

TOWN COUNCIL MEETING  
May 10, 2010

Present: President Raymond Spear, Vice-President Laura Flanagan, Kenneth Cloutier,  
Glen Shibley

Absent: Frank Hyde

Town Manager Thomas Hoover  
Town Solicitor Patrick Rogers

Pledge of Allegiance led by President Spear  
Invocation by Reverend Auld of Summit Baptist Church  
Review of Emergency Evacuation Plan

President's Comments

- Applications are being taken to fill vacancies on the Land Trust and the Zoning Board.

Manager Hoover advised that he has spoken with DOT director Michael Lewis regarding the status of the Laurel Avenue Bridge. The bid was awarded, work should start any day with completion expected spring of 2011. Several suggestions have been received by the manager requesting that the bridge be renamed to the General Nathanael Greene Memorial Bridge, along with the idea to do some fund raising and erect a statue of Nathanael Greene.

The state has also indicated that they will do a television inspection of the sewer line on Route 117 and will repair the road. For the town's part of the repair, we will apply for FEMA money. Councilman Shibley thanked Manager Hoover for meeting with DOT director and feels it would be very appropriate to rename the bridge after General Nathanael Greene.

Approval of Minutes - President Spear noted an omission in the April 12 minutes regarding the vote for a live entertainment license for Flare. The vote is not recorded in the minutes and should be corrected to read "All voted Aye 4-0" (Vice-President Flanagan absent). Motion made by Laura Flanagan seconded by Ken Cloutier to approve minutes of April 8, 2010 as submitted and April 12, 2010 minutes as corrected. All voted aye.

CONSENT AGENDA

1. Renewal of Auto Salvage license for Capozzi's Auto Salvage, 2015 New London Turnpike
2. Renewal of Second Hand licenses
  1. D's Walk In Closet, 749 Tiogue Ave.
  2. Little Pumpkins, 759 Tiogue Ave.
  3. Sew-Phisticated, 303 South Main St.
  4. Hollywood Video, 760 Tiogue Avenue
  5. Twice is Nice, 1049B Tiogue Ave.
  6. Gamestop, 627 Centre of New England Blvd.
  7. Anthony Village Antiques, 658 Washington St.
  8. Ryan's Room, 15 Sandy Bottom Road
  9. Home Sweet Home Again, 572 Tiogue Avenue

3. Awarding the annual street sweeping bid

Councilman Shibley asked for discussion on Item 1 – Capozzi's Auto Salvage.

Motion made by Ken Cloutier seconded by Glen Shibley to approve renewal of second hand licenses and award of street sweeping bid. All voted aye.

Councilman Shibley has received several complaints in the last month pertaining to Capozzi's Auto Salvage with regard to selling cars. He asked if are any restrictions with regard to the number of vehicles that may be sold, where they should be located on the property and if it is allowed to bring them up to the street to sell. The area should not be saturated with vehicles for sale.

Manager Hoover suggested holding Capozzi's renewal application to later in the meeting since Planning Director Paul Sprague hasn't arrived yet and may be able to answer those questions.

Motion made by Glen Shibley seconded by Laura Flanagan to defer renewal application to later in the meeting. All voted aye.

RESOLUTIONS

1. Resolution recognizing May 15, 2010 as Peace Officers' Memorial Day and the week of May 10, 2010 as National Police Week

Councilman Shibley supports resolution and recognizes the dangers police officers face every day from the biggest city to the smallest town.

Motion made by Laura Flanagan seconded by Ken Cloutier to adopt resolution. All voted aye.

2. Resolution reappointing three members to Friends of Human Services Board

Motion made by Laura Flanagan seconded by Glen Shibley to reappoint Ernest Rusack Lynn Andrews and Patricia Corcoran. All vote Aye.

3. Resolution reappointing one member to Housing Authority

Motion made by Laura Flanagan seconded by Ken Cloutier to reappoint Maurice DeGraide to the Housing Authority. All voted aye.

4. Resolution reappointing two members to the Library Board of Trustees

Motion made by Glen Shibley seconded by Laura Flanagan to reappoint John Ball and Barbara Bridge to the Library Board of Trustees. All voted Aye.

5. Resolution appointing member to the Police Pension Board

Motion made by Laura Flanagan seconded by Ken Cloutier to appoint Alyssa Cloutier to the Police Pension Board. All voted aye.

President Spear administered oath of office to appointees present.

6. Resolution authorizing an agreement for the construction of cellular communication equipment at Hopkins Hill Elementary School

Ed Warzycha, I.T Director, introduced Jeff Steinberg of Westborough, MA, project director for SBA (a subcontractor for Cox Communications) who gave presentation along with Marv Wessel of Global RF Solutions, an expert in radio frequency energy and how it relates to humans.

The proposal from Cox includes ownership to the town of the cell tower, remediation work to the sand bank at Hopkins Hill, Cox will lease out one antenna and the town will be able to lease out two others. The pole is a 125 foot unipole with three inside antennas.

Mr. Steinberg advised Council on potential income from proposed structure, presented a landscape plan, coverage map, views from the neighborhood, examples of similar structures in Rhode Island and a map of the sites in Coventry where structures already exist. Mr. Wessel gave a very detailed report regarding radio frequency energy safety, and how it relates to humans. (See full report in council folder.) A few examples given were how cell phones, police radios, microwave ovens and baby monitors all create more radio frequency exposure than the proposed communications tower.

Mrs. Flanagan supports placing the tower at Hopkins Hill School and sees no reason to deny this. One way or the other, whether the town owns it or a local developer, it will go next to the school.

Councilman Shibley remarked that there is no proof as to whether this is a health hazard or not. Doesn't believe this belongs in a grade school lot. He also has a problem with town ownership of the tower. Mr. Shibley is not in favor of this and believes another location should be found.

Solicitor Rogers assured Council that the town would have no exposure, liability will be shifted from the town. The contract protects the town, but doesn't address any health issues except that Cox would indemnify the town and from a legal point of view, there is ample protection for the town.

Kathy Patenaude, Chairperson of the School Committee, also supports the tower and feels confident that it is not a danger, stating that there are more things in our environment which are more dangerous to children than this.

Councilman Cloutier initially thought this was too close to the building, but is encouraged that they will move it up to 120 feet away. He is not convinced, but still listening.

President Spear commented that after listening to this for a month or so, we have still not heard where this is a bad thing for the children in terms of health or well being. There has not been a significant number of people in the community raising concern about this. I respect those who disagree, but at this juncture, am currently in support of an action to move this forward.

Councilman Cloutier noted that it is troubling that if we do turn this down that Mr. Cambio, a local developer, would put it right across the border.

Joel Johnson, 164 Gough Avenue, remarked that five members of the School Committee are in favor of this and he urges Mr. Cloutier to approve.

John Assalone, 3 Sabrina Court, Coventry, supports approval of the installation.

Amy Wolfe, 36 Maude Ave., asked why location can't be moved to the west of the school building and Manager Hoover replied that there are zoning restrictions.

Arthur Capaldi, Esq., Town Farm Road, stated that the expert in his field is telling you about radio frequency levels and that these are very low. Have you had any complaints or health problems with other towers that you have now? The town's money sources are very limited, urge Council to approve.

Vanessa Cosmo, 29 Twin Lakes Ave., advised Council that in February Connecticut proposed a bill not to put a cell tower within 700 feet of a school or daycare. There is no proof that this is safe. Kevin Hitt of Sugar Maple Drive is also concerned about health risks and Ron Gizzarelli of 50 Harrington Road thinks another location should be sought.

Douglas Jones, 28 King St., has read articles by a Nobel peace prize winning doctor, who said these towers are not safe and Wayne Asselin of Lorraine Ave. asked who is responsible if the tower falls down and whether or not the building could be shielded. The worst thing would be if Mr. Cambio takes this and just moves it 100 feet on the other side of the property line.

Solicitor Rogers said the town is not responsible as there is insurance protection.

Mr. Wessel stated that shielding the building is possible, but not feasible.

Mike Bamford, 8 Vanderbilt Terrace, is concerned about the levels and readings.

Kathy Patenaude, 38 Fieldstone Drive, thinks the concern may be not so much a health issue, but because this is an eyesore. There are many things more dangerous for children such as just a dental visit with x-rays or the sun light. Vice-President Flanagan agreed and noted the tower is less dangerous than a microwave oven or computer monitor.

Dorothy Berube, Colvintown Road, commented that people are afraid of technology if they don't understand it. She reminded the Council that the Town has control if this is located on town property. If you don't put this tower up, a developer will and then you don't have control.

Charles Vacca, 124 Fairway Drive, believes there is no proof that this is dangerous; you would not be putting our kids lives on the line. It is a good thing for the Town of Coventry. Ron Flynn, 21 Colvintown Road, is confident after this presentation that our kids are not in danger, maybe cell phones should be banned instead.

Mr. Steinberg stated that two separate locations have been proposed to Mr. Cambio. President Spear asked if there is any significant difference which exists between Mr. Cambio's locations and this one. Mr. Steinberg replied that the difference is insignificant.

Councilman Shibley believes that nobody can prove these don't cause cancer, why on earth put this in the school yard.

Councilman Cloutier stated that if this situation was occurring at a school his child attends, he would probably be on the same side as people who have kids in Hopkins Hill School.

Motion made by Laura Flanagan seconded by Ken Cloutier to dispose with reading resolution. All voted aye.

Motion made by Mrs. Flanagan to adopt resolution. President Spear relinquished chair to Vice President in order to second the motion.

Vote taken 2-2, motion fails. President Spear and Vice-President Flanagan in favor, Councilmen Shibley and Cloutier opposed.

## PUBLIC DISCUSSION

Manager Hoover summarized that at a previous meeting, information was received from West Warwick, where they took a position on several resolutions pertaining to house and senate bills. Those identical bills that were voted on by West Warwick are before you in items 1-3. In Item #4 North Kingstown took action supporting a funding formula for public schools and they asked that all the cities and towns support that.

### 1. Resolution supporting House Bill 7236 regarding mandate relief

With regard to the above resolution regarding mandate relief, we received correspondence from Representative Serpa informing us this will come before a committee. She further asked that Coventry participate in testifying at that hearing. This bill would give relief for a five year period. Mr. DiPietro actually submitted five separate mandates, school related, that he would like to be relieved from.

Motion made by Laura Flanagan seconded by Glen Shibley to dispense with reading the resolution and to adopt the resolution supporting legislation giving cities and towns relief from mandates. All voted aye.

2. Resolution opposing teacher binding arbitration

Manager Hoover explained that the second resolution is incorporated and part of #2603 and opposes teacher binding arbitration. This would oppose approving any binding arbitration for teachers when an impasse is reached with the School Committee during collective bargaining.

Motion made by Laura Flanagan seconded by Glen Shibley to amend Resolution opposing teacher binding arbitration to include bill number H7581. All voted Aye. Motion made by Laura Flanagan seconded by Glen Shibley to waive reading of the resolution and legislation and to adopt the resolution. All voted aye.

3. Resolution opposing Senate Bill 2010-S (2603) regarding mandatory continuation of municipal employee or school teacher collective bargaining agreements

Representative Scott Guthrie pointed out that the bill number was incorrectly stated on the agenda. Solicitor Patrick Rogers stated that he thought the subject matter was clear from the text of the agenda and the attachment was part of it, just an administrative typo, correct the number and proceed.

With regard to Item 3 opposing Senate Bill 2010-S-2603 continuation of municipal employee or school teacher collective bargaining agreements, Solicitor Rogers ruled that the description is accurate and the bill number can be found in the resolution.

Motion made by Vice-President Flanagan seconded by Councilman Cloutier to dispense with reading and adopt resolution. All voted aye.

4. Resolution supporting a funding formula for Public Schools

President Spear explained that this resolution supports the Dept. of Education in establishing a funding formula for RI, the only state that does not have one.

Motion made by Laura Flanagan seconded by Glen Shibley to dispense with reading resolution and to adopt resolution. All voted aye.

PUBLIC COMMENT – None

Motion made by Laura Flanagan seconded by Ken Cloutier to table Capozzi's Auto Sales and Salvage. All voted aye.

Motion made by Laura Flanagan seconded by Glen Shibley to table Executive Session to next council meeting. All voted aye.

Motion made by Laura Flanagan seconded by Glen Shibley to adjourn meeting. All voted Aye.

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Town Clerk