

TOWN COUNCIL MEETING
April 11, 2005

Present: Gregory Laboissonniere, Ted Jendzejec, Frank Hyde, Richard Sanetti
Justin Pomfret

Town Manager Francis A. Frobel
Town Solicitor Patrick Sullivan

Motion made by Ted Jendzejec seconded by Richard Sanetti to come out of executive session at 8:00 p.m. All voted Aye. So voted.

Motion made by Justin Pomfret seconded by Ted Jendzejec to seal executive session minutes. All voted Aye. So voted.

Pledge of Allegiance led by Town Sergeant.

Invocation led by President Hyde. President Hyde requested that a page be reserved in the Town Council minute book in memory of the passing of Pope John Paul II.

Town Sergeant reviewed Emergency Evacuation Plan.

Council President Hyde presented proclamation to Our Lady of Czenstochowa Parish on its 100th anniversary.

Motion made by Richard Sanetti seconded by Ted Jendzejec to approve Town Council minutes of March 28, 2005. All voted Aye. So voted.

CONSENT AGENDA

1. Resolution # 25-05-2435 awarding street sweeping contract
2. Renewal of Private Detective license for Thomas Haynes, 2084 Plainfield Pike, Greene

Motion made and seconded that consent agenda be approved. All voted Aye. So voted.

Resolution # 25-05-2435 awarding street sweeping contract

RESOLUTION
OF THE
TOWN COUNCIL
NO. 25-05-2435

RESOLVED:

That the Town Council hereby affirms the award of a contract by the Town Manager pursuant to Chapter 2, Section 2-191 of the Town Code of Ordinances for sweeping town streets and roads:

XPRESS SWEEPING, INC.

14 Clover Drive
Coventry, RI 02816

\$215.00 per curb mile or \$26,328.90

\$165.00 per curb mile or \$20,205.90 (They would supply the sweeper and water truck and we would supply the dump truck)

Funding is provided for in the 2004/2005 Department of Public Works Roads & Bridges Division Account No. 830.

PASSED AND ADOPTED this 11th day of April, 2005.

APPROVED Frank Hyde
Council President

ATTEST: Cheryl A. George
Acting Town Clerk

LICENSES

1. Application by Home Depot, 700 Centre of New England Blvd., for Sunday Sales license

Present: Carl Stewart, Manager
Home Depot

Motion made by Richard Sanetti seconded by Gregory Laboissonniere that Sunday Sales license be approved. All voted Aye. So voted.

2. Application by James DiCenzo, 19 Higgins Street, Smithfield for Victualing license for Perk's, 1532 Main Street

Present: James DiCenzo
19 Higgins Street, Smithfield, RI

Mr. DiCenzo stated he would be serving breakfast, lunch and dinner.

Mr. Laboissonniere raised question of whether former issue regarding signage at that location had been resolved. Solicitor Sullivan responded that problem has been resolved.

Motion made by Gregory Laboissonniere seconded by Justin Pomfret that victualing license is approved. All voted Aye. So voted.

PUBLIC HEARINGS

Amendment to Zoning Ordinance, Change of Map regarding Donald and Patty Miller, 303 South Main Street, AP 28, Lot 21

Motion made by Gregory Laboissonniere seconded by Ted Jendzejec to open public hearing. All voted Aye. So voted.

Speaking on behalf of zone change: Peter Suorsa, Donald Miller and Patty Miller

Mrs. Miller – This is land that we own off South Main Street, the NAPA building is in the front of the property and we are interested in building a residence for ourselves on the back $\frac{3}{4}$ acre portion.

Mr. Sanetti: The Millers have been to Planning and Zoning and received approval. They have been in Coventry for 30 years, and their proposal is in line with town ordinances.

No one opposed to ordinance.

Motion made by Ted Jendzejec seconded by Richard Sanetti to close public hearing. All voted Aye. So voted.

Motion made by Richard Sanetti seconded by Ted Jendzejec that approval be granted conditionally upon the applicant submitting proof of the required notice sent to the abutting owners to the Town Clerk's Office. All voted Aye. So voted.

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Amendment to Code of Ordinances, Section 17.52 Parking in "No Parking" area, Handicapped Parking Space Prohibited; Fines

Motion made by Richard Sanetti seconded by Justin Pomfret to open public hearing. All voted Aye. So voted.

President Hyde stated basically this is only a \$10.00 parking fine increased up to \$15.00.

Dorothy Berube  
40 Colvintown Road  
Coventry, RI 02816

Mrs. Berube asked what the fine is for parking in a handicapped zone. Mr. Hyde stated \$75.00 and that would not change.

No one spoke in favor, no one opposed.

Motion made by Richard Sanetti seconded by Ted Jendzejec to close public hearing. All voted Aye. So voted.

Motion made by Richard Sanetti seconded by Justin Pomfret that amendment to Code of Ordinances be adopted. All voted Aye. So voted.

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Amendment to Code of Ordinances, Chapter 18 – Waste Management, Section 18-102 Fees

Motion made by Richard Sanetti seconded by Justin Pomfret to open public hearing. All voted Aye. So voted.

Nicholas Gorham
Flat River Road

Mr. Gorham suggested rewriting the whole ordinance, feels it needs more work.

Mr. Sanetti: The system is being abused on a Monday through Friday basis by a specific group. We were very sensitive to what these fees would be; we are not looking to profit, but to offset what the cost is associated with the disposal of these items.

Town Engineer Sheila Patnode: Sixty to seventy-five vehicles per day average are coming in. The abuse comes from neighboring communities that have a fee ordinance. People don't want to pay fees in their town, so they put their stuff in front of someone's house in Coventry, since you can dump in this town for free. We have to pay for each mattress at the landfill. We have to remove the freon from every freon containing device, such as a refrigerator.

Mr. Frobel: Resource recovery is passing everything on to the cities and towns. The state charges us for items. By raising these fees we are trying to stay whole, not make a profit. This is the cost to us directly out of our pocket. Rather than ask for more money out of taxes, council wanted to look at the items that are disposed of, see which ones cost us money and come up with a price that would make us whole. Cover the expense of what it costs us. Just the disposal of items with freon costs us about \$8,000.00 a year.

Mr. Gorham: Wanted statistics/data regarding number of items disposed of. Questioned how long West Warwick has had a fee schedule.

Mrs. Patnode: About 2 years ago.

Mr. Gorham: Agree this is costing the town money, but people out in western Coventry where I live honestly believe the only service they get is garbage pickup. They will be upset to see this. You should have some kind of data.

Mr. Sanetti: I have data; will be happy to provide it. I have reviewed this with Dennis Smith when we were considering which items were being abused. I saw an increase in refrigerators and am sure we can provide you with those numbers. We would not be profiting in any way, this is not a business move.

Ronald Ghizzarelli: I owned a mattress business for three years. I can tell you that people are taking mattresses and leaving them at different households. I know this is going on. Almost everyone that buys a new one needs to dispose of the old one. Maybe some way to keep track of these, such as a computerized log. There is some recycling going on with old mattresses and refrigerators.

Dorothy Berube: Did some research as to towns in RI that have ordinances regarding fees on tires, bedding, refrigerators. The closest to us are Cranston and West Warwick. If people are dumping mattresses on the side of road, that is easy to solve by putting computers in DPW, keeping track of how many pick ups are called for at a residence. The majority of people in this town might get rid of a mattress every ten years. Just go after the few that abuse the system.

Frank Hyde: This is the idea of having this hearing, to get feedback from the public. We are a long way from where we need to be on this.

Mr. Gorham: Regarding Paragraph 5, in order to get access to the transfer station you have to pay a fee and the most you can go there is four times a year. Looks like during those four times it is \$15.00 a trip or \$60.00 per year, not saying for what.

David Caplice and Jody Tomasso of Coventry DPW spoke regarding the numerous mattresses and how full the bulk truck always is on any day. You would be surprised at what is on those trucks. When you buy new mattresses, usually the company you buy it from will remove the old ones for free; same with refrigerators. Let the business take them away for free. No need to use the transfer station.

Virginia Soucy concerned that if you put in fees, people will start dumping things off in Western Coventry.

Ronald Ghizzarelli: We have a very efficiently run town. Still this is dangerous, and we should avoid having the employees being injured. We wouldn't be punishing the normal homeowners, but those who abuse.

Raymond Spear: If this whole thing is about abuse, go after the abusers. Suggest before any action is taken, what is the real reason we want to charge more? I agree with Mr. Gorham, go after abusers, not the regular people. This whole things needs to be thought out more.

Mrs. Patnode: We have requirements to meet a certain percentage. We pay commercial rates. Residents have this mentality that because this is an \$800,000 line item, that they can throw away anything they want. I would rather have my taxes reduced \$15.00 a year, and only pay the \$15.00 when I throw away the refrigerator. Need to get the people thinking about pay as you go.

Mr. Jerry Hoff: Concerned about out of town dumping by out of town residents, need to change the public's way of thinking.

Agnes Lapointe: Opposed to ordinance.

John Gilotti: Concerned about amount pickup trucks would have to pay per year.

Mr. William Brackett: Opposed to ordinance.

Justin Pomfret: This is why we have a public hearing. We want taxpayers to come and tell us what's on their mind.

Scott Duckworth: Questioned different methods of tracking.

Frank Hyde: Could maybe keep track through a swipe card, computerized system, sticker. Haven't settled on anything yet. Presently there is a book to sign. I am here to get feedback from the public.

Gregory Laboissonniere – If you don't use this you shouldn't be charged for it. I wouldn't mind paying a fee once in 15 years if I don't use it the other 14 years.

Motion made by Justin Pomfret seconded by Gregory Laboissonniere that public hearing be closed. All voted Aye. So voted.

Motion made by Justin Pomfret seconded by Gregory Laboissonniere to table ordinance. All voted Aye. So voted.

RESOLUTION

Resolution # 26-05-2436 Authorizing Town Solicitor to execute agreement for easement

RESOLUTION OF THE TOWN OF COVENTRY CONDEMNING A PERPETUAL EASEMENT

WHEREAS the Town of Coventry requires an easement over property pursuant to Section II Article V of the Coventry Code of Ordinances entitled Collection and Disposal of Sewers.

BE IT THEREFORE RESOLVED that the Town of Coventry Town Council acting as the Coventry Sewer Authority condemns said easement described as exhibit "A" attached hereto and hereby authorizes the Town Solicitor to execute any and all documents in furtherance thereof.

BE IT FURTHER RESOLVED, this resolution shall be effective upon passage.

PASSED AND ADOPTED this 11th day of April, 2005.

APPROVED Frank Hyde
Council President

ATTEST: Cheryl A. George
Acting Town Clerk

Solicitor Sullivan explained that town needs an agreement for easement allowing us to take property on Monroe Drive for a sewer line.

Francis Frobel: This is a very minor intrusion.

Richard Sanetti: Will it effect the quality of their life?

Sheila Patnode: No, the homeowners seemed amenable at first, but then attempted to get more than we were able to offer.

Francis Frobel: We will give them a check for it.

Mr. Sanetti: How much are we paying them?

Mr. Frobel: \$5482.

Mr. Laboissonniere: What was he asking for?

Mrs. Patnode: \$10,000, including cleaning their house, cleaning their windows and tying them in.

Motion made by Ted Jendzejec seconded by Richard Sanetti that resolution be adopted. All voted Aye. So voted.

INTRODUCTION OF ORDINANCES

Article IV – Real Estate Nonutilization Tax

Motion made by Ted Jendzejec seconded by Richard Sanetti that ordinance be advertised for public hearing. All voted Aye. So voted.

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## **Discussion with Tax Assessor Regarding Tax Policy**

Town Council and Tax Assessor had work session regarding tax freeze, tax relief, and revaluation.

Motion made by Ted Jendzejec seconded by Justin Pomfret to go into executive session at 10:30 p.m. Roll call vote. Motion passes 5-0. \*\*See amendment\*\*

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Cheryl A. George  
Acting Town Clerk

\*\*\*Amended at Town Council Meeting May 9, 2005 to read:

At 11:50 P.M. motion made by Ted Jendzejec seconded by Justin Pomfret to come out of executive session. Unanimous roll call vote. Motion passes.

Motion made by Justin Pomfret seconded by Ted Jendzejec that minutes of executive session be sealed. All voted Aye. So voted.

Motion made by Justin Pomfret seconded by Richard Sanetti that meeting be adjourned. Unanimous roll call vote. Motion passes.