

TOWN COUNCIL MEETING
Coventry Town Hall Council Chambers
1670 Flat River Road, Coventry, RI
July 27, 2009

Present: Raymond Spear, Glen Shibley, Laura Flanagan, Ken Cloutier, Frank Hyde

Town Manager Thomas Hoover
Town Solicitor Patrick Rogers

Pledge of Allegiance (Town Sergeant assisted by Boy Scout Brian Jackson)
Invocation by Pastor Robert Auld
Review of evacuation plan
President's Comments

President Spear, on behalf of the Town Council, welcomed new Town Manager, Thomas Hoover.

President Spear announced that he has signed a historical grant application which, if awarded, will be in excess of \$10,000 for historic utilization in our community. If the town should be awarded the grant, it will be announced at a later date as to how the funds will be used.

Corrections to minutes of July 6, 2009 are as follows:

Mrs. Flanagan noted a correction on Page 2 of the minutes pertaining to items removed from Consent Agenda for further discussion, Item #11 should have been removed for further discussion and not Item #13; on Page 3 the vote of "all voted aye" was omitted from Veterans Market Victualling license; regarding Public Comment by Kim Paul, the name of the gravel bank is Annina Sand and Gravel. Mr. Shibley requested that Mr. Gizzarelli's comment regarding traffic on Arnold Road is more specifically noted as the "right turn from Tiogue Avenue onto Arnold Road"; and President Spear requested paragraph formatting in the minutes.

Motion made by Laura Flanagan seconded by Glen Shibley to approve minutes as adjusted. All voted aye.

CONSENT AGENDA

1. Resolution awarding contract for catch basin cleaning to Truax Corporation
2. Resolution authorizing issuance of Tax Anticipation Notes
3. Resolution allowing sewer tie in at 759 Tiogue Avenue
4. Resolution allowing sewer tie in at 18/20 Whitford Street
5. Application by Sal Maggiacomo Plumbing & Heating Inc. for Sewer Contractor's license
6. Resolution awarding contract for pavement markings to Highway Safety Systems, Inc.
7. Resolution authorizing Town Manager to enter into an agreement with Rambone Disposal Services
8. Schedule Town Council meeting on August 3, 2009

Motion made by Frank Hyde seconded by Laura Flanagan to remove Item #1, #5, #7 and #8 for discussion. All voted aye.

Motion made by Ken Cloutier seconded by Frank Hyde to approve Items #2, #3, #4 and #6. All voted aye.

Item #1: The Town Council requested clarification regarding costs on the bid forms for catch basin cleaning. Manager Hoover and Public Works Superintendent Dennis Smith both explained that the costs and numbers listed on the bid forms are correct. Motion made by Laura Flanagan seconded by Glen Shibley to approve resolution awarding contract for catch basin cleaning to Truax Corporation All voted aye.

Item #5: Councilman Shibley questioned who signs and verifies the information on a sewer contractor's application in the absence of a town engineer. Dennis Smith explained that he assumed the duties of signing the permits when the former town engineer left employment with the Town; Stephani In verifies information. Motion made by Frank Hyde seconded by Ken Cloutier to approve sewer contractor's application of Sal Maggiacomo Plumbing and Heating. All voted aye.

Item #8: Discussion took place with regard to scheduling a Town Council meeting on August 3 with a Sewer Subcommittee meeting scheduled for the same night at the same time. To resolve the matter, since two councilmen are members of the Sewer Subcommittee, both meetings will remain on the same date and the times will be changed to accommodate both meetings.

Motion made by Frank Hyde seconded by Laura Flanagan to schedule a Town Council meeting on August 3, with the time yet to be determined. All voted aye.

Item #7: Manager Hoover explained that Dennis Smith of DPW has prepared a recommendation for awarding this contract to Rambone, Colonel DaSilva has also provided back-up information. However, Manager Hoover spoke with Mr. Anthony Davidson of Coastal Recycling this morning, who also bid on disposal services, and was notified by Mr. Davidson that he would be in attendance this evening and wished to speak.

Based upon bid information and references, Mr. Smith of the Dept. of Public Works gave a brief synopsis as to why the recommendation was made to go with Rambone. Mr. Smith stated that he called other cities and towns for references regarding Coastal. Colonel DaSilva provided documentation on Coastal's driving and incidents records. It was determined to be in the best interest of the town to award the bid to Rambone.

Mr. Smith noted that Rambone's bid does include a hauling charge, whereas Coastal does not. However, Mr. Smith feels very strongly that there will not be any trouble meeting the budget criteria with Rambone Disposal, as Coventry has worked very well with them for the past 13 years.

Mr. Smith also noted that since Rambone owns all of the compacting equipment, the town doesn't have to worry if something breaks. Mr. Smith stated that when he asked Mr. Davidson of Coastal about compacting equipment, Mr. Davidson responded that another company would do it. However, Mr. Smith never received any further information from Mr. Davidson with regard to compacting equipment. Mr. Smith believes that by making the decision to stick with Rambone, we will keep the quality of the service that we have now.

Manager Hoover concurs with Mr. Smith's recommendation, also noting that Col. DaSilva ran background and incidents checks which resulted in a dramatic difference between the two bidders. Col. DaSilva further noted that, after reviewing a 24 month period, Coastal has a high incidence of trucks being put out of service and a significant number of violations in contrast to Rambone.

Sworn In: Anthony Davidson, Owner
Coastal Resources

Mr. Davidson gave overview of Coastal's operations, commenting that he followed instructions that were given at a pre-bid conference regarding bid forms and requirements. He stated that Rambone bid three different prices for three years and included charges for hauling; Coastal does not charge for hauling. He further stated that Rambone raised his price three times within those three years. Mr. Davidson believes that Coastal is the lowest bidder and savings to the town with Coastal would be minimum of \$65,000 to \$75,000 a year with compacting equipment provided.

Mr. Hyde questioned if, with a three year contract, we are locked into the additional two years and Mr. Smith stated that we are not.

Mr. Shibley asked Mr. Smith if each vendor was given the same forms and treated the same way. Mr. Smith replied that all were given the same bid sheets.

Mrs. Flanagan raised concerns regarding incident reports and public safety pertaining to Coastal and questioned whether safety issues are enough to not give this contract to the lowest bidder. Solicitor Rogers commented that public safety concerns, as raised by the Chief of Police, as well as the record which has been provided, would be an absolutely valid reason for a member of the council to vote against awarding a contract to a particular applicant. Motion made by Frank Hyde seconded by Laura Flanagan to table award of contract to next council meeting on August 3, 2009. All voted aye.

RESOLUTIONS

1. Resolution appointing Finance Director Warren West, Union Representative Anthony Nardolillo and Town Manager Thomas Hoover to the Municipal Pension Board of Trustees

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

2. Resolution reappointing members to the Library Board of Trustees
3. Resolution appointing members to the Zoning Board of Review
4. Resolution appointing members to the Coventry Housing Authority

Motion made by Laura Flanagan seconded by Ken Cloutier to defer Resolutions #2, #3, and #4 to a special Town Council meeting on August 3, 2009. All voted aye.

Mr. Edouard Jacques of the Coventry Housing Authority addressed the Town Council, requesting that he is considered for reappointment to that board.

LICENSES

New Liveshow Entertainment License for CMG South LLC, Cilantro Grill, 712 Centre of New England Blvd.

Lauks Kundlas was present representing Cilantro Grill and stated that the plan is to do either karaoke or have a single guitar performer. Motion made by Frank Hyde seconded by Laura Flanagan to grant live show entertainment license to Cilantro Grill. All voted aye.

Application by Power Fitness Co., Inc. for 24 hour health club at 1036 Tiogue Avenue

Manager Hoover explained that this application is on the agenda as an informational item. Positive recommendations were received from the building official, zoning officer and police department. Since this is the first instance of a such a request in this town, and no vote is required, Solicitor Rogers recommended that it be placed on the agenda. Mr. Derek Pettinato, applicant, stated that he plans to open the gym the second week in September. The Town Council wished him the best of luck in this venture.

PUBLIC HEARING AND ENSUING ACTION

Vehicles and Traffic Ordinance

Colonel DaSilva reviewed ordinance amendment, outlined differences, noted that certain fines will change. Solicitor Rogers asked if this is consistent and not in conflict with any state traffic laws and Colonel DaSilva replied that they are not in conflict, several items are being deleted and the Town will rely on State statute. The police officers and Municipal Court judge have been consulted.

Solicitor Rogers asked if Municipal Court would see a financial advantage or revenues with the town prosecuting certain violations. Colonel DaSilva responded that is correct, if our Municipal Court hears it, then we get the greater percentage in revenue. Another advantage is that our police officers don't have to take time during the day to travel to court in Wakefield.

Raymond Budziak, 429 Fairview Avenue wanted to know if this law would apply to his farm equipment and Ginny Soucy of Flat River Road questioned if the noise law would apply to radios blasting during the night and boat traffic on Johnson's Pond. Colonel DaSilva stated that this ordinance applies only to motor vehicle traffic, not traffic on the pond or Mr. Budziak's farm equipment. Manager Hoover offered that either he or Colonel DaSilva could meet with the Johnson's Pond Civic Association to discuss problems on the pond.

After further discussion with regard to fines, flat fees, noise, motor vehicles in parks, recreation areas, school grounds, and riding bicycles near pedestrians and lights, a motion was made by Ken Cloutier seconded by Glen Shibley to adopt ordinance. Vote taken: 4-1 (Frank Hyde abstains) Motion passes.

EXECUTIVE SESSION

Pursuant to R.I.G.L. Section 42-46-5 (a) (1)

Discussion of job performance, character or physical or mental health relating to potential appointments to Town Boards and Commissions

Motion made by Glen Shibley seconded by Laura Flanagan to go into Executive Session. Roll call vote: Frank Hyde - Aye; Kenneth Cloutier – Aye; Raymond Spear – Aye; Laura Flanagan – Aye; Glen Shibley – Aye. Motion passes.

Motion made by Glen Shibley seconded by Laura Flanagan to return to regular session. All voted aye.

Motion made by Glen Shibley seconded by Laura Flanagan to seal minutes of executive session. All voted aye.

Motion made by Glen Shibley seconded by Laura Flanagan to adjourn council meeting. All voted aye. Meeting adjourned 9:35 p.m.

Town Clerk