
City Hall - Prov., R.I. 02903

Dear Sir:

Enclosed please find a draft of the "Release and Indemnity Agreement" that is proposed for utilization on Joseph Street.

The City Council has ordered Joseph Street curbed and built; however, the construction of said street cannot be built as designed, without construction of a retaining wall, the cost of which is outside the department's capabilities.

Because the Acting Director has expressed a strong interest in surfacing said street, it is proposed to have the abutting owners sign the enclosed "Release and Indemnity Agreement". It is requested that you review this agreement and the basic philosophy of its obligation for its legality.

Sincerely,

Joseph J. Campo, P.E.  
Deputy Director of Public Works

JJC:jlc  
Enc.

CC: E.A.T.  
CC: Pub.Works Comm.

RELEASE AND INDEMNITY AGREEMENT

Whereas the undersigned are all owners of land with buildings and improvements thereon, located on....

Whereas the undersigned desire the City of Providence, by its agents and servants to construct and install an asphalt pavement on said  
, and

Whereas said City of Providence is reluctant to undertake said work because of damage to persons or property of the undersigned, and of others in the general vicinity which may possibly result from said construction and particularly damage as a result of surface water being diverted by reason of such construction.

Now, therefore, in consideration of the construction of an asphalt pavement on said  
, we hereby waive any and all claims against the City of Providence, its agents, servants, for damage to our persons and properties, directly or indirectly, arising out of installation and/or maintenance of said improvements, and we further agree to indemnify and save harmless the City of Providence, its agents, servants, from any and all claims, demands, causes of action which we or any other person, firm or corporation owning property or assets in the vicinity or area now have or in the further may have against said City of Providence, for damage of any and all nature of description, directly or indirectly, arising out of or caused by the installation and/or maintenance of such asphalt pavement.

In witness whereof, we have hereunto set our hands and seals this day of  
A.D., 1974.

WILNA STREET  
**JAMCO CORP.**  
General Contractors  
300 SMITHFIELD ROAD  
NORTH PROVIDENCE, R. I. 02904  
TEL 353-9600

FILE  
WILNA  
ST.

March 27, 1973

Director of Public Works  
700 Allens Avenue  
Providence, RI 02905

Dear Sir:

Kindly be advised that Jamco, Inc., a Rhode Island Corporation, building eight houses on Wilna Street, plans to service existing houses. Said corporation plans to construct, at no expense to abutting property owners, a public sewer main. Also, said corporation plans to hook into the existing public water system. At the end of the street Jamco plans to erect a retaining wall, thereby retaining a wash-out onto Wilna Street.

Respectfully,

*Roncia A. Ronci*

Roncia A. Ronci  
Secretary

guh

*File: Wilna  
Street*

April 5, 1973

Jamco, Inc.  
300 Smithfield Road  
North Providence, R.I.

Re: Wilna Street

Dear Sir:

Your letter to the Committee on Public Works regarding the subject agreement should show reference to Plan X-40 when pertaining to Item 2, Main Drain (Common Sewer).

Item 1 should be accompanied by design of the embankment protection, including drawings.

Item 3 is self-explanatory.

Sincerely,

Joseph J. Campo, P.E.  
Deputy Director of Public Works

JJC:jlc



March 28, 1973

Mr. Ronald Ronci, Vice-President  
Jamco, Inc.  
300 Smithfield Road  
North Providence, Rhode Island

Dear Mr. Ronci:

In accordance with the verbal agreement arrived at the Public Hearing held on March 20, 1973, the Committee on Public Works is requesting you submit, in writing, the subject agreement, viz:

1. The construction of an embankment protection, either earth or concrete so as to protect the remaining portion, at the new portion of the street at that particular point.
2. Further that you agree to construct a main drain or common sewer, including manholes and basins in accordance with the regulations of the Department of Public Works of the City of Providence.
3. Any and all assessments incurred by owners of abutting property for the setting of curbstones and paving of gutters and the above improvements to be borne solely and exclusively by Jamco Corporation, the petitioners in this instance.

Very truly yours,

Vincent Vespia  
City Clerk of Providence

VV:rmn

*File:  
Wilna  
Street*

August 6, 1974

Mr. Louis Mascia  
City Solicitor  
Law Department  
City Hall - Prov., R.I. 02903

RE: Wilna Street  
Resolution # 613

Dear Sir:

Please be advised that Jamco Corp. has not concurred with requirements of the Committee on Public Works, as stipulated in the March 20, 1973, Public Hearing and as indicated in their letter dated March 27, 1973.

Specifically, no retaining wall acceptable to the Department of Public Works has been constructed, and that the sewer has not been constructed to the City standards.

The City Council has ordered Wilna Street to be curbed and asphalted, and herein lies the major concern! Until Jamco Corp. complies with his promises and the City Council requirements, the Department of Public Works cannot successfully comply with its Council Resolution.

Sincerely,

Joseph J. Campo, P.E.  
Deputy Director of Public Works

JJC:jlc  
Encs.

*cc: Public Works Comm.  
cc: E. A. Scavino*

*File: Wilna  
Street*

December 12, 1974

Mr. Joseph Matteo  
Jamco Corp.  
1270 Mineral Spring Avenue  
North Providence, R.I.

Dear Mr. Matteo:

Please be advised on various occasions you have been notified by this office that you have not met with the specifications of the sewer section regarding the installation of the sewer line in Wilna Street, and also the mandate of the Public Works Committee regarding the construction of the protective wall on Wilna Street.

This office has placed your company on a list prohibited from receiving building permits.

It is noted that the sewer line in Wilna Street is considered a private drain, inasmuch as it was never accepted by the Public Works Department; consequently, all claims for damages by the abutting property owners and of maintenance crews in the defective manhole will be assessed against your firm.

Sincerely,

Joseph J. Campo, P.E.  
Deputy Director of Public Works

JJC:jlc

February 4, 1975

Mr. Carl Stenburg  
Administrative Assistant  
Executive Chambers  
City Hall - Prov., R.I. 02903

Dear Mr. Stenburg:

Enclosed please find correspondence relative to difficulties encountered on the Wilna Street project. Jamco Corp. is in violation of the Public Works rules and regulations, the City Council mandate, and in opposition to his own proposal dated March 27, 1973.

The proposed construction as submitted by Jamco Corp shows the modifications they implemented without proper authorization, thus deviating from their own proposal.

Before the City can correct said problems, it will be necessary that Jamco Corp. perform responsibly.

Sincerely,

Joseph J. Campo, P.E.  
Deputy Director of Public Works

JJC:jlc  
Encs.  
(6)