

TOWN COUNCIL MEETING
Coventry Town Hall Council Chambers
1670 Flat River Road
October 22, 2007 – 5:00 p.m.

Motion made by Bruce Thompson seconded by Ken Cloutier to go into Executive Session under RI General Law 42-46-5-(a) (2) (5). Roll call vote. All voted Aye. So voted.

EXECUTIVE SESSION

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

1. Litigation DEM v Town of Coventry 05-346 ML
2. Interstate Options v Town of Coventry KC 02-303
3. Disposition/acquisition of public properties
4. Shardlow v Town of Coventry KC 06-0298

Motion made by Anthony Colaluca seconded by Bruce Thompson to emerge from executive session. All voted Aye. So voted.

Motion made by Bruce Thompson seconded by Kenneth Cloutier to seal minutes of executive session. All voted Aye. So voted.

Work Session

Remaining interviews were conducted for appointment to Redevelopment Agency.

Town Council Meeting

Present: Kenneth Cloutier, Anthony Colaluca, Justin Pomfret, Bruce Thompson, Frank Hyde

Interim Town Manager Paul Sprague
Town Solicitor Patrick Sullivan

Pledge of Allegiance led by Town Sergeant
Invocation led by Councilman Cloutier
Town Sergeant reviewed evacuation plan

Motion made by Bruce Thompson seconded by Anthony Colaluca to approve Town Council minutes from September 24, 2007 and October 4, 2007. All voted Aye. So voted.

CONSENT AGENDA

1. Renewal of Sewer Contractor License for Miozzi & Sons Equipment Co., Inc.
2. Tax abatements for month of September 2007 in the amount of \$26,033.26
3. Resolution allowing sewer tie-in for Papa Gino's, Tiogue Avenue
4. Resolution allowing sewer tie-in for the Dionne building, 30 Whitford Street
5. Resolution affirming award of contract for 2007 cargo van for Dept. of Public Works
6. Resolution affirming award of contract for washed sand for Dept. of Public Works

Motion made by Bruce Thompson seconded by Kenneth Cloutier to remove Item No. 5 for discussion. All voted Aye. So voted.

Motion made by Anthony Colaluca seconded by Bruce Thompson to approve Items 1,2,3,4,and 6 on Consent Agenda. All voted Aye. So voted.

President Pomfret questioned Town Engineer Sheila Barrett as to Item #5 - Resolution awarding contract for 2007 cargo van and whether this vehicle is a service truck.

Ms. Barrett – My understanding is that it is a service truck, don't know why it is referred to as a van.

Manager Sprague read memo from Superintendent of Public Works, Dennis Smith, recommending the award of this contract.

President Pomfret questioned whether this would be worthwhile and would it be better to look at maybe putting the money into a new snow plow, something that we use and is in demand daily especially in the winter.

Ms. Barrett – We had those bigger items in the Capital Budget, but they were taken out. This service truck is needed, but wasn't our highest priority.

Motion made by Kenneth Cloutier seconded by Bruce Thompson to table resolution to investigate further, maybe can switch around to obtain something that we use daily. All voted Aye. So voted.

- LICENSES

- **Renewal of Victualling licenses, some with additional hours**

- 1) 1100 MAIN STREET COVENTRY, LLC, dba Coventry Mart, 1100 Main St.
- 2) *TIM HORTONS (NEW ENGLAND), INC., dba Tim Hortons, 435 Washington St. (Additional Hours)
- 3) *TIM HORTONS (NEW ENGLAND), INC., dba Tim Hortons, 732 Tiogue Ave. (Additional Hours)
- 4) BETTER VAL-U SUPERMARKETS, dba Jerry's Super Market #09, 23 Coventry Shoppers Park
- 5) *BJ'S WHOLESALE CLUB, INC., dba BJ's Wholesale Club, 790 Centre of New England Blvd
- 6) BORRELLI'S BAKERY & PASTRIES, INC., 765 Tiogue Ave.
- 7) BRITAY'S DELI & CATERING, 789 Tiogue Ave.
- 8) CAPTIAN NEMO'S SUB SHOP, 15 Sandy Bottom Rd.
- 9) *CCF, LLC, dba Wendy's, 2311 New London Turnpike, FSV#18754, (Additional Hours)
- 10) CHINA STAR, 1028 Tiogue Ave.
- 11) COVENTRY DONUTS INC., dba Dunkin Donuts, 800 Tiogue Ave. (Addt'l hours)
- 12) COVENTRY SEAFOOD, INC., 629 Washington St.
- 13) *CUMBERLAND FARMS INC #1219, 1600 Nooseneck Hill Rd.
- 14) *CUMBERLAND FARMS INC #1247, 785 Tiogue Ave. (Additional Hours)
- 15) *CUMBERLAND FARMS INC #1250, 436 Knotty Oak Road

- 16) HESS CORP., dba Hess 39210, 764 Tiogue Ave. (Additional Hours)
- 17) *DECIANTIS ICE CREAM, 1373 Main St. c/o Stephen DeCiantis
- 18) *DELOP'S INC., dba D'Angelo Sandwich Shop, 795 Tiogue Ave.
- 19) DEPETRILLO'S PIZZA & BAKERY, INC., 797 Tiogue Ave.
- 20) MEDEIROS, RUI A., dba Morning Rush Coffee & Donuts (Shell Oil), 642 Washington St.
- 21) DOUBLE A REFRESHMENTS, dba Del's Lemonade of Coventry, 465 Tiogue Ave.
- 22) FIDAS, ELENI, dba Silver Lake Pizza, 1146 Main St. (Additional Hours)
- 23) SARAG LLC, dba Subway, 722 Tiogue Ave.
- 24) *G TECH CORPORATION, 1372 Main St.
- 25) HARRY'S PIZZA, LLC, dba Ronzio Pizza, 1032 Tiogue Ave.
- 26) *JAN CO CENTRAL, INC., dba Burger King #3133, 1145 Tiogue Ave.
- 27) *DRAKE PETROLEUM CO. INC., dba Coventry Xtra Mart, 851 Tiogue Ave. (Additional Hours)
- 28) LABRAKIS, JOHN N., dba Santoro's Pizza & Restaurant, 687 Tiogue Ave.
- 29) *L/M TACORI, INC., dba Taco Bell, 784 Tiogue Ave.
- 30) *D.J. PROVIDENCE CO., LLC, dba McDonald's, 1100 Tiogue Ave. (Additional Hours)
- 31) MEALWORKS, LLC, 1606 Nooseneck Hill Rd.
- 32) MICHAEL'S ICE-CREAM LLC, 975 Tiogue Ave.
- 33) NERARD, INC., dba Kentucky Fried Chicken of Coventry, 830 Tiogue Ave.
- 34) NEWPORT CREAMERY, LLC, 781 Tiogue Ave.
- 35) PJ'S DINER, 608 Tiogue Ave.
- 36) RICK & DEE'S, 17 Knotty Oak Rd.
- 37) SMILING SOLE FISH MARKET, INC., 891 Tiogue Ave.
- 38) SUMMIT GENERAL STORE, LTD, 25 Old Summit Rd., Greene, RI 02827
- 39) THE STOP & SHOP SUPERMARKET COMPANY LLC, dba Stop & Shop #720, 900 Tiogue Ave. (Additional Hours)
- 40) TOM'S FRUIT & DELI, INC., 821 Tiogue Ave.
- 41) CHOCOLATE DREAMS, INC., 577 Tiogue Ave.
- 42) 2 J'S, LLC, dba Quiznos, 718 Centre of New England Blvd.
- 43) SALAD CREATIONS, 674 Centre of New England Blvd.
- 44) *WAL-MART STORES EAST LP, dba Wal-Mart Supercenter (Add'l Hrs)

- 45) MCS DONUTS, dba Dunkin Donuts, 851 Tiogue Ave. (Additional Hours)
- 46) CS FOOD, LLC, dba Subway, located in Wal-Mart Supercenter, 650 Centre of New England Blvd.
- 47) R.B. DONUTS, INC., dba Honeydew Donuts, 710 Centre of New England Blvd.
- 48) CAFÉ GIANNA, 915 Tiogue Ave.
- 49) CHOP PIZZA INC., dba Coventry House of Pizza II, 2246 Flat River Rd.
- 50) REBELLO'S, 470 Washington Street

Motion made by Frank Hyde seconded by Kenneth Cloutier to renew licenses. All voted Aye. So voted.

New Victualling license for Coventry Lodging Associates, located at Hampton Inn (corporation change)

Motion made by Bruce Thompson seconded by Anthony Colaluca to table new victualling license as no one was present to represent Hampton Inn. All voted Aye. So voted.

- RESOLUTIONS

- 1. Appointing members to Redevelopment Agency

President Pomfret filed recusal.

Motion made by Frank Hyde seconded by Anthony Colaluca to appoint Alicia Pomfret, Kevin McGee, Scott Guthrie, Robert Di Padua and David Woodward to the Redevelopment Agency. All voted Aye. So voted.

Mr. Hyde recommended Alicia Pomfret for five year term, Kevin McGee four year, Scott Guthrie three year, Robert DiPadua Jr., two year and David Woodward one year. Council in agreement.

- 2. Adopting resolution regarding Low Interest Community Septic System Loan Program

Mr. Cloutier – Who decides who get the low interest loans?

Mr. Sprague – If we had a sewer dept., they would decide. My recommendation would be that the Planning Department would handle that. The CDBG program is part of Planning and one of its functions is to provide low interest loans or grants to people with failed septic systems. This would be appropriate in addition to that, so it would be my recommendation to have it administered by the Planning Department.

Mr. Cloutier - Will people submit something to the Planning Department?

Mr. Sprague – The way the program is proposed to be administered would be that a person submit application and prove that they have a failed septic system. (Criteria is listed on attachment to resolution)

Mr. Cloutier – So this would not be low income?

Mr. Sprague – We already have a program for low/moderate income.

Councilman Hyde thanked Manager Sprague for working with him on this resolution. It's finally come to the point where we can make this a reality for the people. This is a way to correct the problem for people who just don't have the money.

Mr. Cloutier – Didn't realize how many failed systems there are in Coventry.

Motion made by Frank Hyde seconded by Kenneth Cloutier to adopt resolution. All voted Aye. So voted.

3. Authorizing Acting Town Manager to execute documents relating to the acquisition of development rights for Plat 317, Lot 16 (Neylon property)

Motion made by Anthony Colaluca seconded by Bruce Thompson to adopt resolution. All voted Aye. So voted.

4. Adopting Town Owned Motor Vehicle Policy

President Pomfret – We looked into who was bringing town vehicles home and why. We now have a list of people that should be bringing them home and people who will no longer be able to bring them home. The Council and Acting Town Manager Sprague felt this was a very important issue.

Motion made by Bruce Thompson seconded by Anthony Colaluca to adopt resolution. All voted Aye. So voted.

5. Resolution authorizing Acting Town Manager to enter into agreement with Coventry Housing Authority for construction of sewers

Motion made by Frank Hyde seconded by Bruce Thompson to adopt resolution. All voted Aye. So voted.

• **PUBLIC HEARINGS**

Motion made by Frank Hyde seconded by Kenneth Cloutier to open public hearings.

1. CLASS A

a. Transfer Anthony's Wine & Spirits to Anthony's Wine & Spirits LTD (corporation change)

Owner, Anthony Petrarca, was represented by Ben Gallo, Esq. 1070 Main Street

Attorney Gallo - Mr. Petrarca's license is a renewal as well as a transfer. This is really just a change in form of ownership. Mr. Petrarca has incorporated Anthony's Wine and Spirits, Ltd. and is going to transfer the license to a corporation. Holder of the license is not changing. Mr. Gallo stated that no claims have been filed.

b. All Class A (package store) renewals

CLASS A RENEWALS

1. COVENTRY DISCOUNT WINE & LIQUOR, INC., 600 Washington Street
2. CRESTWOOD WINE & SPIRITS, INC., dba Christy's, 151 Sandy Bottom Road
3. BILL'S LIQUORS, LLC, dba Bill's Package Store, 672 Main Street
4. SHOPPERS LIQUORS, INC., 1142 Main Street

Motion made by Frank Hyde seconded by Anthony Colaluca to close public hearings. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Bruce Thompson to approve license transfer for Anthony's Wine & Spirits and all other Class A liquor licenses. All voted Aye. So voted.

CLASS B

Motion made by Kenneth Cloutier seconded by Anthony Colaluca to open public hearings on (a) Applebees and (b) Charlie's Place.

- a. Transfer Applebee's Northeast Inc. to Applebee's Restaurants North LLC (corporation change only)

Present: Jeffrey Michaelson, Esq., Post Road, North Kingstown, RI

Attorney Michaelson - I'm here on behalf of Applebee's. IHOP is taking over Applebee's and we are changing all of them in RI. This is all part of a bigger transfer.

- b. Charlie's Place Inc, 33 Sandy Bottom Road (stock change only)

Motion made by Frank Hyde seconded by Bruce Thompson to close public hearings. All voted Aye. So voted.

Motion made by Kenneth Cloutier seconded by Anthony Colaluca to approve Items (a) and (b). All voted Aye. So voted.

President Pomfret recused himself on Items (c) Junior's Steakhouse and (d) Renewal of Class B licenses

- c. Junior's Steakhouse, 17 Sandy Bottom Road (stock change only)
- d. Renewal of all Class B with Victualling licenses (including those with Dance and/or Live Show Entertainment licenses)

Motion made by Kenneth Cloutier seconded by Anthony Colaluca to open public hearings on Junior's Steakhouse and Class B renewals. All voted Aye. So voted.

CLASS B RENEWALS WITH VICTUALLING

- 1) COME ALONG INN, INC., 402 Washington St
- 2) JAAS RESTAURANT CORP., dba Café Romanzo, 495 Washington St (Dance & Liveshow Entertainment)
- 3) H & N ENTERPRISE, dba Village Pub, 1128 Main St
- 4) JAGUAR TAP, INC., dba Nicky's Lounge, 354 Tiogue Ave (Liveshow Entertainment)
- 5) SUN LEE ENTERPRISES INC., dba Mai Tai Restaurant, 856 Tiogue Ave
- 6) CHATERMIKE RESTAURANT CORP., dba Nino's on Lake Tiogue, 446 Tiogue Ave (Dance & Liveshow Entertainment)
- 7) FLARE RESTAURANT & LOUNGE, 577 Tiogue Ave
- 8) REKAS, RUSSELL E. and KYLE, dba Reko's Pitcher's Mound, 620 Tiogue Ave (Liveshow Entertainment)

- 9) VENUS PIZZA, INC., 2080 Nooseneck Hill Rd
- 10) CROWE BAR & TAVERN LLC, dba Scott's Crowe bar & Tavern, 1152 Main St (Dance & Liveshow Entertainment)
- 11) HARRIS BAR & GRILLE INC., dba Harris Bar & Grille, 666 Main St (Dance & Liveshow Entertainment)
- 12) APPETITES FAMILY RESTAURANT, INC., 473 Tiogue Ave
- 13) CMG, SOUTH, INC., dba Cilantro Mexican Grill, 712 Centre of New England Blvd
- 14) KBMM LLC, dba Half Moon, 1650 Nooseneck Hill Rd (Liveshow Entertainment)

Motion made by Frank Hyde seconded by Kenneth Cloutier to close public hearings. All voted Aye. So voted.

Motion made to approve licenses for stock change for Junior's Steakhouse and to approve all Class B licenses. All voted Aye. So voted.

CLASS B LTD

- a. New Class B Ltd. License – Caroline's Restaurant Inc., 1532 Main Street
- b. Renewal of all Class B Ltd. with Victualling licenses

Motion made by Frank Hyde seconded by Kenneth Cloutier to open public hearings. All voted aye. So voted.

Caroline's (Present Alma French)
1032 Main St.
Coventry, RI

Jeannette Hartley
6 First Street
Coventry, RI

Ms. Hartley stated that the ownership of this property has the potential for disaster. Concerned that with the turnover in businesses there, the council keeps a careful watch.

Motion made by Ken Cloutier seconded by Anthony Colaluca to close public hearing. All voted Aye. So voted.

Mr. Colaluca recommended that Caroline's adhere to the same set of stipulations which pertained to the former owners.

- 1. 90 Day license
- 2. If corporation or Board of Directors or officers change, the license for the B Ltd. is revoked.
- 3. License is non-transferable
- 4. No transfer allowed of any assets to a third party
- 5. No alcohol served after 9 p.m. on Thursday, Friday, Saturday and Sunday nights
- 6. No live entertainment license
- 7. No outside alcohol

Motion made by Anthony Colaluca seconded by Kenneth Cloutier to approve subject to stipulations. All voted Aye. So voted.

CLASS D Club Renewals

Motion made by Frank Hyde seconded by Kenneth Cloutier to open public hearing. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Kenneth Cloutier to close public hearing. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Kenneth Cloutier to approve Class D Club Renewals. All voted Aye. So voted.

CLASS D CLUB LICENSE RENEWALS

1. CLUB JOGUES, 184 Boston Street (Victualling & Dance)
2. COVENTRY COLUMBUS CLUB, dba Knights of Columbus, Msgr. Peter Blessing Council #5273, 371 Knotty Oak Road (Victualling & Dance)
3. COVENTRY MEMORIAL POST #9404 VFW, 29 South Main Street (Victualling & Dance)
4. COVENTRY MEN'S CLUB INC., 30 Phillips Hill Road (Victualling & Dance)
5. POLISH NATIONAL ALLIANCE #1001, dba PNA #1001, 15 Meeting Street (Victualling & Dance)

CLASS E REWEWAL

PAWTUXET VALLEY PRESCRIPTION & SURGICAL CENTER, INC.,
59 Sandy Bottom Road

Motion made by Frank Hyde seconded by Anthony Colaluca to open public hearings. All voted Aye. So Voted.

Motion made by Frank Hyde seconded by Bruce Thompson to close public hearing. All voted Aye. So Voted.

Motion made by Frank Hyde seconded by Anthony Colaluca to renew Class E license. All voted Aye. So voted.

Live Show Entertainment license for Half Moon, 1650 Nooseneck Hill Road

Robert Meyers, Owner

I'm a little confused. We did not apply for a new live show entertainment license. We have had one right along, should only be a renewal.

Half Moon is a renewal, erroneously appeared on the "new" license list, and has been removed.

PUBLIC FORUM

President Pomfret – There have been a few e mails and suggestions from people that we try something different. Someone suggested a public forum, which means that the council will come out front to speak with anybody who wants to ask us questions or give suggestions. Feel free to do so.

President Pomfret declared meeting adjourned.

Town Clerk

