

TOWN COUNCIL MEETING
Coventry Town Hall Council Chambers
1670 Flat River Road, Coventry, RI
March 31, 2008

TOWN COUNCIL MEETING

Present: Kenneth Cloutier, Anthony Colaluca, Bruce Thompson, Frank Hyde

Solicitor Patrick Sullivan
Acting Manager Paul Sprague

Absent: Justin Pomfret

Pledge of Allegiance led by Vice-President Thompson
Invocation by Councilman Cloutier
Review of evacuation plan

Motion made by Anthony Colaluca seconded by Kenneth Cloutier to approve Town Council minutes from February 28 and March 10, 2008. All voted Aye. So voted.

Public Comment

Peter Suorsa questioned Item #2 on Consent Agenda, tax collector's request to be relieved of collecting certain delinquent taxes. Manager Sprague stated that these are from people who have left the state. Attorney Sullivan stated also that these delinquent taxes have already been placed with a collection agency and the agency can't collect them either.

Consent Agenda

1. Authorizing Town Manager to file application for Small Cities Community Development Block Grant Program
2. Request by Tax Collector to be relieved of collecting certain delinquent taxes (tabled at March 10, 2008 Town Council meeting)
3. Renewal of Hawker and Peddler licenses:
 - a. Joe's Produce, 2501 Nooseneck Hill Road (Hawker)
 - b. GJ's Lemonade & Ice Cream, 43 Clyde St., West Warwick (Peddler)
 - c. Scotti's Ice Cream, 2065 Elmwood Ave., Warwick (Peddler)
4. Resolution authorizing Acting Town Manager to enter into agreement with Engineering Firms
5. Resolution re-appointing Anthony Nardolillo to the Municipal Pension Board of Trustees
6. Resolution re-appointing Brian Sullivan to the Police Pension Board of Trustees
7. Resolution approving sewer tie-in for Sovereign Bank at 896 Tiogue Ave.

Motion made by Frank Hyde seconded by Anthony Colaluca to remove Item #1 and Item #3 from Consent Agenda for discussion. All voted Aye. So voted.

Motion made by Kenneth Cloutier seconded by Anthony Colaluca to approve items #2, 4, 5, 6, 7. All voted Aye. So voted.

Maren Luciani, Asst. Planner, gave presentation of Item #1, Small Cities Community Development Block Grant Program for this year.

Ms. Luciani informed Town Council that CDBG helps low and moderate income residents with housing rehabilitation, wastewater projects, etc. She also stated that this funding is aimed at helping small cities, towns and rural areas meet their housing and community development requirements. The Town of Coventry is eligible to apply for up to \$500,000 this year under the Small Cities Program.

We are also looking for administrative costs to help Gail Holland run the programs. This year asking for \$488,000; there is no cost to the town. Last year we were eligible for \$400,000, applied for \$387,000, and received \$91,010. The state pretty much predetermines what we are going to get. Depends a lot on the number of affordable housing units we have in town.

CDBG is a very successful, ongoing program. It assists homeowners in replacement of inadequate heating, plumbing, or electrical systems, leaking roofs and inoperable or severely inadequate windows or doors. We make energy efficiency improvements and correct conditions that violate minimum housing code standards.

Coventry Housing Associates is seeking funds to rehabilitate a duplex at 109 S. Main Street and make it into two affordable housing units.

We need the Council to rank the activities in priority order. We have listed our recommendations in priority order and need to know if the council recommends the same or any changes.

Mr. Cloutier – Any idea of what you think we may get this year?

Ms. Luciani – Numbers tend to go down every year. Wouldn't be surprised to see this a little lower than last year, and that was roughly \$91,000.

The Planning Department has ranked projects on the basis of priority. Ms. Luciani asked the council for their suggested ranking of projects. A form is included.

Mr. Colaluca asked how many families in Coventry utilize Cornerstone.

Ms. Luciani - Between five and ten families.

Mr. Colaluca – I am in agreement with the Planning Commission ranking of projects.

Mr. Hyde –Also in favor of the Planning Commission ranking recommendations.

Motion made by Frank Hyde seconded by Anthony Colaluca to adopt CDBG resolution. All voted Aye. So voted.

Regarding Item #3 on consent agenda – Renewal of Hawker and Peddler licenses (removed):

- a. Joe's Produce, 2501 Nooseneck Hill Road (Hawker)
- b. GJ's Lemonade & Ice Cream, 43 Clyde St., West Warwick (Peddler)
- c. Scotti's Ice Cream, 2065 Elmwood Ave., Warwick (Peddler)

Mr. Hyde – The reason I wanted to discuss this is in regard to Joe's Produce. We have been through this before. He doesn't keep the lot clean.

Manager Sprague noted that the zoning official gave a favorable recommendation and has indicated that the lot is cleaned up and he does now provide off street parking.

Mr. Hyde agreed to license, but must be renewed after 90 days.

Motion made by Frank Hyde seconded by Kenneth Cloutier to approve hawker and peddler licenses. All voted Aye. So voted.

LICENSES

1. Application for Live Show Entertainment license at Charlie's Place, Sandy Bottom Road

Present: Charles Tompkins (owner)

Vice-President Thompson – Could you expand upon this request. What exactly are you planning to do?

Mr. Tompkins – We have birthday parties, maybe four or six on a weekend. Right now the parties are mostly for kids. Tonight we have a basketball team coming in. Would like to offer different things, puppet shows, clowns d.j.s. Lots of moms and dads coming in with the kids. Would like to be able to do karaoke.

Motion made by Anthony Colaluca seconded by Kenneth Cloutier to approve live entertainment license. All voted Aye. So voted.

RESOLUTION

1. Resolution authorizing Acting Town Manager to enter into agreements with RI Department of Transportation for improvements to Route 3

Mr. Sprague – Over the years the Department of Transportation has indicated that they were going to restore the Route 3 corridor, including sidewalks and drainage. In November of 2007, representatives from DOT came down here and met with us and said that that program was on the back burner because of the state budget concerns. At that time \$281,000 was offered as a contribution to the town towards the upgrade of Route 3. If we say no, they'll just give the money to someone else.

Mr. Hyde - Basically the state is strapped for money. If we don't do it ourselves, it won't get done.

Motion made by Kenneth Cloutier seconded by Anthony Colaluca to adopt resolution. All voted Aye. So voted.

PUBLIC HEARINGS AND ENSUING ACTION

1. Chapter 14, Section 14-2 Post Construction – Storm Water Control Ordinance
2. Chapter 14, Section 14-3 Illicit Discharge Detection and Elimination Ordinance

Dean Audette, Environmental Engineer from Fuss & O'Neill Engineering, gave overview of the legislation of the above ordinances.

DEM requires you to have a permit to discharge storm water. A permit requires you to do a number of tasks by December 31, 2008. Coventry needs two new ordinances – one regarding illicit discharges and one regarding a post construction storm water control ordinance.

For example, with the illicit discharge ordinance you cannot run a hose across the lawn from a washing machine into a catch basin. This would allow for several exemptions, and gives the town the authority to find and remove illicit discharges.

The post construction run off control ordinance is a little bit more complicated. This gives the town authority to require and enforce use of controls to reduce storm water pollution after a site is developed. There are a few exceptions. Standards are based on RI Storm water Design and Installation Standards Manual.

Mr. Hyde – Is this mandatory?

Mr. O'Neill – Yes, right now you are out of compliance.

Mr. Hyde – What do you recommend for people with an aging septic system?

Mr. O'Neill – Haven't found a site that I haven't been able to design something for in the past 20 years.

Mr. Hyde – Who enforces this?

Mr. O'Neill – DEM will enforce the town.

Mr. Hyde – Will it be a violation to pump basements? Is that considered a problem and will they be violating the ordinance?

Mr. O'Neill – No.

Mr. Hyde – Is there a fine?

Solicitor Sullivan - The violations will be taken care of in Municipal Court. I think it is a \$200.00 fine. But, I think the ordinance is more geared in remediating violations, done through the Municipal Court system.

Mr. Hyde - In lieu of fine, could there be remediation?

Solicitor Sullivan – Yes.

Mr. Hyde – I don't like it, but understand that it has to be done.

Mr. Colaluca – What about pool discharge? How would they de-chlorinate the water?

Mr. O'Neill – You buy something to attach to the hose. It's a spray and it will evaporate in the air.

Motion made by Frank Hyde seconded by Anthony Colaluca to open public hearing. All voted Aye. So voted.

Ronald Gizzarelli – There is concern regarding Tiogue Lake. Tiogue Lake Association supports the ordinances. We need a monitoring program. Mr. Gizzarelli submitted photos as part of the record from Jeff Hakanson, President of Tiogue Lake Association. Need to monitor and test the water flowing into Tiogue Lake. Submitted pictures showing stream feeding into lake. Need to make sure Tiogue Lake stays as pristine as it is now.

Wayne Asselin
Lorraine Ave

Mr. Asselin: Once these ordinances are adopted, will it also apply to Centre of New England?

Mr. O'Neill - Their permit is for construction, they would still have to comply.

Mr. Hyde – What about the run off from the highway that goes down to Tiogue?
The bulk of this comes off the highway.

Mr. O'Neill – Does not apply to that water.

Mr. Hyde – Noted that something should be done to be able to help the residents.

A resident from York Drive complained regarding the basement flooding from the water run off from the Centre of New England.

Motion made by Frank Hyde seconded by Kenneth Cloutier to close public hearing. All voted Aye. So voted.

Motion made by Kenneth Cloutier seconded by Anthony Colaluca to adopt Ordinance #1 - Chapter 14, Section 14-2 - Post Construction Storm Water Control Ordinance
All voted Aye. So voted.

Motion made by Anthony Colaluca seconded by Kenneth Cloutier to adopt Ordinance #2 - Chapter 14, Section 14-3 Illicit Discharge Detection and Elimination Ordinance.
All voted Aye. So voted.

PUBLIC FORUM

EXECUTIVE SESSION

RIGL 42-46-5 (a) (2) (5)

Pertaining to litigation and acquisition/disposition of property

1. Amgen Sewer Assessments
2. Read School House Road property

Motion made by Frank Hyde seconded by Anthony Colaluca to go into Executive Session . Roll call vote. All voted Aye.

Motion made by Frank Hyde seconded by Anthony Colaluca to come out of Executive Session at 8:50. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Anthony Colaluca to seal minutes of Executive Session. All voted Aye. So voted.

Upon returning from executive session, it was announced that a vote was conducted and that resolution was approved.

See Resolution #28-08-2881 authorizing the Town Solicitor's Office to negotiate a settlement agreement regarding CA KC 2007-1433. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Kenneth Cloutier to adjourn meeting. All voted Aye. So voted.

Town Clerk

