

TOWN COUNCIL MEETING
September 11, 2006

- **EXECUTIVE SESSION** – 6:00 p.m.

Interviews for Sewer Assessment Board
Council 94 Negotiations
R.I.G.L. 42-46-5 (a) (2)

Motion made by Justin Pomfret seconded by Robert Thibeault to go into Executive Session. Roll call vote. All voted Aye. So voted.

Motion made by Justin Pomfret seconded by Robert Thibeault to come out of executive session. Roll call vote. All voted Aye. So voted.

Motion made by Justin Pomfret seconded by Robert Thibeault to seal minutes of executive session. All voted Aye. So voted.

- **TOWN COUNCIL MEETING**

Present: Gregory Laboissonniere, Robert Thibeault, Thaddeus Jendzejec, Justin Pomfret

Acting Town Manager Chief Brian O'Rourke
Town Solicitor Patrick Sullivan

Absent - Town Manager Richard Kerbel
Absent – Councilman Frank Hyde

Pledge of Allegiance led by Town Sergeant
Moment of Silence in observance of September 11, 2001
Town Sergeant reviewed Emergency Evacuation Plan

President Jendzejec presented Certificate of Recognition to Francis J. Perry, Jr. for his years of service on the Kent County Water Authority

- **PUBLIC COMMENT**

Wayne Asselin
30 Lorraine Avenue

Would like to see item on agenda regarding putting a special legal team together to handle Centre of New England

Gary Cote
29 Pettine St

Concerned about safety issues regarding spillway on Tiogue Lake. A dangerous situation has been created with an open pipe. Should have a grate put on it, could be liability to the town, need a solution.

Robert DiPadua
62 Laurel Avenue

I am in favor of casino. Interested in the casino resolution that appears on agenda. Would like to see a report regarding information that appears on the resolution. Where did the town get its information?

Brett Harrington
800 Hammet Road

Asked about status of Hammet Road abandonment

Solicitor Sullivan - There is a proposed decree on the agenda.

Senator Leonidas Raptakis
2080 Nooseneck Hill Road

Opposed to casino. Supports the resolution before the council tonight. Doesn't know what Coventry would receive if there were a casino, feels too many unknown factors. Could result in possible reduction in business for the town.

Joseph Brown
52 Colvintown Road

Regarding Mr. Cote's statement, how would the town respond to an issue like this?

Mr. Thibeault - The town doesn't own that property. We would bring it to the town manager's attention then would have to be some type of agreement with the property owners. Would also need to talk to DEM.

Diane Paul
2 Park Avenue

Ms. Paul – Questioned if anything has been done regarding a pedestrian crossing at Station Street and the greenway.

Mr. Laboissonniere – That has been turned over to Manager Kerbel, who is not here tonight.

Motion made by Gregory Laboissonniere seconded by Justin Pomfret to approve minutes from August 28, 2006.

- **CONSENT AGENDA**

1. Resolution appointing Robert Thibeault as the Coventry liaison to the West Warwick Regional Sewer Committee
2. Resolution approving lease for copy machine
3. Resolution releasing bond for "Fairview Commons" per recommendation of Town Engineer
4. Request for perpetual care "Battey Family" cemetery
5. Renewal of Private Detective license for Roland Daigle

Motion made by Gregory Laboissonniere seconded to Robert Thibeault to remove Item #2 for discussion. All voted Aye. So voted.

Motion made by Justin Pomfret seconded by Robert Thibeault to approve items #1, #3, #4, and #5. All voted Aye. So voted.

Resolution # 69-06-2773 appointing Robert Thibeault as the Coventry liaison to the West Warwick Regional Sewer Committee

RESOLUTION
OF THE
TOWN COUNCIL
No. 69-06-2773

WHEREAS, the Town of Coventry controls at least twenty (20%) of the West Warwick Waste Water Treatment Plant capacity, and

WHEREAS, the Town of Coventry has been a member of the West Warwick Sewer Subcommittee for several years and has been represented by a member of the Coventry Town Council, and

WHEREAS; on July 17, 2001 the West Warwick Town Council passed a resolution granting the Town of Coventry one voting seat on the West Warwick Sewer Subcommittee

NOWHEREFORE BE IT RESOLVED: The Coventry Town Council affirms the appointment of Councilman Robert Thibeault as Town Council liaison to the West Warwick Sewer Commission and Coventry's voting member of the West Warwick Sewer Subcommittee.

PASSED AND ADOPTED this 11th day of September, 2006.

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Resolution # 70-06-2774 releasing bond for "Fairview Commons" per recommendation of Town Engineer

RESOLUTION
OF THE
TOWN COUNCIL
No. 70-06-2774

RESOLVED:

That the Town Council of the Town of Coventry hereby releases the bond currently held for certain improvements in Fairview Commons with the exception of \$2,500.00 to be retained for the town to hire a subcontractor to complete repairs.

This action is taken upon the recommendation of the Town Engineer.

PASSED AND ADOPTED this 11th day of September, 2006.

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Mr. Laboissonniere (Regarding Item #2) – This is a little more than a copy machine.

Ed Warzycha, Director, Information Technology – This is a digital imaging system. The engineer has old copies of plans and maps. The machine they have now is unrepairable, can't get parts. Would like to replace it, want to digitize plans and maps and put them in PDF format. Eventually would do the plat maps in the vault.

Mr. Laboissonniere - Did you go to bid?

Mr. Warzycha - Informal bids, yes.

Mr. Laboissonniere – Has the town manager looked at this?

Mr. Warzycha - Yes, and we have done business with Advanced Business Machines for a number of years.

Motion made by Gregory Laboissonniere seconded by Justin Pomfret to approve resolution. All voted Aye. So voted.

Resolution # 71-06-2775 authorizing Town Manager to Enter Lease for Copy Machine

RESOLUTION
OF THE
TOWN COUNCIL
NO.: 71-06-2775

RESOLUTION AUTHORIZING TOWN MANAGER TO ENTER LEASE FOR
COPY MACHINE

WHEREAS, the Town is in need of a wide format digital imaging system and document management system for the Engineering Department and the Town Manager has approved a lease for a wide format digital imaging system and document management system .

BE IT THEREFORE RESOLVED, that the Town Manager is hereby authorized to enter into the attached lease agreement for the lease of a wide format digital imaging system and document management system.

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

PASSED AND ADOPTED this 11th day of September, 2006.

APPROVED: Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

- **LICENSES**

Application for New Private Detective license for Seth Mellor, 68 Fairfield Drive, North Kingstown, RI

Present: Seth Mellor
68 Fairfield Drive

Motion made by Gregory Laboissonniere seconded by Justin Pomfret to approve license. All voted Aye. So voted.

New Second Hand license for GameStop, Inc., 672 Centre of New England Boulevard

Motion made by Robert Thibeault seconded by Justin Pomfret to approve license. All voted Aye. So voted.

- **RESOLUTIONS**

Resolution appointing members to the Zoning Board of Review

Motion made by Justin Pomfret to reappoint members and add Russell Lacaillade as a full time voting member.

Mr. Laboissonniere seconded motion for discussion. I was not aware of any particular names for the Zoning Board of Review. You want to appoint Russell as a full time member, is that what it is?

President Jendzejec - Yes, from an alternate member to full time, then there will be an open spot for an alternate. There are two alternates now. We would put Mr. Lacaillade into the full time spot until we do some interviews.

Mr. Laboissonniere stated that Mr. D'Onofrio was also interested in the full time position. He has been on the board for 12 years and has filled in numerous times. I would like to hold this and discuss it further.

Vote taken on motion to appoint: Justin Pomfret - Aye
Gregory Laboissonniere – Abstain
Robert Thibeault – Opposed
Thaddeus Jendzejec – Aye

Motion fails.

Resolution opposing casino

Motion made by Gregory Laboissonniere seconded by Robert Thibeault to approve resolution.

Mr. Laboissonniere - The resolution in essence doesn't oppose the casino, it opposes question #1 on the ballot. There are too many unknown factors as to dollars that will be coming in, there are no written agreements. It would be like making a decision in the dark. We need to accept the resolution to oppose question #1 on the ballot.

Mr. Thibeault - As the councilman representing the district that this casino abuts, I am very concerned about the fact that town services will be taxed, town's infrastructure usage will increase, the fact that we don't have any figures as to what Coventry will receive in tax relief. Don't see any numbers for Coventry, need to have all the facts. Can't vote without the facts.

Mr. Pomfret – I want to weigh all of the pros and cons. Would like to see them. Would also like to see the facts.

Mr. Laboissonniere – That is what we are saying. They are not showing us any benefits we are to receive. My position is that if we remain silent, we are just letting it happen.

President Jendzejec - This is just a piece of paper, it holds no weight. There are a lot of unknowns. I'm sure there will be revenue coming in to Coventry from the casino.

Motion has been made and seconded.

Opposed: Justin Pomfret, Thaddeus Jendzejec
In favor: Robert Thibeault, Gregory Laboissonniere

Motion fails.

HAMMET ROAD (tabled)

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

Council felt it would like more time to review easement, continue to next council meeting.

Motion made by Gregory Laboissonniere seconded by Justin Pomfret to table to September 25 council meeting for further review. All voted Aye. So voted.

PUBLIC HEARINGS

Well Ordinance

Motion made by Gregory Laboissonniere seconded by Justin Pomfret to open public hearing. All voted Aye. So voted.

Paul Sprague gave overview of ordinance. Back in early 2000 West Greenwich had a problem with their wells. Had engineering firm study this and came up with an ordinance. This ordinance is similar to the one in West Greenwich. DEM has regulations relating to wells, one requirement is having a certain amount of yield from the well and depth providing a specific amount of water from the well.

This ordinance simply is based on geological surveys, EPA reports, bedrock well research done by Maine and New Hampshire, meetings that I have had with the General Assembly .

You get a permit before you dig. The well must meet minimum state standards and have a recovery capacity after a 12-18 hour period.

Mr. Pomfret – I think this is a great step in preserving the quantity of water, especially in the western end where everybody has private wells. Thanked Paul Sprague for his work on this. Would hate to see Western Coventry run into problems.

Jennifer Case
Universal Properties

Ms. Case inquired about the 48 hour notice required for testing. What if no one from the town is available within 48 hours, then do we have to wait?

Mr. Sprague stated that it is the town's responsibility to get someone there from the building official's department.

Ms. Case also concerned about the turn around time for a well permit, feels it should be about two weeks. This refers to Ordinance page 7, paragraph 3.

Ms. Case questioned Page 3 "permit fees" and how that would impact the condos already in place but with no certificates of occupancy. Also concerned with Section H "additional requirements" on Page 9 in regards to additional testing.

Wayne Asselin
Lorraine Avenue

I think that the developer should have to post a bond, there should be more protection for the people who have lived here thirty years.

Diane Paul – This ordinance is not something that was directed against the Centre of New England. Central and Western Coventry have people who now have well water.

Scott Duckworth – Any restrictions regarding the proximity of one well to the other?

Mr. Sprague – No.

Mr. Duckworth – Liability to the town?

Attorney Sullivan – No, not from what I see before me.

Mr. Duckworth: What if the wells go dry? Would the town get sued?

Attorney Sullivan – No.

Erin Farrell
Centre of New England

I agree that these regulations apply to community wells. We already have regulations more stringent and extensive from EPA and DEM that we have to adhere to.

Peter Suorsa - When and at what point do you get well permits? Should be part of the process when the subdivision begins. Timing of the permit should be earlier rather than later.

Motion made by Justin Pomfret seconded by Gregory Laboissonniere to close public hearing. All voted Aye. So voted.

Motion made by Justin Pomfret seconded by Gregory Laboissonniere to pass ordinance with amendment on Page 7 Paragraph D adding “The Well Completion Report shall be reviewed by the Town’s Engineer ***within fifteen (15) business days*** to access the accuracy....” All voted Aye. So voted.

Motion made by Justin Pomfret seconded by Robert Thibeault to adjourn meeting. Meeting adjourned at 8:45 p.m.

Town Clerk