

TOWN COUNCIL MEETING

August 23, 2010

Present: Vice-President Laura Flanagan, Glen Shibley, Frank Hyde

Town Manager Thomas Hoover

Town Solicitor Patrick Rogers

Absent: President Raymond Spear and Councilman Kenneth Cloutier

Pledge of Allegiance led by Town Sergeant

Invocation by Councilman Hyde

Review of Emergency Evacuation Plan

President's Comments

Vice-President Flanagan announced that an annual review of Town Manager Hoover's job performance would be discussed at an upcoming Executive Session.

Approval of Minutes

Motion made by Glen Shibley seconded by Frank Hyde to approve minutes of June 21, July 19 and July 26, 2010. All voted aye.

Consent Agenda

1. Resolution approving sewer tie in for David Guilmette, 563 Washington Street
2. Renewal of Private Detective license for Francis Brosnan, Jr., 1294 Plainfield Pike
3. Renewal of Private Detective license for Bruce Capwell, 5555 Flat River Road
4. Application for Fireworks permit by Kyle Losek for September 5, 2010
5. Approval of April 2010 and July 2010 Tax Abatements

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

Resolutions

Granting authority to the Town Manager for review and approval of assessment deferrals on property with new septic systems

The reasons for the deferrals on property with new septic systems was explained by Manager Hoover, where in some cases people who have installed a septic system find themselves with an immediate assessment when a sewer line is installed. Manager Hoover requested that the Council allows the manager to handle this issue administratively, and if deferred, people will have 7 years from the time of installation of their septic system before any sewer assessment starts.

Chairman Bill Hall of the Sewer Subcommittee noted that when the ordinance was adopted in July of 2009, the method of administration was not addressed; he concurs that it should be handled administratively. Another issue is how do new home owners know about this assessment when the home changes hands within the 7 year period? Solicitor Rogers felt the best way would be documentation in the town records so it would show up in a title search.

Gary Cote, 29 Pettine Street, asked the Council to consider a ten year deferral instead of seven years. Council may consider that at a future date, since it would require an ordinance change.

Manager Hoover recommended approval of the resolution tonight with consideration of an amendment at a later date.

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

Approval of an agreement between SBA Network Services, Inc. and the Town of Coventry for a long term lease on existing SBA communication towers located on town owned land at Picillo Farm and Central Coventry Park

IT Director, Ed Warzycha, explained that SBA made a proposal to buy out the current leases for \$525,000. He negotiated further with them and the current offer is \$600,000. He believes that \$600,000 is a good deal for the town. Currently we collect \$20,776 from Piggy Lane tower and \$23,453 for the Nike Site. As a result, this would give us about 13-14 years of payments in advance.

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

Approval of an agreement between the Pawtuxet Valley Chamber of Commerce and the Town of Coventry for the provision of business attraction and retention services

After discussions with Planning Director Paul Sprague and the Chamber of Commerce as to how we can better our economic development efforts in business attraction and retention, Manager Hoover believes the Chamber is a great mechanism to help us with those contacts. He recommends approval of a resolution for this fiscal year which would pay the Chamber of Commerce \$12,000 to assist with those services in Coventry.

Greg Laboissonniere, President of the Chamber of Commerce, 131 Colvintown Road, advised that the Chamber works with the schools, with new people who move into town, and with organizations such as the PV Historical Society, in order to let people know about our town and the businesses it offers. There are plans for an Octoberfest at Flare Restaurant as we try to create things for businesses to take part in to foster business in our town. Presently West Warwick is participating with the Chamber, West Greenwich is not.

Councilman Shibley clarified that the \$12,000 contribution is only for this year. If we continue to contribute there should be a line item in the budget.

Councilman Hyde thanked Mr. Laboissonniere and the Chamber on behalf of small business owners.

Kerry McGee, 44 Gervais St., commended the Council for considering this resolution.

Barbara Foehler, 359 Fairview Ave., asked that the Chamber submit a quarterly report to the Town with regard to what's on their calendar and what's in the works. Mr. Laboissonniere agreed to report quarterly, also stating that currently the Chambers posts the website.

Vice-President Flanagan suggested amending agreement by adding a line at the end stating "this agreement shall be in effect for Fiscal Year 2010-2011".

Motion made by Councilman Hyde seconded by Councilman Shibley to approve resolution and accompanying agreement as amended. All voted aye.

Approval of an agreement for engineering services by and between the Town of Coventry and Weston & Sampson Engineers, Inc. for engineering design and bid assistance for the Quidnick Village Sewer Project, Contract 8

Manager Hoover stated that we have a facilities plan to install sewers in this community. The next contract, Contract 8, is scheduled for the Quidnick area. This is a very densely populated area with many residences, some with severe cesspool problems. This contract would be a big plus for homeowners in that area. Weston and Sampson have been doing the engineering and inspection and are prepared to move forward with the design and bidding for Contract 8.

Councilman Hyde expressed concern with regard to whether the residents in that area want this in front of their houses. He doesn't agree that a sewer line should be run down Hazard Street and before he would vote on this issue, wants to know what the people of that area want.

Councilman Shibley noted the many emergency tie-ins in that area and feels this is needed and is the next logical project. Contract 8 has been in the works for very long time.

Gary Cote asked that the fire chief from Anthony Fire Station be kept in the loop as road construction will effect emergency response time. Currently we have aid agreements with other stations as response times are being affected now as the Laurel Ave. Bridge is still out.

David Florio, 153 Princeton Avenue, stated that with Tiogue Avenue a mess and the Laurel Avenue bridge down, there will be too much impact on Washington Street. A public safety issue may be created with too many projects going on at once.

Scott Guthrie, 31 Maplewood Drive, thinks tie-ins should remain on an emergency basis. There are many two and three family units in this area and people are going to see huge assessments.

Barry Yachesyn, Weston & Sampson, explained that this resolution will allow them to get a design ready and go out to bid in the spring. The design will take a few months and construction wouldn't take place until next year. Tiogue Avenue construction will be done by then and the Laurel Avenue bridge will be completed by late spring or early summer.

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

Public Hearing

Transfer of Class B liquor license (change of ownership from Appetites Family Restaurant, Inc. to TCG, Inc.)

Manager Hoover explained this is a transfer of ownership of a Class B liquor license at the same location. The clerk indicated no objections were received from the Zoning Officer, Building Inspector, Police Department or the State of RI Corporations division. An objection to the transfer had been filed by McLaughlin and Moran, but has since been withdrawn.

Motion made by Glen Shibley seconded by Frank Hyde to open public hearing. All voted aye.

Attorney Edward Mulligan was present, representing applicant, TCG, Inc. Attorney Mulligan stated that the applicant has 33 years of experience operating a family restaurant; hours will remain the same as Appetites.

Vice-President Flanagan asked if there were any issues with the septic system. Attorney Mulligan responded that money is being escrowed at the closing in order to resolve septic problems.

Motion made by Glen Shibley seconded by Frank Hyde to close public hearing.

Motion made by Glen Shibley seconded by Frank Hyde to approve the Class B liquor license transfer. All voted Aye.

Mobile Home Park Ordinance

Manager Hoover remarked that this amendment basically increases the total number of units allowed from 30 units to 32 units per 1,000 inhabitants of the town.

Motion made by Frank Hyde seconded by Glen Shibley to open public hearing. All voted Aye.

Gary Cote, Pettine Street asked about lot sizes. Paul Sprague, Planner, commented that mobile homes are essentially all on one large lot.

Attorney John Brunero represents Westwood Estates, Sherwood Valley, Leisure Village and over the years has represented Maplewood and Ramblewood. He stated that in the ordinance defining the manufactured home parks, there is certain criteria that each applicant has to meet regarding the interior lot size that is dedicated for that particular manufactured home. It goes to Planning for review and then is further reviewed by the Building Inspector. There must be separation between the homes as spelled out in the ordinance. These homes do not qualify as affordable housing, but they do contribute to the formula for affordable housing. They are affordable price-wise, rent-wise, and should be looked at by the state as affordable. Attorney Brunero suggested contacting our state representatives, as this should be looked at as affordable housing.

Motion made by Frank Hyde seconded by Glen Shibley to close public hearing. All voted aye.

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

John Assalone, 3 Sabina Court, added that only a very small amount of children attend the school system from Westwood Estates.

Ordinance

1. Amendment of the Impact Fee Ordinance 2-02-0229 – First Reading

After researching RI law as it pertains to impact fees, Vice-President Flanagan has found that there are other areas where that money may be used. Currently our ordinance covers Parks and Recreation, Public Works and schools. As a result, Council has asked to have an ordinance drafted which would enable us to use impact fees in other areas, such as law enforcement, Human Services, Library, the sewer program and public facilities (Town Hall Annex). The current fee of \$7,596 per unit will be reapportioned, with the majority to schools, then DPW, Police and Parks and Recreation with the remaining areas getting no more than 2-3% of the total. The ordinance amendment will not be retroactive to include new additions.

Vice-President Flanagan asked if the entire ordinance is required to be read at first readings as this one is quite lengthy; Solicitor Rogers responded that the Council need not ever read the ordinance and can always have a motion to dispense with the reading.

Councilman Hyde suggested changing the words “public safety” to law enforcement in Section D1 and Council concurs with the language change.

Motion made by Frank Hyde seconded by Glen Shibley to dispense with reading the ordinance. All voted aye. So voted.

Motion made by Frank Hyde seconded by Glen Shibley to amend ordinance language in Section D1 on Page 4 to “law enforcement” as opposed “public safety”. All voted aye. Clerk will advertise for public hearing at September 13, 2010 Town Council meeting.

Public Comment

Greg Laboissonniere thanked Town Council for their consideration of the Chamber of Commerce and looks forward to working with the town.

Motion made by Frank Hyde seconded by Glen Shibley to adjourn meeting. All voted aye. Meeting adjourned at 8:15 p.m.

Town Clerk