

TOWN COUNCIL MEETING
September 13, 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 Corey O'Connor, Boy Scout Troop 31
Invocation by Pastor Chris Baker of Knotty Oak Baptist Church
Review of Emergency Evacuation Plan

President's Comments

The School Committee will join the Town Council in a work session at the next Town Council meeting for the purpose of reviewing performance contracting.

Councilman Shibley advised the public of two upcoming fundraisers. A 'Tis the Season Steak Fry will be held at the Coventry Mens Club on September 24 at 6:30 p.m; tickets are \$23.00 per person. The annual John Urwin Memorial Scholarship fundraiser will be held at the Coventry Community Center on Saturday, September 25. Dinner is from 4 p.m. to 7 p.m.; tickets are \$10.00 for adults and \$5.00 for children.

Approval of August 23, 2010 Town Council Minutes

Councilman Shibley requested an amendment to the minutes pertaining to his statement on Page 2 regarding the contribution to the Chamber of Commerce. He requested that it read "Councilman Shibley clarified that the \$12,000 contribution is only for this year and if we continue funding there should be a line item in the budget."

Motion made by Laura Flanagan seconded by Frank Hyde to approve minutes as amended. Vote taken 4-0 (President Spear did not vote because he was absent from August 23 meeting).

CONSENT AGENDA

1. Approval of the Construction and Maintenance Agreement between the Rhode Island Department of Transportation and the Town of Coventry for the construction of the General Nathanael Greene Memorial Bridge

Manager Hoover advised that DOT requires an agreement before they can continue with any project, in this case the reconstruction of the General Nathanael Greene Memorial Bridge.

Motion made by Frank Hyde seconded by Laura Flanagan to approve agreement. All voted aye.

PUBLIC HEARINGS

1. Transfer of Class B liquor license from Zelly's Last Stop Café, 2260 Flat River Road to West Coventry Pizza, Inc. dba Europa (George Melanis)

Applicant George Melanis, owner of Europa, remarked that he has 30 years of experience in the restaurant business. Councilman Hyde added that Mr. Melanis is a good businessman and has done a lot of work in our town.

Darlene Gelinis of Big Daddy's Pizza, Flat River Road, spoke in objection to the Class B license for Europa, and feels the close proximity will impact her business. Ms. Gelinis further advised that she is in the process of preparing an application for a liquor license.

Although Councilwoman Flanagan would prefer to hold off on the liquor license portion of Mr. Melanis' application until Ms. Gelinis can submit her liquor license application to Council, Councilmen Shibley, Cloutier and Hyde agreed that you can't keep business from coming in to town, and in addition the former restaurant next to her had a liquor license. President Spear concurred with Vice-President Flanagan, although agreeing that you can't limit the business from coming into town.

Motion made by Frank Hyde seconded by Glen Shibley to approve Class B liquor license transfer from Zelly's Last Stop Café to West Coventry Pizza, Inc. dba Europa. Vote taken: 3 in favor, 2 opposed (President Spear and Vice-President Flanagan voted no). Motion passes.

2. Amendment to Chapter 106, Building Regulations, Section 6 of the Code of Ordinances (Fair Share Development Fees)

Manager Hoover reviewed new distribution of impact fees as follows: law enforcement (20%), Government Center/Library Expansion (3%), Sewers and other public facilities (5%), schools (30%), DPW

(25%); Parks and Recreation (15%), Human Services and Sewers 2% each. Total amount of impact fee is \$7596.00.

Motion made by Frank Hyde seconded by Laura Flanagan to adopt ordinance. All voted aye.

RESOLUTIONS

1. Awarding a contract for the installation of two (2) grinder pumps for the rear septic system at the Town Hall Annex

DPW Superintendent Dennis Smith explained the need for the pumps is due to settling tanks being clogged and causing backups. It was recommended to install grinder pumps to grind the solids before reaching the leach field. One bid was received with a cost of \$8,950.

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

2. Awarding a contract as an emergency repair to SB Carbone Plumbing and Heating for relocation of roof drains in the Town Hall Annex

Manager Hoover commented that this is a completed emergency repair. Roof drains in the Town Hall Annex failed, causing water intrusion and structural damage. The warranty on the roof has elapsed. Superintendent Smith confirmed that the situation has been corrected and everything has been piped to the back of the building.

Vice-President Flanagan suggested that the town advertise for proposals for emergency repairs and services, which would lock in a fixed service fee if we need to call someone in the middle of the night.

Motion made by Glen Shibley seconded by Laura Flanagan to approve resolution. All voted Aye.

3. Granting of perpetual easements to National Grid for cell tower installations at Coventry High School and the Department of Public Work

National Grid requires easements to allow them to use the land for maintenance purposes in the future.

Motion made by Laura Flanagan seconded by Glen Shibley to grant easements. Vote taken: 4-0 (Councilman Hyde abstained)

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

Manager Hoover explained that this is an area sorely needing replacement of faulty septic systems and cesspools. The Manager recommends Town Council approval so that Weston and Sampson can begin the design and bidding process.

Councilman Hyde stated people in the area are uninformed regarding Contract 8 and don't realize they will receive a sewer bill.

Barry Yachesyn, Engineer with Weston & Sampson, believes that the Sewer Subcommittee has done a great job identifying an area in need. The Quidnick area septic systems are not performing the way they should. Clean Water Financing has approved the town for funding. We propose to help out the residents, educate them with a flyer, and offer some type of public meeting and discussion to answer their questions.

Vice-President Flanagan asked if this particular phase had been discussed in open public meetings with the Sewer Subcommittee since 2006-07; she also asked if the SSC determines which project goes forward and in what order. Mr. Yachesyn replied that there have been open public meetings with discussion on Contract 8, with no controversy. The SSC does prioritize projects. The Contract 8 project has been submitted to DEM.

Councilman Shibley remarked that Tiogue Avenue construction should be done before the sewer project is ready to begin and expects that the General Nathanael Greene bridge may also be completed or close to it.

Mr. Hyde again stated that the people in the area have not been asked by the Council if they want the sewer line and President Spear replied that it has never been the direct responsibility of the Council to ask the people. Vice-President Flanagan remarked that there are two Town Council members on the SSC representing their constituents. In 2007, Mr. Hyde was a member of the SSC and very interested in promoting this project, urging that this plan is done "sooner than later".

Scott Guthrie, 31 Maplewood Drive, feels that with assessment fees so high, doubling from \$6,600 to \$12,900 per unit, that the concentration should be on an emergency basis.

Kerry McGee, 44 Gervais Street agrees that people can't afford to pay assessments. This project was planned over three years ago when the economy was different.

Karen Deliberis, 49 Read Avenue, can't afford the rates. Roger Benjamin, 30 Cecile Avenue feels sewers are not needed and George Mancinho, 26 Cecile Avenue has a good septic system and can't afford sewers.

Raymond Ricci, 34 Bates Avenue, asked why the sewer line didn't just go straight down Washington Street instead of by Clariant. Will the water line be redone at the same time? Mr. Yachesyn explained there were multiple factors involved with location of the sewer line and the final location of the line did result in some cost savings. Weston & Sampson will coordinate with Kent County Water Authority to enable them to make this one dig with water and sewer lines.

David Florio commented that the citizens don't have a choice and are being told what to do. There has been no planning; the current roads are terrible. Mary Law of 10 Knight Street has replaced her septic system twice and doesn't believe she should be charged for a line running in front of her house that she will not tie into. She is concerned that with such a very narrow road, she won't be able to get home with the blasting and digging.

Councilwoman Flanagan noted several options available to residents, including the sewer assessment appeal board, a deferment with regard to need and a seven year deferral program for recently installed septic systems, payable over a 20 year period. If you sell your house and move, the bill travels with the property and becomes the responsibility of the new owner.

Motion made by Laura Flanagan seconded by Glen Shibley to approve resolution for Contract 8. Vote taken: 4 – 1 (Mr. Hyde votes no)

5. Presentation and acceptance of the January 1 through June 30, 2010 Waterman Fiske Fund report from Pat Shurtleff, Director of Human Services

Human Services Director Pat Shurtleff reported activities of the Waterman Fiske Fund from January 1, 2010 through July 30, 2010. There is \$63,000 in the fund now. We have used \$12,000 a year for the food bank, \$2,000 for Tis the Season program. Additionally, the following disbursements were made:

Mental Health Assessment \$200.00; Utility assistance \$896.58; Rental and housing assistance \$3,238.00; Septic pumping \$375.00; Parks and Recreation camperships \$9,750.00; Emergency housing due to March flooding \$13,849.56 Total expenditures \$28,209.14.

Councilwoman Flanagan questioned one payment from the fund, a check written to Councilman Frank Hyde. Mrs. Shurtleff explained that checks are never made out to the client, always to the landlord, drugstore, etc. In this case, Mr. Hyde is a landlord. Mrs. Flanagan suggested that in the future this should be handled differently as it doesn't look proper with a check made out to a Town Council member. In the future this situation should be brought to the attention of the Town Manager.

Motion made by Laura Flanagan seconded by Glen Shibley to accept and file report. All voted aye.

PUBLIC COMMENT

Nancy Sprengelmeyer, 26 Taft Street, questioned percentages of impact fees. Mrs. Flanagan replied that the ordinance also spells out a dollar figure on the impact fees.

EXECUTIVE SESSION

R.I.G.L. 42-46-5. (a) (1) (2)

1. For the purpose of evaluating the performance of the Town Manager
2. Pertaining to collective bargaining

Motion made by Laura Flanagan seconded by Glen Shibley to recess to Executive Session. All voted aye.

Town Clerk

***Due to a change in Town Council membership in November of 2010, the new Town Council was unable to vote to either approve or disapprove minutes as presented. ***