

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 246

Approved April 21, 1987

RESOLVED, Resolution No. 32 approved January 13, 1984, is hereby amended to include the cross-hatched area shown on the accompanying plan entitled "Providence, RI Public Works Department-Engineering Office - Street Line Section Plan No. 064373, dated March 5, 1987." and designated by the letters (A-B-C-D-A), said cross-hatched area having been erroneously omitted from Plan No. 064252 dated August 10, 1983.

IN CITY COUNCIL

APR 16 1987

READ AND PASSED


PRES.


CLERK

APPROVED

APR 21 1987


MAYOR

RESOLUTION AMENDING RESOLUTION NO. 32
APPROVED JANUARY 13, 1987, RELATIVE TO
GRANTING TO PROVIDENCE GAS COMPANY AN
EASEMENT FOR MAINTAINING GAS MAIN
LOCATED IN THE EAST SIDEWALK OF EAST
GEORGE STREET, PROVIDENCE, RI

**THE COMMITTEE ON
PUBLIC WORKS**

**Approves Passage of
The Within Resolution**

Rose M. Mendenhall
Chairman

April 8, 1987



Department of Law
"Building Pride In Providence"

April 8, 1987

James Petrosinelli, Chairman
Committee on Public Works
c/o City Clerks Office
City Hall
Providence, Rhode Island 02905

Dear Chairman Petrosinelli:


The accompanying resolution is intended to correct an error in the map which accompanied Resolution No. 32 dated January 13, 1984.

In 1983, Petitioner Harold Schein submitted a proposed street abandonment to the City of Providence. The plans were submitted to the City Plan Commission, the Water Supply Board, the Department of Traffic Engineering and various utility companies. The submitted plans were approved by each reviewing agency.

However, when Resolution No. 32 was passed on January 13, 1984, the accompanying tracing from the Department of Public Works erroneously omitted a small portion of the proposed area. In other words the tracing deviated from the petitioners proposed plan.

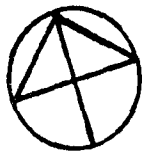
Because it is clear that every reviewing agency intended to approve petitioners plan in the first instance, it is my recommendation that Resolution No. 32 be amended to reflect that intent, by enactment of the accompanying resolution.

Very truly yours,

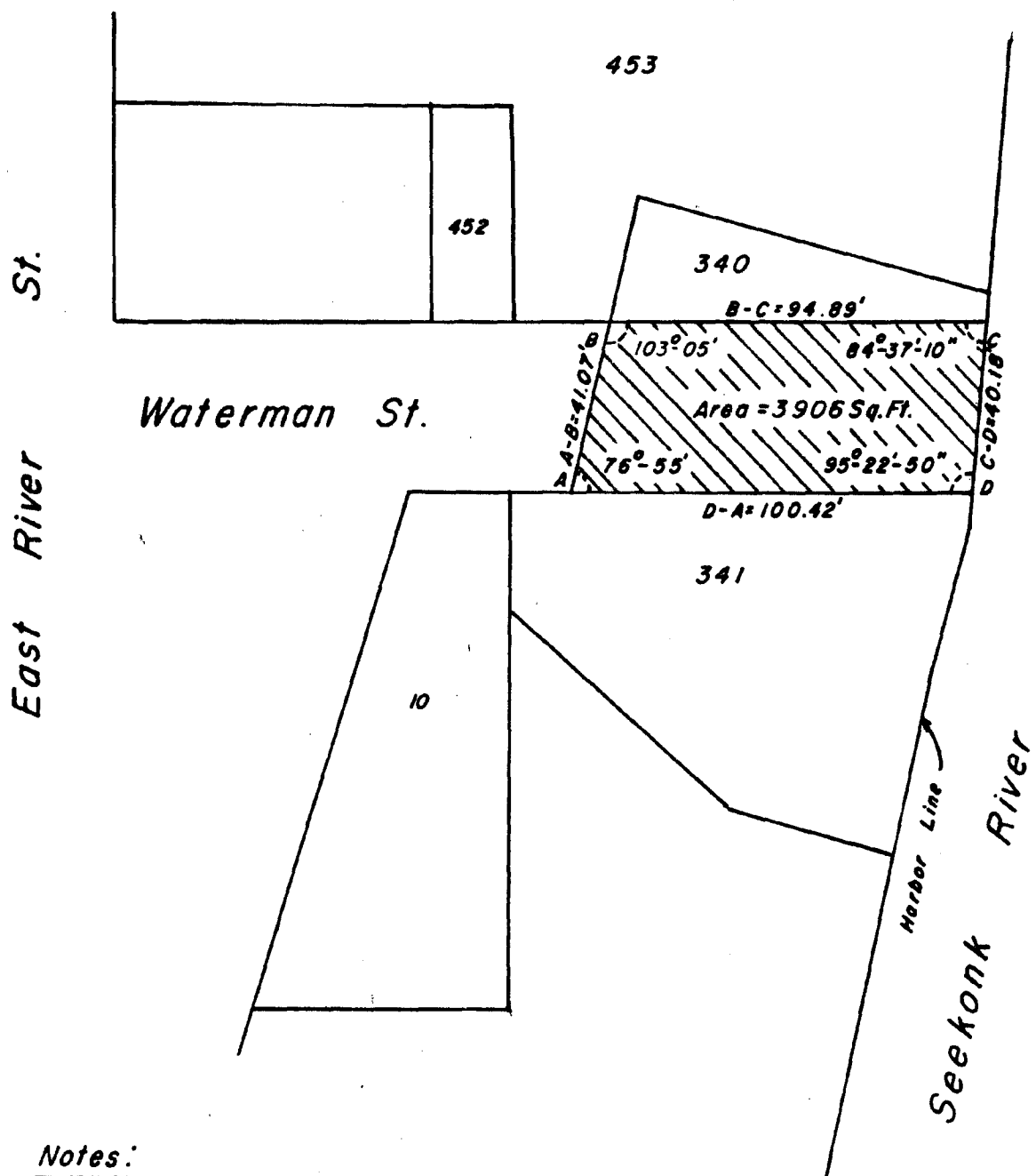

Anthony A. Giannini, Jr.
Deputy City Solicitor

AAG/sms

Enclosure: ()



PROVIDENCE R. I.
P. W. DEPT. - ENGINEERING OFFICE
STREET LINE SECTION
Plan No. 064373
Date March 5, 1987



Notes:

Cross-Hatched Area (A-B-C-D-A)
Indicates Proposed Abandonment.

Lot:

340 } Owner Harold Scheln
341 }

CITY OF PROVIDENCE, R. I.
Public Works Dept. - Engineering Office
Showing: Proposed Abandonment
Drawn by J.A.M. - Checked by R.J.D.
Scale 1" = 40' - Date 3-5-87
Corrected by [Signature] - Associate Eng.
Appr. by [Signature]

Lot Numbers From Assessor's Plot 15

RESOLUTION OF THE CITY COUNCIL

No. 247

Approved April 21, 1987

WHEREAS, Resolution No. 226, approved March 16, 1956 granted permission to Harben Realty Company to install and maintain an underground conduit for steam pipes and other uses under Carpenter Street for the purpose of conveying steam between the properties designated as 299 and 304 Carpenter Street, and

WHEREAS, Said Resolution contained numerous conditions together with the filing of a bond in the sum of Five Thousand (\$5,000.00) Dollars, which has been in existence during this entire period, and

WHEREAS, The building situated along 299 Carpenter Street is in the process of being sold and the conduit is no longer required;

NOW, THEREFORE, BE IT RESOLVED, That Resolution No. 226, as approved March 16, 1956 is hereby rescinded, to allow Harben Realty Company, who was merged into Blacher Brothers, Inc. to relieve the firm of all responsibilities set forth in said Resolution, and

BE IT FURTHER RESOLVED, That said permission is granted subject to recommendation of Department of Public Works dated June 18, 1986 that said conduit is capped and sealed at both ends and precaution is taken to prevent any migration of road subsoil to the pipe.

IN CITY COUNCIL

APR 16 1987

READ AND PASSED

PRES.

CLERK

APPROVED

APR 21 1987

MAYOR

IN CITY COUNCIL
JUN - 5 1986
FIRST READING
REFERRED TO COMMITTEE ON

PUBLIC WORKS

Rosen Mendora CLERK

THE COMMITTEE
PUBLIC WORKS

Approves Passage of
The Within Resolution

as amended

Rosen Mendora
Chairman

Clerk
April 5, 1987

Councilman Lombardi, by Request

BLACHER BROTHERS, INC.

Post Office Box 1417
Providence, Rhode Island 02901

May 28, 1986

Mr. John Lombardi
186 Federal Street
Providence, R.I. 02903

Dear Mr. Lombardi:

Blacher Brothers, Inc. has signed a purchase and sale agreement to sell their building located at 299 Carpenter Street. A closing date has been set for July 1, 1986.

On March 16, 1956 the City Council gave approval to Harben Realty Company to install an underground conduit for steam and other uses under Carpenter Street between this building at 299 Carpenter Street and the property that we owned across the street designated as 304 Carpenter Street. This was done by Resolution No. 226, a copy of which is enclosed.

Also, enclosed is a blueprint of the conduit.

As consideration for this, Harben was required to file a bond of \$5000.00 with the City. We have had this bond in existence during this entire period, for which we pay \$30.00 annually. Several years ago Harben Realty Company was merged into Blacher Brothers, Inc. which is the present entity that is responsible for the conduit.

We had steam and electric lines in this conduit. The electric lines have already been separated from the main building by having Narragansett Electric Company put in a new service to 304 Carpenter Street.

We are now in the process of designing and requesting permission to install boilers in the buildings between 304 Carpenter Street and Westminster Street. These buildings are not being sold and will be retained by Blacher Brothers, Inc. As a consequence, the conduit will no longer be required and we would like to be relieved of the responsibility of Resolution 226 requirements. We also, will not be able to get to the conduit as the entrance to it will be in the building that is being sold at 299 Carpenter Street.

I have spoken to the City Clerk and was advised that a request would have to be made to the City Council by our area Councilman to accomplish this. Specifically I am asking that Resolution 226 of March 16, 1956 be rescinded.

I have also spoken to Mr. Bob Quigley at the Department of Public Works and asked him if his department could start looking into this matter as I expect the Council would refer the problem to them as we had to construct it to their satisfaction back in 1956. He said he would do this and report it to his supervisor and get the information to the Director. I requested that if they could look into it, we might be able to expedite whatever had to be done, if anything.

Whatever you can do to accomplish the above will be greatly appreciated.

Very truly yours,

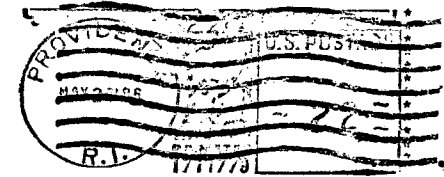
Stanley P. Blacher

Stanley P. Blacher
President

BLACHER BROTHERS INC.

P. O. BOX 1417

PROVIDENCE, R. I. 02901



City Clerk
City Hall
Providence, R.I. 02903

RESOLUTION OF THE CITY COUNCIL

No. 226

Approved March 16, 1956

Resolved,

That permission be and hereby is granted to Harben Realty Company, a corporation existing under the laws of the State of Rhode Island, to install and maintain an underground conduit for steam pipes and other uses under Carpenter Street, between Courtland Street and Bridgham Street, for the purpose of conveying steam between the properties designated 299 and 304 Carpenter Street, said properties being designated as Lots 35 and 36 and Lots 430, 496 and 497, on Assessor's Plat 32; all in accordance with the accompanying blueprint plan entitled "Plan of Proposed Steam Main under Carpenter Street for Harben Realty Company by Muir and Barney, Architects," and in accordance with the provisions of "An Act Authorizing the City of Providence to Permit the Owner or Owners of Estates Situated Upon Opposite Sides of a Street or Highway to Build and Maintain a Subway, Conduit or Pipe Under and Across Such Street or Highway", being Chapter 1418 of the Public Laws, approved April 14, 1916.

The permission hereby granted is upon the condition that said underground conduit shall be so constructed as not to interfere with the use of said Carpenter Street by the public or by any person or corporation having the right to maintain pipes or conduits under or in said street; and it is further provided that the permission hereby granted is upon the condition that said underground conduit shall be constructed under the supervision and control, and to the satisfaction of the Director of Public Works, and upon the condition that said underground conduit shall be removed upon 90 days' previous notice from the City Council, whenever in the opinion of said City Council the public interest may require its removal; and upon the condition that in case the City of Providence shall at any time hereafter be authorized to assess abutting owners for the private use and occupation of the public highways, the passage of this Resolution shall not in any manner affect the right of the City to charge and collect rent for the use of said Carpenter Street by said Harben Realty Company, its successors and assigns, or for maintaining thereunder said underground conduit; and upon

The City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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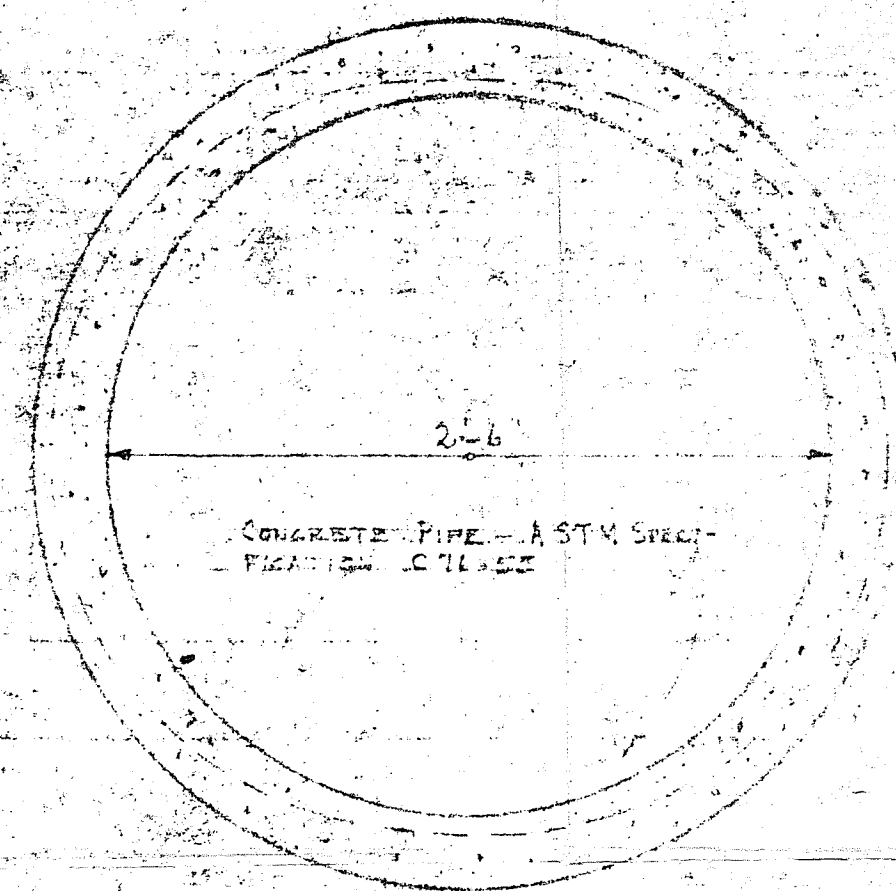
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XXXXXX

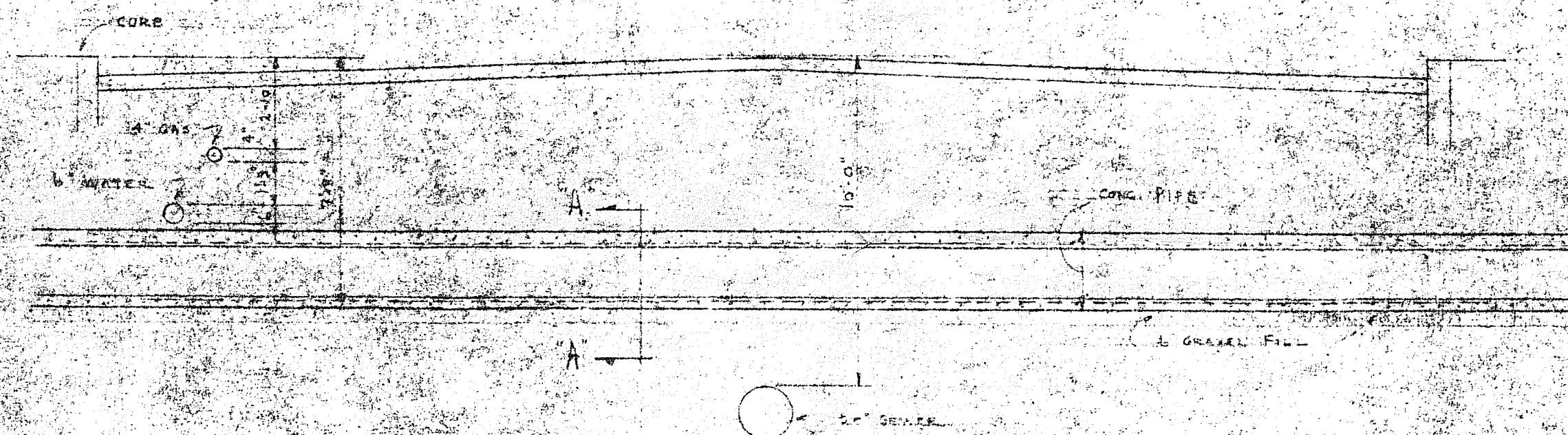
condition that said Harben Realty Company, its successors and assigns, shall hold and keep said City of Providence harmless, safe and indemnified from and against loss, cost, damage, payment and expense on account of any injuries to persons, or damage to property, for which said City may become liable on account of the construction, maintenance, use or repair, or neglect to properly maintain or repair, or any defect of said underground conduit under and across said Carpenter Street, unless the wrongful act or negligence of said City, its officers or employees, shall cause such injury or damage as mentioned aforesaid; and upon condition that said Harben Realty Company, its successors and assigns, before commencing the work of constructing said conduit file a bond in the sum of FIVE THOUSAND (\$5,000) DOLLARS, in form satisfactory to the City Solicitor to hold and keep said City harmless, safe and indemnified as aforesaid, and it is agreed by the acceptance hereof that the amount of said bond shall not be construed or held to limit their general obligation to hold and keep said City harmless, safe and indemnified as aforesaid; and upon the condition that said Harben Realty Company, its successors and assigns, shall repair and keep in repair so much of said Carpenter Street and the sidewalks of said Carpenter Street at and near where said underground conduit cross the same as shall be required by the Director of Public Works and to his satisfaction, and also upon the condition that said Harben Realty Company, its successors and assigns, shall before commencing the construction of said underground conduit, file with the City Clerk a written acceptance of the terms and conditions of this Resolution and an agreement to perform and observe all of said terms and conditions.

A true copy,
Attest:

D. Everett Whelan
D. Everett Whelan,
City Clerk.



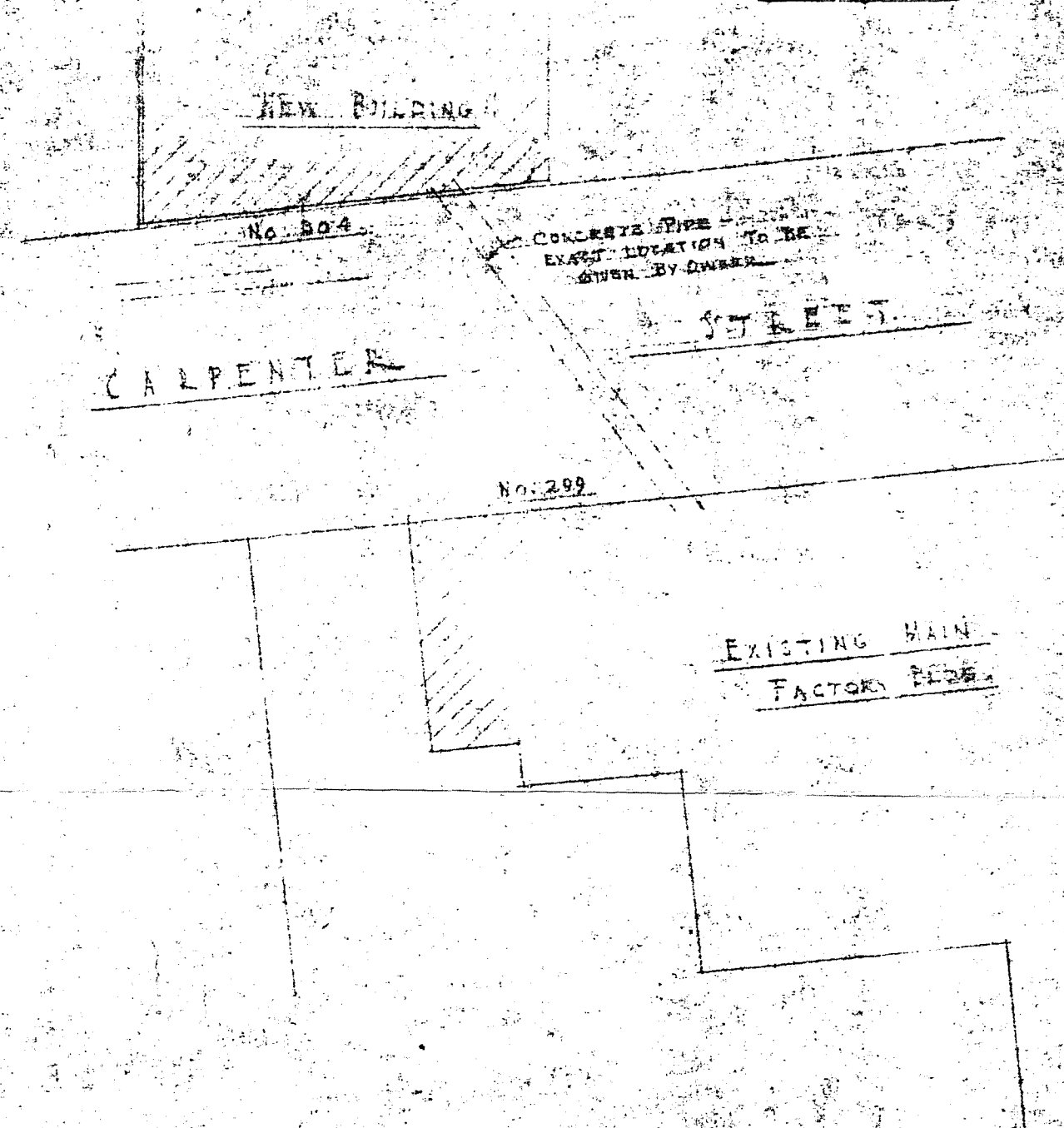
SECTION "A-A"
Scale 1 1/2" = 1'-0"



SECTION THRU STREET
Scale 3/4" = 1'-0"

DRAWING NOT TO SCALE

LOCATION PLAN
Scale 1" = 20'-0"
PLAT 32



PLANS OF CONCRETE PIPE DUCT
F.M.

H. B. RIGNY CO.

299 CARPENTER ST. PROVIDENCE, R.I.

OCTOBER 1956

BRIDGEMAN STREET

LOT 495
HARREN REALTY CO.

LOT 430
HARREN REALTY CO.

NEW 2 STORY BLDG.

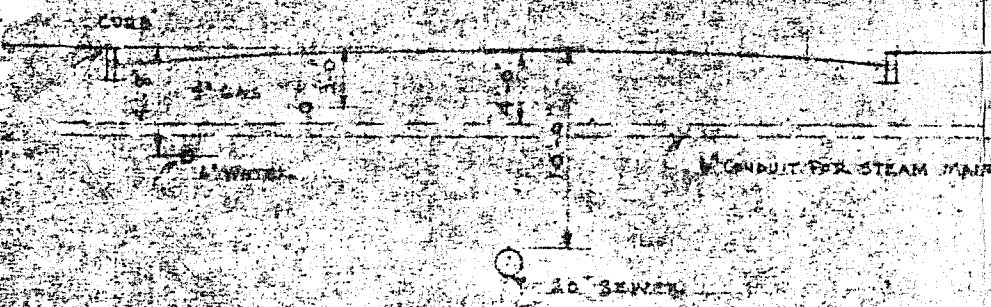
No 3041

6" WATER MAIN - 60' MAIN 400' FROM TOP OF CURB
20" BRICK SEWER - 10' TO TOP OF PIPE TO CROWN OF ST.
1" GAS MAIN - 2' TO BELOW CROWN OF STREET
C-2 STEAM SUPPLY MAIN TO NEW BLDG.
1 1/2" RETURN
SUPPLY & RETURN LINES TO BE RUN IN
RICHMOND "RED" CHB. INSULATED CONDUIT
6" DIAMETER

CALIFORNIA STREET

PLASTER 3 ROOM AND
WATER TIGHT BLDG.

LOT 35
HARREN REALTY CO.



City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: June 6, 1986

TO: Anthony G. Stanzione, Director Of Public Works

SUBJECT: Conduit Located Along Carpenter Street

CONSIDERED BY: Committee On Public Works

DISPOSITION: Attached are copies of the subject resolution, it is requested that you study the said matter, and advise the committee on public works as to what action if any should be taken to rectify the problem that the Blacher Brothers, Inc., has in order to relieve the firm of all responsibilities.

Michael R. Clement
First Deputy
City Clerk

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: June 6, 1986

TO: Edward C. Clifton, City Solicitor

SUBJECT: Conduit Located Along Carpenter Street

CONSIDERED BY: Committee On Public Works

DISPOSITION: Attached are copies of the subject resolution, it is requested that you study the said matter, and advise the committee on public works as to what action if any should be taken to rectify the problem that the Blacher Brothers, Inc has in order to relieve the firm of all responsibilities.

Michael R. Clement
First Deputy
City Clerk

ANTHONY G. STANZIONE, P.E.
DIRECTOR



JOSEPH R. PAOLINO, JR.
MAYOR

Department of Public Works

"Building Pride In Providence"

June 18, 1986

Hon. James A. Petrosinelli, Chairman
Committee on Public Works
Providence City Council
City Hall
Providence, Rhode Island 02903

RE: EASEMENT UNDER CARPENTER STREET (299 & 304 Carpenter St.)

Dear Mr. Petrosinelli:

This is in reference to a resolution filed on behalf of Blacher Brothers, Inc. to rescind an earlier resolution, No. 226, as approved March 16, 1956. The Department of Public Works is recommending approval (provided the petitioner supplies evidence that said conduit is capped and sealed at both ends and precaution is taken to prevent any migration of road subsoil to the pipe) of this request.

Respectfully submitted,

M. Megalli
Makram H. Megalli, P. E.
City Engineer

MHM/dj

cc: Anthony G. Stanzione, P. E. Director
Robert Quigley, Associate Engineer

FILED

JUN 19 11 20 AM '86

DEPT. OF CITY CLERK
PROVIDENCE, R.I.

Rose M. Mendonca

City Clerk

Clerk of Council

Clerk of Committees



Michael R. Clement

First Deputy

Grace Nobrega

Second Deputy

DEPARTMENT OF CITY CLERK
CITY HALL

May 12, 1987

Mr. Stanley P. Blacher
Blacher Brothers, Inc.
P. O. Box 1417
Providence, R. I. 02903

Dear Mr. Blacher:

Enclosed is a certified copy of Resolution No. 247
approved April 21, 1987, which is self-explanatory.

Very truly yours,

Rose M. Mendonca
City Clerk

RMM/bp

Enc.