

TOWN COUNCIL MEETING

June 21, 2010

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

Town Manager Thomas Hoover  
Town Solicitor Patrick Rogers

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

President's Comments

President Spear announced that a work session will be held at the July 19 Town Council meeting to discuss recommendations of the Charter Review Commission.

Approval of Town Council minutes

Motion made by Laura Flanagan seconded by Ken Cloutier to approve minutes of April 22, April 26, April 27, May 10 and May 17, 2010. Vote taken: 4 in favor, Mr. Hyde abstained from voting due to absences from meetings. Motion passes 4-0.

CONSENT AGENDA

1. Resolution awarding contract for bus transportation for summer recreation programs
2. Application by John Giusti for fireworks permit on July 4, 2010 for Johnson's Pond Civic Association
3. Resolution adjusting the previously awarded contract with Appraisal Resource Company for revaluation services so as to achieve a discount to the Town of Coventry
4. Renewal of 90 day peddler licenses:
  - a. Papa's Hot Dogs (7/5/2010 through 10/3/2010)
  - b. Palagis Ice Cream, 55 Bacon St., Pawtucket (7/1/2010 through 9/29/2010)
  - c. T & R Ice Cream, Randy Hesse, 23 Hickory Road (7/1/2010 through 9/29/2010)
  - d. Mishnock Garden Center, Nooseneck Hill Road (7/1/2010 through 9/29/2010)
5. Resolution approving sewer tie-in for Coventry Housing Authority for Golden Ridge
6. Application for Sewer Contractor's license by Warwick Cesspool Co, Inc., 192 Chestnut St., Warwick, RI
7. Application for Sewer Contractor's license by Richard G. Brown, Inc., 114 Burnt Hill Rd., Hope, RI

Councilman Hyde asked for removal of Item 4 (peddler licenses) for discussion.

Motion made by Vice-President Flanagan seconded by Councilman Cloutier to approve Consent Agenda items #1, 2, 3, 5, 6, and 7. All voted aye.

With regard to Item #4 Mishnock Nursery, Councilman Hyde asked owner, Brian Warnock, whether or not he had purchased the property at that location. Mr. Warnock responded that he has a long term lease with an option to buy. He further stated that he has posted no parking signs along the front and is in discussion with the owner of the property to clear some trees to allow for expanded parking.

Councilwoman Flanagan referred to the zoning officer's request for a stipulation pertaining to no parking, loading or unloading in a public right of way. Planning Director Paul Sprague replied there had been issues in the past with parking on Route 3; however, the applicant has complied with requests for off-street parking and this is just a request to ensure future compliance. Mrs. Flanagan responded that since he is not doing anything illegal and is complying with the state laws, I don't think that the council can make this restriction.

Motion made by Laura Flanagan seconded by Glen Shibley to approve renewal of 90 day peddler license for Mishnock Nursery. All voted aye.

## RESOLUTIONS

### Resolution appointing Jeanne Kostyla, Wayne Asselin and Girard Bouchard to the Coventry Zoning Board of Review

Councilman Hyde had concerns over the replacement of longtime, experienced members who have all requested reappointment to the Zoning Board. Council members Flanagan and Shibley agreed that this Town Council is looking for new people to serve on boards and commissions and there are currently three qualified applicants interested in serving on the Zoning Board. This is not a statement that we don't like the job that the other three have done; but rather we are allowing new people to serve Coventry.

Vice-Chairman of the Zoning Board, Denise DeGraide, pointed out the many years of experience on the Zoning Board between members Anthony Petrarca and Russell Lacaillade. Russell also has extensive experience in fire safety. She urged the Town Council to reconsider and not just appoint for the sake of getting "new blood". Zoning Board member Russell Lacaillade, 1438 Main Street, feels that to remove three experienced members will cripple the Board and also asked for reconsideration.

Bill Hall, 1053 Tiogue Avenue, questioned Town Council procedure in appointing new members and feels that policy has not been followed. He asked the Town Council to reconsider their actions, stressing the importance of experience on the Zoning Board rather than party affiliations. Mrs. Flanagan responded that the decision is up to Town Council and stated the people who are being appointed have qualifications that make them very worthwhile individuals to serve on the Zoning Board.

Motion made by Laura Flanagan seconded by Glen Shibley to approve resolution appointing Jeanne Kostyla, Wayne Asselin and Girard Bouchard to the Zoning Board of Review. Vote taken: 3 in favor, Councilman Hyde votes no, Councilman Cloutier abstains. Motion passes.

President Spear administered oath of office to new members.

Resolution approving a contract for rehabilitation of tennis and basketball courts

Manager Hoover recommended award to low bidder, Piccoli Paving, at \$139,318.40. Guy Lefebvre, Director of Parks and Recreation, stated the anticipated cost is \$139,318.40; however, if there are any cost overruns, will come back to Town Council for approval.

Motion made by Ken Cloutier seconded by Laura Flanagan to approve resolution. All voted Aye.

Resolution approving a contract for replacement of boiler at the Community Center

Manager Hoover doubts the boiler will last another winter. The boiler replacement is a donation from Cardi Co., GEM Mechanical is the lowest bidder and everything is in order. Motion made by Ken Cloutier seconded by Laura Flanagan to approve resolution. All voted aye.

Resolution approving a continuation contract with MGD & Associates for the development of solar and wind power

Manager Hoover explained that the town has an opportunity to receive more grant money as we continue to look at alternative energy. After further discussion with grant writer Dennis McCarthy, Manager Hoover stressed the need to get this contract approved.

Vice-President Flanagan wants to make sure that Solicitor Rogers remain involved in any discussions, especially if the town partners with a private entity. She asked for clarification that by approving this resolution tonight, it simply allows us to pursue grant money and does not in any way bind the council to any sort of partnership with a private company. Mr. McCarthy responded that it does not bind the Council at all; Solicitor Rogers agreed, stating that the Town does not become limited by approving this resolution.

Motion made by Laura Flanagan seconded by Glen Shibley to dispense with reading resolution. Motion passes 4-1 (President Spear votes no)

Motion made by Laura Flanagan seconded by Glen Shibley to adopt resolution. All voted aye.

Resolution approving agreement between the Town of Coventry and Greene Library Association

As of this fiscal year Greene Library will become part of the Coventry Library System. The agreement was engineered by Solicitor Rogers and the Greene Library Association. Coventry Library Director Lynn Blanchette commented that Greene Library will maintain ownership of the library, fund raise, and use the building as a community center when not being used as library. They have asked the town to take care of snow and trash removal.

Mrs. Flanagan asked if we will receive additional state aid by merging the two libraries and Ms. Blanchette replied that it will within a couple of years.

Motion made by Glen Shibley seconded by Frank Hyde to approve resolution. All voted aye.

Resolution approving contract between RI Interlocal Trust and the Town of Coventry for the administration of a Workers Compensation Program

Manager Hoover explained the Town Council's decision to remove ourselves from self-insurance by taking care of our worker's compensation liability through the RI Interlocal Trust. The Trust has an agreement that we need to enter into and Manager Hoover recommends approval of that agreement.

There was also discussion with regard to using a portion of the self-insurance fund for capital improvement funding. Councilwoman Flanagan remarked that she has yet to see a capital improvement plan. Her intention is to reserve at least \$2 million dollars out of the \$3.2 million that we have in the self-insurance fund to pay premiums, so that they will not be put on the backs of taxpayers over the next four or so years.

Motion made by Laura Flanagan seconded by Glen Shibley to amend resolution to read "subject to setting aside \$2,000,000 (two million dollars) for the purpose of paying premiums and further subject to setting aside the remainder of \$1.2 million to be used for capital improvement projects". All voted aye.

PUBLIC COMMENT

Kevin Hitt, Sugar Maple Drive, was displeased with the Council's approval of the CHS cell tower before Cox Communications gave a presentation on cell towers and asked that the Town Council reconsider and rescind placing a tower at this location. Carl Green, 25 Sugar Maple Drive, agrees that CHS location is not appropriate and stated that he is also concerned for health reasons. President Spear stated that the Council will give this some thought.

Mr. Eugene Monteiro, 11 Manning Court, was present regarding his Private Detective application, requesting that it is placed on the next Town Council agenda. Solicitor Rogers stated that until he has something in writing, the Town Council has nothing to react to. Mrs. Flanagan further stated that RI law does not provide the town any discretion to override the state law. Mr. Monteiro requested that the Town Council issue him a decision; Solicitor Rogers requested something in writing that the Council can react to, otherwise, the council has no basis to take any action.

Motion made by Vice-President Flanagan seconded by Councilman Glen Shibley to recess to Executive Session. All voted aye.

EXECUTIVE SESSION – RIGL 42-46-5(a) (1) For the purpose of reviewing qualifications of applicants for boards and commissions

Motion made by Vice-President Laura Flanagan seconded by Councilman Glen Shibley to adjourn Executive Session and keep minutes sealed. All voted aye.

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Town Clerk