

TOWN COUNCIL MEETING

February 27, 2012

EXECUTIVE SESSION

For the purpose of discussing matters pertaining to litigation or potential litigation and in accordance with RIGL Chapter 42-46-5, paragraph (2)

1. Springfield Armoury LP V. Picard
2. Alfred R. Ferretti Jr. Superior Court C.A. No.11-3357 and Vacation Arb. AAA No. 11-390-01569-11
3. School Employees Pension Plan

Motion made by Councilman Spear seconded by Vice-President McGee to recess to Executive Session. All voted aye.

Motion made by Council Mattson seconded by Councilman Spear to close Executive Session. All voted aye.

Motion made by Councilman Spear seconded by Councilman Mattson to seal minutes of Executive Session. All voted aye.

TOWN COUNCIL MEETING

Present: Councilman Jendzejec, President Cote, Vice-President McGee, Councilman Mattson, Councilman Spear

Town Manager Hoover, Town Solicitor Tobin

Pledge of Allegiance led by Town Sergeant  
Invocation by Councilman Spear  
Review of Emergency Evacuation Plan

President's Comments

President Cote welcomed Councilman Spear, following his brief absence due to illness.

Motion made by Vice-President McGee seconded by Councilman Spear to move Resolution J.1, appointing a member to School Committee, to the current portion of the Town Council meeting. All voted Aye.

RESOLUTION

Appointing a member to the Coventry School Committee to fill the unexpired term of Lianne M. Russell, District 3, who has resigned from the Committee, until the next regular election

Motion made by Vice-President McGee seconded by Councilman Jendzejec to appoint Frank Hyde to the School Committee.

Councilman Spear stated that this is something that has been accomplished in which he had no participation. He has concerns about the appointment and would like the opportunity to sit with the candidates who indicated an interest in filling this position.

President Cote pointed out that a majority of the Council was available and did conduct interviews. District 3 has been without representation long enough and he wishes to move forward with the resolution. Unfortunately the Town Council erred in the previous vote when appointing someone to that position and we need to do a "revote" tonight.

Solicitor Tobin explained that the error in voting was brought to his attention after the last meeting. There is a provision in the Town Charter where three affirmative votes are required to approve any item coming before the Town Council. That being said, steps were taken to notify the Town Council that it would be necessary to have a revote with respect to two agenda items, the School Committee appointment along with resolution #J. 2 dealing with collective bargaining agreements.

Vote taken to appoint Mr. Hyde to School Committee until the next regular election. Vote taken: Aye (3); Nay (2) Councilmen Spear and Mattson vote Nay. Motion carries.

Councilman Mattson additionally commented that he feels there should have been an executive session at the January 9 meeting regarding Ms. Russell's resignation. President Cote replied that while he appreciates and respects Mr. Mattson's opinion, he spoke with Ms. Russell, and she recommended a list of three names to fill her position on the School Committee. Each person was notified, two were no longer interested and one gentleman came in for an interview. Everything was done properly except for the error in the vote. This is not a three year appointment but only until the next regular election, approximately nine months.

Mr. Hyde was administered the oath of office by President Cote.

Approval of Town Council minutes from February 13, 2012.

Motion made by Councilman Jendzejec seconded by Councilman Mattson to approve minutes of February 13, 2012. All voted aye.

Presentation by Gail Tatangelo regarding the Coventry Community Garden

Gail Tatangelo, 190 Shippee Plat Road, highlighted how the community garden has flourished and grown in the past four years since she first appeared before the Town Council asking for a piece of the town's property to start a community garden. Beginning with no tools or money, we started the garden at the Town Hall Annex. This year the garden is being extended by 180 square feet at a location in the back of the Western Coventry Elementary School. We will be starting seeds with the third grade classes as part of their science program. In addition, it will give us the opportunity to teach them about volunteering and helping people.

Additionally, last year Bob Robillard of the Human Services Department helped we obtain a grant. This year Mr. Robillard has applied for a \$4,000 grant from Organic Gardening Magazine and we were chosen as one of 15 prequalified gardens from over 150 entries in the US and Canada. We seek to be one of five recipients of the \$4,000 grant, so I am asking for your vote, which can be done on-line. Paperwork is available with voting instructions.

Ms. Tatangelo thanked local businesses for their support, without which 1.5 tons of food could not have been donated to our local food pantry over the last three years. She urged the town's citizens to support our local businesses. President Cote recognized and thanked her for the phenomenal work she does with the garden for the community.

CONSENT AGENDA

1. Approving the installation of sewer connections at 1051-1053 Main Street
2. Amending the Budget Calendar for submission of the 2012/2013 fiscal year budget in accordance with the financial provisions of the Town Charter and State Law.

Manager Hoover noted several scheduling changes on the budget calendar and advised that public comment would also be allowed at each meeting.

Motion was made by Councilman Spear seconded by Vice-President McGee to approve amendments to the budget calendar. All voted aye.

PUBLIC HEARINGS

Town Council, acting as the Liquor Control Board, considering the Class B liquor license (with victualling, live show and dance licenses) of Chatermike Restaurant Corporation, 446 Tiogue Avenue

Manager Hoover advised that this matter was before the Town Council at its last meeting, at which time Council allowed the proprietor until this evening to make good on taxes and corporate certificates with the state of RI. This afternoon I received a visit from the owner personally and he presented me with two documents which appear before Council this evening. The owner has been working on his financing and unfortunately he will not have the wire transfer of more than \$31,000 until Wednesday of this week. He asked if the Town Council would allow him until March 12 to fulfill all the requirements of the state and the town. In a phone conversation this afternoon we reached a mutual agreement that he should have everything in order by the end of this week and if that is not done, we will have the police department close him down on Saturday.

President Cote asked that if the Council and Manager Hoover have no objections, he would suggest allowing the proprietor until March 12 to meet all requirements. Manager Hoover had no objections.

Motion made by Councilman Spear seconded by Councilman Jendzejec to extend deadline to March 12, 2012. All voted aye.

RESOLUTIONS

Opposing House Bill No. 7250 which provides that if a successor collective bargaining agreement has not been agreed to by the parties, then the terms & conditions of the old teachers' contract would remain in full force and effect until a new agreement is reached

President Cote noted that this resolution is the second matter needing a "revote" from the last Town Council meeting. Motion made by Vice-President McGee seconded by Councilman Spear to adopt resolution. Vote 4 Aye; Councilman Jendzejec voted Nay. Motion carries.

Approving a rental agreement with option to purchase with the Comprehensive Community Action Program, 311 Doric Avenue, Cranston, RI, for the Town of Coventry building at 191 MacArthur Boulevard

Manager Hoover explained that CCAP has been operating at MacArthur Blvd. for quite some time. The main entity in there is a health clinic, a very important service that is provided for low and moderate income individuals in our community.

This building requires quite a bit of capital improvements. The Town doesn't have the ability or means to do it, but CCAP has approached us with a proposal to lease the building from us with an option to purchase. Solicitor Tobin has been in negotiations with CCAP regarding both a lease and lease with option. The final draft is presented tonight, a 10 year lease with two five year options, with a purchase price of \$1.2 million. Improvements to the property will be made at the expense of CCAP, but the town will pay approximately 32% of the utilities, covering the area utilized by the town, the food bank and a small area used by the library. Additionally the Town will provide refuse collection and snow plowing.

Motion was made by Councilman Spear seconded by Councilman Jendzejec to adopt resolution approving lease agreement. All voted aye.

Authorizing certification for the Town of Coventry to receive surplus equipment from the State of Rhode Island

Manager Hoover indicated that from time to time the State has surplus equipment it is willing to give or donate to cities and towns. However, there is a required agreement that must be signed by two individuals in the town's administration. We are asking for the authority to sign such an agreement, which would make equipment available to be received by any town department. Originally Recreation Director Guy Lefebvre was asking for this to be done by the Parks and Recreation Dept. but after further discussion we decided it would be beneficial if it were available for every department in the town. Guy Lefebvre and Manager Hoover will be the administrative representatives.

Motion made Councilman Spear seconded by Vice-President McGee to authorize certification. All voted aye.

Referring to the Planning Commission a petition for street abandonment of portions of Paul Street, North Street and South Street by Rhodes Technologies ("Rhodes")

Manager Hoover advised that some streets exist which are located on property owned by Rhodes Technologies. Rhodes is asking for abandonment of a portion of those streets within their boundaries, so that they can utilize the property.

Motion was made by Councilman Spear seconded by Vice-President McGee to refer to the Planning Commission for recommendation. All voted Aye.

Affirming the award of four (4) BMP's (storm water improvements) on East Shore Drive to Cardi Corp at a cost of \$59,500 for storm water entering Lake Tiogue

Manager Hoover explained that BMP's are pretreatments for storm water discharge, similar to a catch basin. The bid process was followed and the low bidder was Cardi Corp for total cost of \$59,500, being funded by a grant from RIDEM/EPA as well as use of some DPW capital improvement money.

Vice-President McGee asked for assurance that Cardi Corp can complete the job for the cost of \$59,500 with no overruns, as this bid was considerably lower than other bid of \$120,000. Town Engineer Bob Joyal replied that Cardi indicated that they would not have a problem doing the job for that price.

President Cote asked that Mr. Joyal keep a check on the job before the town signs off on anything. He also clarified that \$59,500 is all there is and the job must be completed for \$59,500.

Motion made by Councilman Spear seconded by Vice-President McGee to approve resolution. All voted aye.

Authorizing an agreement with the United States Department of Agriculture – Natural Resources Conservation Service for the Stream Bank Revitalization Project on the Pawtuxet River at the Anthony and Concordia Mills, under a \$2.5 million grant, and subject to the Mills providing a required 10% match

Manager Hoover explained that as a result of the flooding in March 2010, bank erosion was sustained on the adjacent areas to Anthony and Concordia mills. Approximately \$2.5 million has been earmarked for the project by NRCS of the US Department of Agriculture, however, there is a 10% match. The town does not have that 10% in our coffers and we have asked Concordia and Anthony Mills to provide that match. They are in current negotiations regarding the breakdown of the 10% match, as one side of the river will need more work than the other. Approval of this resolution will authorize the Town Manager to sign an agreement as a governmental sponsor with regard to the 10% match, as required by the government. If they come to an agreement regarding the 10% match, we need to move quickly and this would give the town manager the authority to sign the agreement.

Mr. Sprague added that he has spoken with NCRS and the owners of the two mills. Approving this resolution is a cautionary measure. The owners of the mill need to resolve this, but as with any agency that deals with natural disasters, that money is only there for a certain period of time. Manager Hoover added that this won't cost the taxpayers anything and the town would also benefit from this mitigation with regard to future flooding.

Motion made by Councilman Spear seconded by Vice-President McGee to approve resolution. All voted Aye.

PUBLIC COMMENT

Louis Diamonte, 283 South Main Street., is an employee of the Department of Public Works and requested that a porta jon be placed at the transfer station for town workers as soon as possible.

Manager Hoover remarked that this is the first he has heard of a problem, but will take care of it right away.

Mr. Diamonte also commented on the poor condition of a new street off of Station Street as the contractor recently dug up the road and it needs to be fixed.

Motion made by Councilman Spear seconded by Councilman Jendzejec to adjourn meeting. All voted aye.

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Town Clerk