

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 200

Approved May 14, 2004

RESOLVED, That the Members of the Providence City Council

hereby Endorse and Urge Passage by the General Assembly of Senate Bill 2004-2487, Relative to Highways – Construction and Maintenance of State Roads.

IN CITY COUNCIL,
MAY 6 2004
READ AND PASSED

PRES.

Michael B. Clement
CLERK

APPROVED

5/11/04

MAYOR

IN CITY COUNCIL
APR 1 2004
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION

CLERK

THE COMMITTEE ON
STATE LEGISLATION
Recommends Approval

Cris Bullock
CLERK
April 21, 2004

Councilman Mancini and Councilman DeLuca (By Request)

LC02354

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2004

A N A C T

RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE
ROADS

Introduced By: Senator Maryellen Goodwin

Date Introduced: February 11, 2004

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 24-8-15 and 24-8-26 of the General Laws in Chapter 24-8 entitled
2 "Construction and Maintenance of State Roads" are hereby amended to read as follows:

3 **24-8-15. Snow and ice removal -- Notice of defects.** -- (a) Every town or city shall at its
4 own expense keep state roads within its limits, respectively, sufficiently clear of snow and ice so
5 the roads shall be reasonably safe for travel as now required by law, and shall at once notify in
6 writing the director of transportation or his or her employees of any defect or want of repair of
7 state roads within its limits.

8 (b) (1) Notwithstanding any other provision of law or state policy regarding the removal
9 of snow and ice from state maintained roads, the application of de-icing agents to any road within
10 the Scituate watershed shall, whenever possible and not precluded by the severity of road
11 conditions, be in the premixed ratio of four (4) parts sodium chloride to one part calcium chloride,
12 which de-icing mix shall be applied at the ratio of two (2) parts de-icing agent to seven (7) parts
13 sand at the rate of one hundred seventy (170) pounds per lane mile.

14 (2) All storage piles or areas where road de-icing agents are stored within the Scituate
15 watershed shall be adequately covered and stored on an impervious base to mitigate runoff
16 impacts to ground and surface waters. The director of the department of transportation shall
17 ensure where funds allow, that all drivers, loaders and handlers of de-icing agents within any
18 watershed participate in training sessions in the proper application and control of road de-icing

1 agents; that de-icing vehicles, wherever feasible, operating within the Scituate watershed area
2 equipped with sensor devices to control the spread rate of de-icing materials in relation to the
3 speed of the vehicle.

4 (3) For purposes of this section the "Scituate watershed" shall mean the total drainage
5 area into the Scituate Reservoir -- an area of some 92.8 square miles in the towns of Scituate,
6 Johnston, Foster, Gloucester, and Smithfield -- which because of its topography, soil type, and
7 drainage patterns acts as a collector of rain waters which replenish or regorge existing pubic
8 drinking water supplies in the Scituate Reservoir.

9 **24-8-26. Removal of snow and ice from bridges -- Notice of defects.** -- (a) Every town
10 or city in which any bridge is located, which shall be maintained by the state under the provisions
11 of this chapter, shall at its own expense keep the bridge within its limits sufficiently clear of snow
12 and ice so that the bridge shall be reasonably safe for traveling, and shall at once notify in writing
13 the director of transportation or the director's employees of any defect or want of repair in the
14 bridge. The director of transportation shall upon the receipt of the information notify any public
15 utility using the bridge of the defect or want of repair.

16 (b) Notwithstanding any other provision of law or state policy regarding the removal of
17 snow and ice from state maintained roads, the application of de-icing agents to any road within
18 the Scituate watershed shall, whenever possible and not precluded by the severity of road
19 conditions, ~~be in the premixed ratio of four (4) parts sodium chloride to one part calcium chloride,~~
20 ~~which de-icing mix~~ shall be applied at the ratio of two (2) parts de-icing agent to seven (7) parts
21 sand at the rate of one hundred seventy (170) pounds per lane mile.

22 (c) All storage piles or areas where road de-icing agents are stored within the Scituate
23 watershed shall be adequately covered and stored on an impervious base to mitigate runoff
24 impacts to ground and surface waters. The director of the department of transportation shall
25 ensure where funds allow, that all drivers, loaders, and handlers of de-icing agents within any
26 watershed participate in training sessions in the proper application and control of road de-icing
27 agents; that de-icing vehicles, wherever feasible, operating within the Scituate watershed area
28 equipped with sensor devices to control the spread rate of de-icing materials in relation to the
29 speed of the vehicle.

30 (d) For purposes of this section the "Scituate watershed" shall mean the total drainage
31 area into the Scituate Reservoir -- an area of some 92.8 square miles in the towns of Scituate,
32 Johnston, Foster, Gloucester, and Smithfield -- which because of its topography, soil type, and
33 drainage patterns acts as a collector of rain waters which replenish or regorge existing public
34 drinking water supplies in the Scituate Reservoir.

1 SECTION 2. Section 46-15.3-11 of the General Laws in Chapter 46-15.3 entitled "Public
2 Drinking Water Supply System Protection" is hereby amended to read as follows:

3 **46-15.3-11. Disbursements from the funds.** -- (a) Only suppliers which withdraw water
4 from wells, reservoirs, springs, or other original sources of potable water shall be entitled to
5 disbursements from the first of the two (2) mentioned funds created under section 46-15.3-10
6 administered by the water resources board. From amounts available from bond proceeds held by
7 the water resources board, that board shall disburse to each supplier contributing to the fund a
8 proportional amount based upon each supplier's pro rata withdrawal of water by volume from
9 wells, reservoirs, springs, or other original sources of water averaged over the three (3) calendar
10 years preceding disbursement as determined by the water resources board. Suppliers shall be
11 required to expend this money as follows:

12 (1) Not less than fifty-five percent (55%) shall be spent for acquisition of land or rights
13 in land or physical improvements to acquired land required to protect the quality of raw water of
14 the water supply system. Expenditures for maintenance, administration, and payment of taxes on
15 land acquired under this chapter shall be included within this subdivision.

16 (2) Any remaining funds may be used for any eligible expenditures as defined in section
17 46-15.3-4.

18 (b) The city of Providence shall make expenditures from amounts available in the fund
19 held by the city of Providence based on the same formula as in subsections (a)(1) and (a)(2)
20 above; ~~provided, however, that upon receipt of authenticated vouchers from the director of the~~
21 ~~department of transportation for expenditures made by the department in the purchase of deicing~~
22 ~~agent alternatives in the removal of snow and ice from roads and bridges within the Situate~~
23 ~~watershed, pursuant to sections 24-8-15 and 24-8-26, the city of Providence shall honor the~~
24 ~~vouchers.~~

25 (c) In making decisions about the expenditure of money under the provisions of this
26 chapter, suppliers shall take into account the following factors:

27 (1) The likelihood of development of the specific parcel proposed for acquisition;

28 (2) The existing land uses, as well as the likelihood of development, in the watershed;

29 (3) The potential threat to public drinking water sources posed by development in the
30 watershed including, but not limited to, the intensity of development, the types of land uses,
31 proximity to reservoirs and/or well heads, and the buffering and filtration capacity of the natural
32 systems;

33 (4) Whether alternative protection measures are available and/or have been attempted,
34 including local land use regulations;

1 (5) The number of persons who presently depend on the sources for their drinking water,
2 as well as the number of persons who may depend on it in the future;

3 (6) The anticipated cost of the parcel proposed to be purchased, and whether less than a
4 fee interest may be acquired which would reduce the cost significantly while still providing
5 protection to the source;

6 (7) Other cost effectiveness considerations, including whether protection of the source
7 can be provided by the construction of physical improvements;

8 (8) Whether acquisition of the specific parcel, and the protection of the watershed of
9 which it is a part, is consistent with other planning considerations;

10 (9) Proposed management techniques for the parcel proposed to be acquired which will
11 maximize its capacity to protect the source.

12 (d) The costs of issuance of notes and bonds authorized by section 46-15.3-10 may be
13 payable from any monies in the water quality protection funds.

14 SECTION 3. This act shall take effect upon passage.

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LC02354
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HIGHWAYS-- CONSTRUCTION AND MAINTENANCE OF STATE
ROADS

1 This act would change the state road salt policy within the Scituate Reservoir and the
2 related requirements that expenditures by the department of transportation for road-deicing agent
3 alternatives with the Scituate watershed shall be reimbursable expenditures from the water quality
4 protection fund.

5 This act would take effect upon passage.

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LC02354
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ROBERT A. WALSH, JR.
Chairman
JOEL D. LANDRY, II
Vice Chairman
ALEXANDER D. PRIGNANO
Ex-Officio
CARISSA R. RICHARD
Secretary
FERNANDO S. CUNHA, ESQ.
Legal Advisor



DAVID N. CICILLINE
Mayor
ROBERT J. KILDUFF, P.E., ESQ.
Chief Engineer & General Manager
JOSEPH DE LUCA
City Councilman
PETER S. MANCINI
City Councilman
JOSEPH D. CATALDI
Member
ANNE T. QUINTERNO
Member

RESOLUTION OF THE PROVIDENCE WATER SUPPLY BOARD

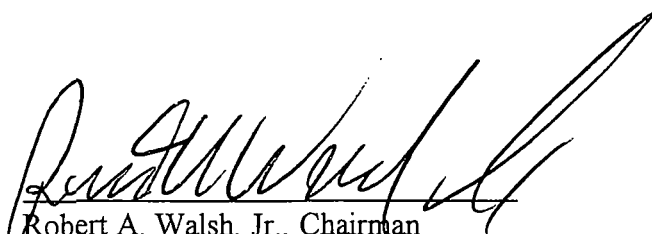
WHEREAS, the City of Providence Water Supply Board is an agency of the City of Providence, Rhode Island and owns and operates a water supply system; and

WHEREAS, the Board has reviewed and discussed the proposed legislation 2004 - S 2487 entitled "An Act Relating to Highways - Construction and Maintenance of State Roads," which was introduced in the State of Rhode Island General Assembly on February 11, 2004 and referred to the Senate Committee on Finance.


NOW, THEREFORE, BE IT RESOLVED:

1. That the Board voted to authorize the Chief Engineer and General Manager to send written confirmation to Senator Maryellen Goodwin, sponsor of the legislation, regarding the support of the Providence Water Supply Board in the passage of 2004 - S 2487.
2. This resolution shall take effect upon passage.

Approved at a meeting of the City of Providence Water Supply Board, as held on February 18, 2004 by unanimous vote of the members of the Providence Water Supply Board present.



Robert A. Walsh, Jr., Chairman
Providence Water Supply Board



Carissa R. Richard, Secretary
Providence Water Supply Board

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THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

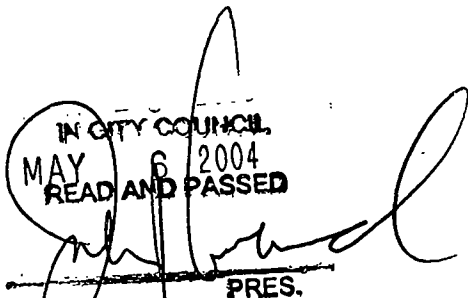
RESOLUTION OF THE CITY COUNCIL

No. 201

Approved May 14, 2004

RESOLVED, That the Members of the Providence City Council

hereby Endorse and Urge Passage by the General Assembly of House Bill 2004-H
7917, Relative to Highways – Construction and Maintenance of State Roads.

IN CITY COUNCIL
MAY 6 2004
READ AND PASSED

PRES.
Michael G. Clement
CLERK (C.G.)

APPROVED


5/14/04

MAYOR

IN CITY COUNCIL
APR 1 2004
FIRST READING
REFERRED TO COMMITTEE ON
STATE LEGISLATION
Michael J. West
CLERK

THE COMMITTEE ON
STATE LEGISLATION
Recommends Approval
Cairo Butard
April 21, 2004
CLERK

Councilman Mancini and Councilman Medina (By Request)

LC02231

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2004

A N A C T

RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE
ROADS

Introduced By: Representatives Fox, Williams, Slater, Costantino, and Almeida

Date Introduced: February 12, 2004

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 24-8-15 and 24-8-26 of the General Laws in Chapter 24-8 entitled

2 "Construction and Maintenance of State Roads" are hereby amended to read as follows:

3 24-8-15. Snow and ice removal -- Notice of defects. -- (a) Every town or city shall at its
4 own expense keep state roads within its limits, respectively, sufficiently clear of snow and ice so
5 the roads shall be reasonably safe for travel as now required by law, and shall at once notify in
6 writing the director of transportation or his or her employees of any defect or want of repair of
7 state roads within its limits.

8 (b) (1) Notwithstanding any other provision of law or state policy regarding the removal
9 of snow and ice from state maintained roads, the application of de-icing agents to any road within
10 the Scituate watershed shall, whenever possible and not precluded by the severity of road
11 conditions, ~~be in the promixed ratio of four (4) parts sodium chloride to one part calcium chloride,~~
12 ~~which de-icing mix~~ shall be applied at the ratio of two (2) parts de-icing agent to seven (7) parts
13 sand at the rate of one hundred seventy (170) pounds per lane mile.

14 (2) All storage piles or areas where road de-icing agents are stored within the Scituate
15 watershed shall be adequately covered and stored on an impervious base to mitigate runoff
16 impacts to ground and surface waters. The director of the department of transportation shall
17 ensure where funds allow, that all drivers, loaders and handlers of de-icing agents within any
18 watershed participate in training sessions in the proper application and control of road de-icing

1 agents; that de-icing vehicles, wherever feasible, operating within the Scituate watershed area
2 equipped with sensor devices to control the spread rate of de-icing materials in relation to the
3 speed of the vehicle.

4 (3) For purposes of this section the "Scituate watershed" shall mean the total drainage
5 area into the Scituate Reservoir -- an area of some 92.8 square miles in the towns of Scituate,
6 Johnston, Foster, Gloucester, and Smithfield -- which because of its topography, soil type, and
7 drainage patterns acts as a collector of rain waters which replenish or regorge existing pubic
8 drinking water supplies in the Scituate Reservoir.

9 24-8-26. Removal of snow and ice from bridges -- Notice of defects. -- (a) Every town
10 or city in which any bridge is located, which shall be maintained by the state under the provisions
11 of this chapter, shall at its own expense keep the bridge within its limits sufficiently clear of snow
12 and ice so that the bridge shall be reasonably safe for traveling, and shall at once notify in writing
13 the director of transportation or the director's employees of any defect or want of repair in the
14 bridge. The director of transportation shall upon the receipt of the information notify any public
15 utility using the bridge of the defect or want of repair.

16 (b) Notwithstanding any other provision of law or state policy regarding the removal of
17 snow and ice from state maintained roads, the application of de-icing agents to any road within
18 the Scituate watershed shall, whenever possible and not precluded by the severity of road
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29 speed of the vehicle.

30 (d) For purposes of this section the "Scituate watershed" shall mean the total drainage
31 area into the Scituate Reservoir -- an area of some 92.8 square miles in the towns of Scituate,
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33 drainage patterns acts as a collector of rain waters which replenish or regorge existing public
34 drinking water supplies in the Scituate Reservoir.

1 SECTION 2. Section 46-15.3-11 of the General Laws in Chapter 46-15.3 entitled "Public
2 Drinking Water Supply System Protection" is hereby amended to read as follows:

3 **46-15.3-11. Disbursements from the funds.** -- (a) Only suppliers which withdraw water
4 from wells, reservoirs, springs, or other original sources of potable water shall be entitled to
5 disbursements from the first of the two (2) mentioned funds created under section 46-15.3-10
6 administered by the water resources board. From amounts available from bond proceeds held by
7 the water resources board, that board shall disburse to each supplier contributing to the fund a
8 proportional amount based upon each supplier's pro rata withdrawal of water by volume from
9 wells, reservoirs, springs, or other original sources of water averaged over the three (3) calendar
10 years preceding disbursement as determined by the water resources board. Suppliers shall be
11 required to expend this money as follows:

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13 in land or physical improvements to acquired land required to protect the quality of raw water of
14 the water supply system. Expenditures for maintenance, administration, and payment of taxes on
15 land acquired under this chapter shall be included within this subdivision.

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17 46-15.3-4.

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19 held by the city of Providence based on the same formula as in subsections (a)(1) and (a)(2)
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24 ~~vouchers.~~

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26 chapter, suppliers shall take into account the following factors:

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28 (2) The existing land uses, as well as the likelihood of development, in the watershed;

29 (3) The potential threat to public drinking water sources posed by development in the
30 watershed including, but not limited to, the intensity of development, the types of land uses,
31 proximity to reservoirs and/or well heads, and the buffering and filtration capacity of the natural
32 systems;

33 (4) Whether alternative protection measures are available and/or have been attempted,
34 including local land use regulations;

1 (5) The number of persons who presently depend on the sources for their drinking water,
2 as well as the number of persons who may depend on it in the future;

3 (6) The anticipated cost of the parcel proposed to be purchased, and whether less than a
4 fee interest may be acquired which would reduce the cost significantly while still providing
5 protection to the source;

6 (7) Other cost effectiveness considerations, including whether protection of the source
7 can be provided by the construction of physical improvements;

8 (8) Whether acquisition of the specific parcel, and the protection of the watershed of
9 which it is a part, is consistent with other planning considerations;

10 (9) Proposed management techniques for the parcel proposed to be acquired which will
11 maximize its capacity to protect the source.

12 (d) The costs of issuance of notes and bonds authorized by section 46-15.3-10 may be
13 payable from any monies in the water quality protection funds.

14 SECTION 3. This act shall take effect upon passage.

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LC02231
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HIGHWAYS -- CONSTRUCTION AND MAINTENANCE OF STATE
ROADS

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Chairman

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Vice Chairman

ALEXANDER D. PRIGNANO
Ex-Officio

CARISSA R. RICHARD
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor



DAVID N. CICILLINE
Mayor

ROBERT J. KILDUFF, P.E., ESQ.
Chief Engineer & General Manager

JOSEPH DE LUCA
City Councilman

PETER S. MANCINI
City Councilman

JOSEPH D. CATALDI
Member

ANNE T. QUINTERNO
Member

RESOLUTION OF THE PROVIDENCE WATER SUPPLY BOARD

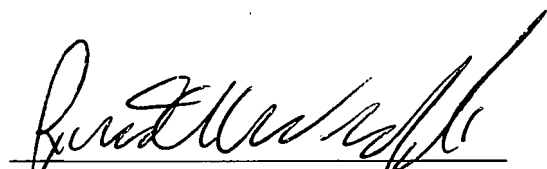
WHEREAS, the City of Providence Water Supply Board is an agency of the City of Providence, Rhode Island and owns and operates a water supply system; and


WHEREAS, the Board has reviewed and discussed the proposed legislation 2004 - H 7917 entitled "An Act Relating to Highways - Construction and Maintenance of State Roads," which was introduced in the State of Rhode Island General Assembly on February 12, 2004 and referred to the House Committee on Finance.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board voted to authorize the Chief Engineer and General Manager to send written confirmation to House Majority Leader Gordon Fox regarding the support of the Providence Water Supply Board in the passage of 2004 - H 7917.
2. This resolution shall take effect upon passage.

Approved at a meeting of the City of Providence Water Supply Board, as held on February 18, 2004 by unanimous vote of the members of the Providence Water Supply Board present.


Robert A. Walsh, Jr., Chairman
Providence Water Supply Board


Carissa R. Richard, Secretary
Providence Water Supply Board

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