

TOWN COUNCIL MEETING
October 23, 2006

- **Executive Session – 5:30 p.m.**

- *Interviews Planning commission*

Motion made by Justin Pomfret seconded by Gregory Laboissonniere to go into executive session under RI General Laws 42-46-5 (a) (1) at 5:55 p.m. Unanimous roll call vote.

Motion made by Frank Hyde seconded by Justin Pomfret to come out of executive session. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Justin Pomfret to seal minutes of Executive Session. All voted Aye. So voted.

- **Work Session – 6:00 p.m.**

Discussion with Town Manager regarding sewer assessment finance charges and payments

Town Manager Kerbel stated that the Council has an outline before them of the Woodcock and Associates sewer rate study. The Cleanwater Finance Agency made a condition that a sewer rate study would need to be undertaken and recommended some consultants. Have met with Mr. Woodcock, who is very experienced all over the world. One of the issues Woodcock will be studying will be the proper way to assess non-residential/commercial properties and multi-family. He will look at interest rates to determine if our assessments are sufficient to cover our debt. We are looking internally to convert to a quarterly bill. Don't want to make any changes until Mr. Woodcock is through with his study and has had the opportunity to present it to both the council and the sewer sub committee.

President Jendzejec - Would these quarterly payments be equal payments for the remainder/life of the assessment?

Manager Kerbel – That's something that will be looked at, we are hoping to convert them to equal payments for the remainder of the assessment.

Mr. Laboissonniere – Is the cost of this study included in that financing?

Manager Kerbel – Coming out of the sewer enterprise fund, maximum of \$25,000.00; it is an "up to" bid.

Mr. Thibeault – When will the study be complete?

Manager Kerbel – Mid-winter.

Mr. Laboissonniere – How soon will this start after giving the authority?

Manager Kerbel – I would imagine right away.

Status report - Independent Sand and Gravel

Mr. Sprague stated that there is a report in the Town Council packets from the Town Manager. In the past year there has been discussion regarding closing of the site and making some use of it. Probably build homes and condos on that site. Waiting approval from DEM to see what needs to be removed, and then possibly low and moderate income housing. Need the final sign off from DEM.

Mr. Laboissonniere – Questioned if we have an agreement with Scituate regarding cleanup time and transferring the rest of the cleanup out through Hope Furnace Road instead of through town. I didn't know if we could give them a start and an end date.

Mr. Sprague – I'll look into that.

- **TOWN COUNCIL MEETING**

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

Town Manager Richard Kerbel
Town Solicitor Patrick Sullivan – absent
Acting Town Solicitor Richard Sullivan present

Pledge of Allegiance led by Town Sergeant
Invocation led by President Jendzejec
Town Sergeant reviewed Emergency Evacuation Plan

- **SWEARING IN CEREMONY**

Town Manager Kerbel swore in Coventry Police Canine Unit, police dog Enzo accompanied by his handler Officer Bryan Ricci.

- **PUBLIC COMMENT**

Senator Raptakis presented grant checks to representatives from Hopkins Hill School, Oak Haven School and Western Coventry School. He stated that there was a total donation of approximately \$27,000.00 from his office to the Town of Coventry.

Nick Cambio questioned what exactly the sewer assessment is for.

Manager Kerbel responded in the Public Laws of 1997, and that the Town Solicitor would have more detailed information. The Town Council sets the rate. The assessment is essentially for capital costs of the sewer project.

Edouard Jacques read a statement in support of Paul Pasch's reappointment to the Coventry Housing Authority.

Motion made by Justin Pomfret seconded by Robert Thibeault to approve minutes of September 25, 2006 meeting. All voted Aye. So voted.

- **CONSENT AGENDA**

1. Tax abatements for month of September in the amount of \$18,329.65 with additions of \$74,677.69
2. Resolution canceling Town Council meetings on November 13 and November 27, and rescheduling meeting to November 20, 2006.
3. Renewal of Private Detective license by Robert Conover
4. Resolution awarding purchase of sand for Dept. Public Works
5. Resolution awarding purchase of fencing
6. Resolution awarding contract for GIS Web Services and authorizing Town Manager to execute documents
7. Resolution awarding purchase of police vehicle
8. Resolution adopting Town of Coventry Controlled Substance and Alcohol Testing Policy
9. Resolution affirming appointment of Scott Duckworth to Sewer Assessment Board of Review
10. Request for perpetual care of Lot 11 in Oakland Cemetery by Herman R. Matteson, Jr.
11. Request for perpetual care of Lot 8 in Oakland Cemetery by Herman R. Matteson, Jr.
12. Resolution awarding contract for sewer rate study
13. Resolution donating to Coventry High School Scholarship Fund

Motion made by Robert Thibeault seconded by Gregory Laboissonniere to remove items #5 and #6 for discussion. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Robert Thibeault to approve item numbers 1, 2, 3, 4, 7, 8, 9, 10, 11, 12 and 13. All voted Aye. So voted.

Mr. Laboissonniere questioned Recreation Director Guy Lefebvre regarding the cost of the fencing and if he had used this fencing company previously.

Mr. Lefebvre responded that we have not used this company before, but their bid was \$2,000 lower than KC Fence. He had obtained favorable references.

Mr. Thibeault questioned Ed Warzycha, I.T. Director, about awarding contract for GIS web services. Mr. Warzycha gave overview

Motion made by Frank Hyde seconded by Gregory Laboissonniere to approve Consent Agenda item numbers 5 and 6. All voted Aye. So voted.

Resolution canceling Town Council meetings on November 13 and November 27, and rescheduling meeting to November 20, 2006.

RESOLUTION
OF THE
TOWN COUNCIL
No. 81-06-2785

RESOLVED:

That the Town Council of the Town of Coventry hereby cancels the regularly scheduled meetings on Monday, November 13, 2006 and Monday, November 27, 2006.

The Council meeting will be held Monday, November 20, 2006.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Resolution awarding purchase of sand for Dept. Public Works

RESOLUTION
OF THE
TOWN COUNCIL
NO. 82-06-2786

RESOLVED, that the Town Council hereby affirms the award of a contract by the Town Manager pursuant to Chapter 2, Section 2-191 of the Town Code of Ordinances for the following materials for the Department of Public Works:

WASHED SAND

WALTER E. REYNOLDS	\$12.50/Ton Delivered
GENERAL CONTRACTOR, INCORPORATED	\$11.50/Ton Picked Up
2 Reynolds Court	
Coventry, RI 02816	

RICHMOND SAND & GRAVEL	\$15.10/Ton Delivered
35 Stilson Road, P.O. Box 389	\$12.10/Ton Picked Up
Wyoming, RI 02898	

Funding is provided for in the 2006/2007 Department of Public Works Roads & Bridges Division Account No. 830.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Resolution awarding purchase of police vehicle

RESOLUTION
OF THE
TOWN COUNCIL
NO. 83-06-2787

RESOLVED:

That the Town Council hereby affirms the award of a contract by the Town Manager pursuant to Chapter 2, Section 2-191 of the Town Code of Ordinances for the purchase of two (2) 2007 Ford Police Patrol Vehicles with the specified and optional equipment for the Police Department.

MHQ MUNICIPAL VEHICLES	\$51,840.00
401 Elm Street	
Marlborough, MA 01752	

Funding is provided for in the 2006/2007 Police Department account 1-101-3-710-52300.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Resolution adopting Town of Coventry Controlled Substance and Alcohol Testing Policy

RESOLUTION
OF THE
TOWN COUNCIL
NO. 84-06-2788

RESOLVED:

WHEREAS, the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, has mandated that cities and towns establish programs designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles; and

WHEREAS, the Town of Coventry values its employees and acknowledges the importance of maintaining a safe and healthy environment for its employees and other users of the roads that is free from illegal controlled substance use and misuse of alcohol;

NOW THEREFORE, be it RESOLVED

1. That effective immediately the 'Town of Coventry Controlled Substance and Alcohol Testing Policy' attached hereto be adopted by the Town of Coventry;

2. That the within Resolution is in addition to and does not supersede the Town of Coventry Resolutions of the Town Council No. 34-96-2757 and No. 42-93-2560 and any provisions that are inconsistent with each other shall be interpreted such that the stricter standard shall govern.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Resolution affirming appointment of Scott Duckworth to Sewer Assessment Board of Review

RESOLUTION
OF THE
TOWN COUNCIL
NO. 85-06-2789

RESOLUTION OF THE TOWN OF COVENTRY, STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, APPOINTING ONE (1) MEMBER TO THE SEWER ASSESSMENT BOARD OF REVIEW.

WHEREAS, the Sewer Assessment Board of Review shall consist of three (3) members appointed by the Town Council. The members first appointed shall serve for term of one (1), two (2) and three (3) years respectively and thereafter one (1) member shall be appointed in each year for a term of three (3) years.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Coventry hereby appoints:

Scott Duckworth, 748 Washington Street
a representative designated by the Town of Coventry Sewer Sub-Committee for a term to expire on November 30, 2009.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Resolution awarding contract for sewer rate study

RESOLUTION
OF THE
TOWN COUNCIL
NO. 86-06-2790

That the Town Council hereby affirms the award of a contract by the Town Manager pursuant to Chapter 330, Section 4 of the Rhode Island Public Laws 1997 for the preparation of a sewer rate study for the Sewer Enterprise Fund.

Woodcock & Associates, Inc. \$ 25,000.00
18 Increase Ward Drive
Northborough, MA 015323

Funding is provided from the Sewer Enterprise Fund.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Resolution donating to Coventry High School Scholarship Fund

RESOLUTION
OF THE
TOWN COUNCIL
No. 87-06-2791

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF COVENTRY,
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.

WHEREAS, the Town Council of the Town of Coventry hereby donates money to the Coventry High School Scholarship Fund in the amount of \$500.00 towards a music scholarship and \$500.00 towards an art scholarship.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Resolution awarding purchase of fencing for Parks and Recreation Dept.

RESOLUTION
OF THE
TOWN COUNCIL
NO. 88-06-2792

RESOLVED:

That the Town Council hereby affirms the award of a contract by the Town Manager pursuant to Chapter 2, Section 2-191 of the Town Code of Ordinances for the installation of chain link fence at the Ravenwood Recreation Area for the Parks & Recreation Department.

MacKenzie Corporation	\$29,900.00
277C Scituate Avenue	
Johnston, RI 02919	

The project is to be completed in accordance with all of the terms, conditions, and requirements of the bid invitation, specifications and general conditions.

Funding is provided from the Recreation Impact Fees, the Recreation and Open Space Fees, and other recreations reserve accounts.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Resolution awarding contract for GIS Web Services and authorizing Town Manager to execute documents

RESOLUTION
OF THE
TOWN COUNCIL
NO.89-06-2793

WHEREAS, The Town of Coventry is desirous of providing a web-based parcel application that will allow Town Staff and the general public to view GIS data, maps and associated property data; and

WHEREAS, the Town of Coventry is desirous of providing a website which will allow users to search by Owner, Parcel-ID or Street Address, view specific property information about a selected property and view maps of said property, create and print customized maps; and

WHEREAS, Applied Geographics, Inc. has provided such services to numerous towns and cities in the region; and

WHEREAS, Applied Geographics, Inc. is listed on the State of Rhode Island, Department of Administration, Division of Purchases as an MPA Vendor for 'Computer Tech Support/Systems Analysis/ Program Services'; and

WHEREAS, Applied Geographics, Inc. has submitted a proposal to provide those services heretofore set forth.

NOW, THEREFORE, BE IT RESOLVED

1. The Town of Coventry hereby awards Applied Geographics, Inc. a contract to provide those services set forth in its Proposal for 'web-based mapping application development and GIS support services' dated September 25, 2006 for a sum of Twenty Six Thousand, Six Hundred Seventy (\$26,670) dollars pursuant to the terms set forth in said proposal which is attached hereto.
2. The Town Manager is authorized to execute any and all other and further documents to effectuate the terms of the within Resolution.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

LICENSES

Application for new Private Detective license by Cheryl Volpe, 1018 Perry Hill Road

Cheryl Volpe was present. Motion made by Frank Hyde seconded by Justin Pomfret to grant license. All voted Aye. So voted.

Extending B Ltd. license for Perks, 1532 Main St., to November 30, 2006.

Mr. Hyde questioned Mr. Thomas as to ownership of the restaurant and what his plans are.

Mr. Thomas stated that he owns 100% of his business. Ownership of the property has not changed hands and that he plans to stay at this location and continue to run his business.

Mr. Laboissonniere stated that initially the neighbors were nervous about having a B Ltd license at this location, but has received no complaints since Mr. Thomas obtained a B Ltd. license. All seems to be going smoothly, he is doing a nice business and the neighbors are happy.

Motion made by Gregory Laboissonniere seconded by Justin Pomfret that B Ltd. license is extended to end of November 30, 2006. All voted Aye. So voted.

Application for new victualling license for Subway (located in Wal-Mart Supercenter, Centre of New England Boulevard)

Dharmendra Patel, owner, was present.

Manager Kerbel stated that he made the decision to grant a conditional license to Mr. Patel so that he could open at the same time as the Super Walmart over this past weekend.

Motion made by Robert Thibeault seconded by Frank Hyde to grant victualling license. All voted Aye. So voted.

Renewal of Campground licenses

1. Hickory Ridge Campground
2. Colwell's Campground
3. Camp Ayoho

Councilman Justin Pomfret recused himself from voting on campground licenses, as he manages Hickory ridge.

Mr. Laboissonniere asked for a clarification regarding seasonal dates.

Acting Solicitor Sullivan stated that the license itself is an annual license. Feels that the license year is January 1 through December 31.

Mr. Laboissonniere stated that the seasonal dates need to be complied with.

Mr. Kerbel: The season shall run April 15 through October 31, even though this is a yearly license.

Motion made by Frank Hyde seconded by Gregory Laboissonniere to grant licenses. Vote 4-0. Motion passes.

Renewal of Victualling licenses, some with additional hours

VICTUALLING RENEWALS

1. 1100 MAIN STREET COVENTRY, LLC, dba COVENTRY MART, 1100 Main Street, Route 117
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 Avenue (Additional Hours)
4. BETTER VAL-U SUPERMARKETS, dba Jerry's Super Market #09, 23 Coventry Shoppers Park
5. BJ'S WHOLESALE CLUB, INC., BJ's Wholesale Club, 790 Center of New England Boulevard
6. BORRELLI'S BAKERY & PASTRIES, INC., 765 Tiogue Avenue
7. BRITAY'S DELI & CATERING, 789 Tiogue Avenue
8. CAPTAIN NEMO'S SUB SHOP, 15 Sandy Bottom Road
9. CCF, LLC, dba Wendy's, 2311 New London Turnpike
10. CHINA STAR, 1028 Tiogue Avenue
11. COVENTRY DONUTS INC., dba Dunkin Donuts, 800 Tiogue Avenue (John P. Henderson)
12. COVENTRY SEAFOOD, INC., 629 Washington St.
13. CUMBERLAND FARMS INC #1219, 1600 Nooseneck Hill Road
14. CUMBERLAND FARMS INC #1247, 785 Tiogue Avenue (Additional Hours)

15. CUMBERLAND FARMS INC #1250, 436 Knotty Oak Road, Route 116
16. HESS CORP., dba HESS, 764 Tiogue Avenue (Additional Hours)
17. DECIANTIS ICE CREAM, 1373 Main St., Coventry c/o Stephen DeCiantis
18. DEPETRILLO'S PIZZA & BAKERY, INC., 797 Tiogue Avenue
19. DELOP'S INC., dba D'Angelo Sandwich Shop, 795 Tiogue Avenue
20. MEDEIROS, RUI A., dba Morning Rush Coffee & Donuts, 642 Washington Street
21. DOUBLE A REFRESHMENTS, dba Del's Lemonade of Coventry, 465 Tiogue Avenue
22. FIDAS, ELENI dba Silver Lake Pizza, 1146 Main Street (Additional Hours)
23. SARAG LLC, dba Subway, 722 Tiogue Avenue
24. G TECH CORPORATION, 1372 Main Street
25. HARRIS DELI, 656 Main Street
26. HARRY'S PIZZA LLC, dba Ronzio Pizza, 1032 Tiogue Ave.
27. JAN CO CENTRAL, INC., dba Burger King, 1145 Tiogue Avenue
28. LABRAKIS, JOHN N., dba Santoro's Pizza & Restaurant, 687 Tiogue Avenue
29. L/M TACORI, INC., dba Taco Bell, 784 Tiogue Avenue
30. D. J. PROVIDENCE CO. LLC, dba McDonald's , 1100 Tiogue Avenue
31. MEALWORKS, LLC, 1606 Nooseneck Hill Road
32. MICHAEL'S ICE-CREAM LLC, 975 Tiogue Avenue
33. NERARD, INC., dba Kentucky Fried Chicken of Coventry, 824 Tiogue Avenue
34. NEWPORT CREAMERY, LLC, 781 Tiogue Avenue
35. JOHNNY O's, 2246 Flat River Road
36. PJ'S DINER, 608 Tiogue Avenue
37. RICK & DEE'S, 17 Knotty Oak Rd.
38. SMILING SOLE FISH MARKET, INC., 891 Tiogue Avenue
39. SUMMIT GENERAL STORE, LTD., 25 Old Summit Road, Greene, RI 02827
40. SUPER STOP & SHOP, 900 Tiogue Avenue (Additional hours)
41. TOM'S FRUIT & DELI, INC., 821 Tiogue Avenue
42. HAMPTON INN, 850 Centre of New England Boulevard
43. THE VILLAGE DELI LLC, 470 Washington Street
44. CHOCOLATE DREAMS, INC., 577 Tiogue Avenue

45. QUIZNOS (2J'S, LLC), 10 Centre of New England Blvd.

46. SALADA FRANCHISING OF RI LLC, dba Salad Creations, 674 Centre of New England Blvd.

47. WAL-MART STORES EAST LP, dba Wal-Mart Supercenter #2283, 650 Centre of New England Blvd.

48. CS FOOD LLC, dba Subway, in Wal-Mart Supercenter, 650 Centre of New England Blvd.

49. MSC DONUTS, dba Dunkin Donuts, 851 Tiogue Avenue (Additional hours)

Motion made by Frank Hyde seconded by Gregory Laboissonniere to grant Victualling license renewals. All voted Aye. So voted.

New Victualling license for Morning Rush Coffee & Donuts, 642 Washington Street (change in ownership)

Motion made by Frank Hyde seconded by Gregory Laboissonniere to grant license. All voted Aye. So voted.

New Victualling license for McDonald's, 1100 Tiogue Avenue (corporation change)

Motion made by Frank Hyde seconded by Justin Pomfet to grant license.

RESOLUTIONS

Appointing members to Zoning Board of Review

Motion made by Robert Thibeault seconded by Frank Hyde to reappoint Denise DeGraide to the Zoning Board of Review. All voted Aye. So voted.

Motion made by Justin Pomfret seconded by Frank Hyde to appoint Russell Lacaillade to a full time position on the Zoning Board of Review, expiring May 31, 2010. All voted Aye. So voted.

Motion made by Gregory Laboissonniere seconded by Frank Hyde to reappoint John D'Onofrio to his position of alternate member with term of office expiring May 31, 2007. All voted Aye. So voted.

Motion made by Gregory Laboissonniere seconded by Frank Hyde to table open position of alternate at this time. All voted Aye. So voted.

RESOLUTION
OF THE
TOWN COUNCIL
NO. 90-06-2794

RESOLUTION OF THE TOWN OF COVENTRY, STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, APPOINTING MEMBERS TO THE COVENTRY ZONING BOARD OF REVIEW

WHEREAS the Town Charter, Section 13.21 of the Town of Coventry, requires that there be a Zoning Board of Review consisting of five (5) members, serving for five

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That Robert DiPadua, 62 Laurel Avenue is hereby appointed to fill the five year term of office, expiring May 1, 2011.

Section 2. Any action contemplated herewith that may be in contravention with Council action previously adopted be, and the same is hereby repealed.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Appointing member to the Board of Canvassers

Motion made by Frank Hyde seconded by Gregory Laboissonniere to table appointment to Board of Canvassers. All voted Aye. So voted.

Appointing two members to Budget Advisory Group

Both President Jendzejec and Mr. Hyde commented on the lack of response to the advertisement for this commission.

Motion made by Frank Hyde seconded by Gregory Laboissonniere to table at this time. All voted Aye. So voted.

Resolution regarding Town Pension Systems

Manager Kerbel stated that President Jendzejec asked him to look into pension study. Also to see what would be acceptable to the auditor general.

Mr. Hyde questioned if there would be any cost associated with the study. Manager Kerbel responded that he did not anticipate any costs involved.

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

RESOLUTION
OF THE
TOWN COUNCIL
NO.: 92-06-2696

RESOLUTION OF THE TOWN OF COVENTRY ESTABLISHING A
PENSION STUDY

WHEREAS, the town council seeks to analyze and review its pension systems, to consider the benefits, liabilities, and the factors which affect the system as a whole; and

WHEREAS, to address this goal, the Town Council desires to have the Town Manager review and analyze all of the Town's pension plans; and

WHEREAS, the purpose of this study is to review the present pension system, and to determine how it can be improved.

WHEREAS the Town Council desires to have an analysis whether it is possible to establish a new defined contribution pension plan for new town employees; and

WHEREAS the Town Council wants a report on the investment policy, administration, contribution rate and method for making contributions for the existing pension plans;

NOW, BE IT THEREFORE RESOLVED, that the Town Council hereby directs the Town Manager to conduct such a review using whatever assistance is needed; and

BE IT FURTHER RESOLVED, that this Pension review shall be presented as a report with recommendations to the town council on or before April 1, 2007.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Resolution authorizing the Town of Coventry to borrow funds through Clean Water Financing Agency

Manager Kerbel gave overview. Stated that the total amount authorized is \$13,500,000.00. Of that, includes \$ 6,000,000.00 tax anticipation notes, a little over \$3,000,000.00 that was approved by Clean Water Finance last week for Contract 4, another amount slightly over \$3,000,000.00 relating to Contract 5. This resolution allows us to actualize the debt that Clean Water has approved.

Motion made by Justin Pomfret seconded by Frank Hyde to approve resolution. All voted Aye. So voted.

RESOLUTION
OF THE
TOWN COUNCIL
NO.: 93-06-2697

AMENDED AND RESTATED RESOLUTION OF THE TOWN OF COVENTRY
APPROVING THE FINANCING AND REFINANCING OF SEWER SYSTEM
EXTENSIONS AND IMPROVEMENTS AND APPROVING THE ISSUANCE
OF WASTEWATER SYSTEM REVENUE BONDS AND NOTES THEREFOR
IN AN AMOUNT NOT TO EXCEED \$13,500,000

BE IT RESOLVED by the Town Council of the Town of Coventry that:

SECTION 1. The sum of Thirteen Million Five Hundred Thousand Dollars (\$13,500,000) is appropriated for the purpose of financing of sewer system extensions and improvements including the repayment of the Town's \$6,000,000 General Obligation Taxable Tax Anticipation Notes, which were issued to temporarily finance sewer system extensions, and improvements (the "Project").

SECTION 2. In accordance with Chapter 46-12.2 of the Rhode Island General Laws, the Director of Finance/Treasurer and the President of the Town Council are hereby authorized to borrow an amount not exceeding Thirteen Million Five Hundred Thousand Dollars (\$13,500,000) from the Rhode Island Clean Water Finance Agency from time to time, and to evidence such loan or loans, such officers are hereby

authorized to issue and refund on behalf of the Town, in an amount not exceeding Thirteen Million Five Hundred Thousand Dollars (\$13,500,000) wastewater system revenue bonds (the "Bonds") of the Town, at one time, or from time to time in order to meet the foregoing appropriation.

SECTION 3. The said officers from time to time may issue and refund not exceeding \$13,500,000 interest bearing or discounted wastewater system revenue notes (the "Notes") in anticipation of the issue of said Bonds.

SECTION 4. The Bonds and Notes shall be payable solely from wastewater system revenues and shall not be a pledge of the full faith and credit of the Town. The Town may issue bonds, notes, or other obligations on a parity with these Bonds and Notes. The manner of sale, amount, denominations, maturities, conversion or registration privileges, interest rates, medium of payment, and other terms, conditions and details of the Bonds or Notes may be fixed by the officers authorized to sign the Bonds or Notes.

SECTION 5. Pending the issuance of the Bonds under Section 2 hereof or pending or in lieu of the issue of Notes under Section 3 hereof, the Director of Finance/Treasurer, at the written direction of the Town Council, may expend funds from the General Fund or Sewer Enterprise Fund of the Town for the purposes specified in Section 1 hereof. Any advances made under this section shall be repaid without interest from the proceeds of the Bonds or Notes issued hereunder or from the proceeds of applicable federal or state assistance or from other available funds.

SECTION 6. The Director of Finance/Treasurer and the President of the Town Council are also authorized, empowered and directed, on behalf of the Town, to: (i) execute, acknowledge and deliver a Trust Indenture by and between the Town and a corporate trustee selected by said officers (the "Trust Indenture"), and one or more Supplemental Indentures amending and supplementing the Trust Indenture, relating to the Bonds or Notes and any and all other loan agreements, documents, certificates or instruments necessary to effectuate such borrowing; (ii) amend, modify or supplement the Trust Indenture, such Supplemental Indentures, the Bonds or Notes and any and all other loan agreements, documents, certificates or instruments at any time and from time to time, in such manner and for such purposes as such officers shall deem necessary, desirable or advisable; (iii) direct the Trustee with regard to Investments of trust funds pursuant to the Trust Indenture, (iv) enter into intermunicipal agreements or amend existing intermunicipal agreements with other municipalities utilizing the wastewater treatment facility and regional collection system with respect to sharing cost of the Project, and (v) do and perform all such other acts and things deemed by such officers to be necessary, desirable or advisable with respect to any matters contemplated by this Resolution in order to effectuate said borrowing and the intent hereof.

SECTION 7. The Director of Finance/Treasurer and the President of the Town Council are hereby authorized to deliver the Bonds or Notes to the purchaser and said officers are hereby authorized and instructed to take all actions, on behalf of the Town, necessary to ensure that interest on the Bonds or Notes will be excludable from gross income for federal income tax purposes and to refrain from all actions which would cause interest on the Bonds or Notes to become subject to federal income taxes.

SECTION 8. This Resolution is an affirmative action of the Town Council of the Town toward the issuance of the Bonds and Notes in accordance with the purposes of the laws of the State. This Resolution constitutes the Town's declaration of official intent, pursuant to Treasury Regulation §1.150-2, to reimburse the Town's General Fund or the Town's Sewer Enterprise Fund for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the date of this Resolution, but prior to the issuance of the Bonds or Notes. Such amounts to be reimbursed shall not exceed Thirteen Million Five Hundred Thousand Dollars (\$13,500,000) and shall be reimbursed not later than eighteen (18) months after the later of (a) the date on which the expenditure is paid or (b) the date on which the Project is placed in service or abandoned but in no event later than three (3) years after the date on which the expenditure is paid.

SECTION 9. The Director of Finance/Treasurer and the President of the Town Council are authorized to take all actions necessary to comply with federal tax and securities laws including Rule 15c2-12 of the Securities and Exchange Commission (the "SEC Rule") and to execute and deliver a Continuing Disclosure Certificate in connection with the Bonds or Notes in the form as shall be deemed advisable by the Director of Finance/Treasurer and the President of the Town Council in order to comply with the SEC Rule. The Town hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, as it may be amended from time to time. Notwithstanding any other provision of this Resolution or the Bonds or Notes, failure of the Town to comply with the Continuing Disclosure Certificate shall not be considered an event of default; however, any Bondholder or Noteholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the Town to comply with its obligations under this Section and under the Continuing Disclosure Certificate.

SECTION 10. This Resolution amends and restates Resolution No. 61-06-2766 adopted on July 24, 2006 and shall take effect upon its passage.

PASSED AND ADOPTED this 23rd day of October, 2006

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

Appointing members to Planning commission

Motion made by Frank Hyde seconded by Justin Pomfret to appoint David Florio to replace Steven Pristawa whose term expires May 1, 2008, under the condition that we receive a resignation letter from Mr. Pristawa. Mr. Hyde confirmed with his wife that he did resign. All voted Aye. So voted.

Motion made by Justin Pomfret seconded by Gregory Laboissonniere to reappoint Jason Osenkowski, Cynthia Fagan and Paul Daggett to the Planning Commission. All voted Aye. So voted.

Motion made by Gregory Laboissonniere seconded by Frank Hyde to table the final appointment to the Planning Commission. All voted Aye. So voted.

RESOLUTION
OF THE
TOWN COUNCIL
NO. 94-06-2698

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF COVENTRY, STATE OF RHODE ISLAND, APPOINTING MEMBERS TO THE PLANNING COMMISSION IN ACCORDANCE WITH ORDINANCE NO. 8-73-0008.

WHEREAS Ordinance No. 8-73-0008, Section 2, requires that there be a Planning Commission consisting of nine (9) members for five (5) year staggered terms of office.

WHEREAS, there now exists four vacancies on the Coventry Planning Commission.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Town Council of the Town of Coventry hereby appoints the below listed individual:

David Florio, 153 Princeton Avenue

to fill the unexpired term of office of Kevin Keener, expiring May 1, 2007,

Paul Daggett, 1706 Flat River Road

to fill the expired term of office of Paul Daggett, expiring May 1, 2011 and

Cynthia A. Fagan, 770 Phillips Hill Road

to fill the expired term of office of Cynthia Fagan, expiring May 1, 2011 and

Jason Osenkowski, 80 Williams Crossing Road

to fill the expired term of office of Jason Osenkowski, expiring May 1, 2011.

Section 2. Any action contemplated herewith that may be in contravention with Council action previously adopted be, and the same is hereby repealed.

PASSED AND ADOPTED this 23rd day of October, 2006.

APPROVED Thaddeus Jendzejec
President

ATTEST: Cheryl A. George
Town Clerk

PUBLIC HEARINGS

1. Liquor License Renewals
 - a. Class A
 - b. Class B with Victualling (some with dance and/or live show entertainment)
 - c. Class B Ltd. with Victualling
 - d. Class D with victualling and dance
 - e. Class E

CLASS A RENEWALS

Councilman Pomfret recused himself from voting on liquor licenses because he entertains at some of the locations.

1. COVENTRY DISCOUNT WINE & LIQUOR, INC., dba Coventry Liquor, 600 Washington Street
2. CRESTWOOD WINE & SPIRITS, INC., dba Christy's Liquors, 725 Tiogue Avenue
3. BILL'S LIQUORS, LLC, dba Bill's Package Store, 672 Main Street
4. PETRARCA, ANTHONY S., dba ANTHONY'S WINE & SPIRITS LTD, 895 Tiogue Avenue
5. SHOPPERS LIQUORS, INC., 1142 Main Street

Motion made by Frank Hyde seconded by Gregory Laboissonniere to open public hearings. All voted Aye. So voted.

No one spoke in favor, no one opposed. Motion made by Frank Hyde seconded by Gregory Laboissonniere to close public hearings. All voted Aye. So voted.

Motion made by Gregory Laboissonniere seconded by Robert Thibeault to grant Class A license renewals. All voted Aye. So voted.

CLASS B RENEWALS WITH VICTUALLING

1. BROOKSIDE INN, INC., 595 Washington Street (Dance)
2. COME ALONG INN, INC., 402 Washington Street (Liveshow Entertainment)
3. JAAS RESTAURANT CORP., dba Café Romanzo, 495 Washington Street (Dance & Liveshow Entertainment)
4. EUROPA FOOD, INC., dba Europa 33 Sandy Bottom Road
5. H & N ENTERPRISE, dba Village Pub, 1128 Main Street
6. JAGUAR TAP, INC., dba Nicky's Lounge, 354 Tiogue Avenue (Liveshow Entertainment)
7. SUN LEE ENTERPRISES INC., dba Mai Tai Restaurant, 856 Tiogue Avenue
8. CHATERMIKE RESTAURANT CORP., dba 446 Tiogue Avenue (Liveshow Entertainment & Dance)
9. DOMENIC'S INC., dba Domenic's Restaurant & Lounge, 577 Tiogue Ave.
10. REKAS, RUSSELL E. and KYLE, dba Reko's Pitcher's Mound, 620 Tiogue Avenue (Liveshow Entertainment)
12. VENUS PIZZA, INC., 2080 Nooseneck Hill Road
13. CROWEBAR & TAVERN LLC, dba Scott's Crowebar & Tavern, 1152 Main Street (Dance & Liveshow Entertainment)
14. HARRIS BAR & GRILLE INC., dba Harris Bar & Grille, 666 Main Street (Dance & Liveshow)
15. APPLEBEE'S NORTHEAST INC., dba Applebee's Neighborhood Grill & Bar, 830 Centre of New England Blvd.
16. APPETITES FAMILY RESTAURANT, INC., 473 Tiogue Avenue
17. Junior's Steakhouse Inc., 17 Sandy Bottom Road (Dance & Liveshow Entertainment)

Motion made by Frank Hyde seconded by Gregory Laboissonniere to open public hearings. All voted Aye. So voted.

Rosemary Hobson
1060 Main Street
Coventry, RI

Mrs. Hobson thanked Acting Town Manager Sullivan and the Coventry Police for enforcement at Junior's Roadhouse. She stated that the situation has improved considerably over the last year. However there was an incident on October 10, 2006 where she did call the police. Feels that patrons are spending a lot of time outside the establishment. Still a problem in the area. Questioned if liquor can also be served outside of establishments as well as inside. Feel this situation needs to be monitored.

Solicitor Sullivan stated that since the institution of the no smoking inside ban, he finds that more people are going outside. He will check into the situation, also noted that the police department has a noise meter at their disposal.

Motion made by Gregory Laboissonniere seconded by Frank Hyde to close public hearing. All voted Aye. So voted.

Mr. Laboissonniere has agreed that there have been a few complaints regarding noise outside, for example, the Crowebar. Mr. Laboissonniere also feels it is because of the no smoking inside law.

Manager Kerbel – We did have a situation with Crowebar. Police met with proprietor and straightened out the situation. When we go with the police, we do get cooperation. As Mr. Sullivan indicated, we will talk to the police tomorrow. I do think that the issue of the no smoking ordinance has been a good thing, we just need to get the proper cooperation.

Motion made by Gregory Laboissonniere seconded by Frank Hyde to close public hearings. All voted Aye. So voted.

Motion made by Gregory Laboissonniere seconded by Frank Hyde to grant licenses. All voted Aye. So voted.

CLASS B LIMITED RENEWALS WITH VICTUALLING

1. OLYMPIC FLAME INC., dba A-1 Pizza, 1602 Nooseneck Hill Road
2. ZORAN INC., dba THE GENTLEMAN FARMER RESTAURANT, 2405 Nooseneck Hill Road
3. ISLAND GREEN GOLF LLC, dba Washington Village Golf Course, 2 Fairway Drive
4. XENOPOULOS, Peter dba Pete's Pizza Plus, 21 Hill Farm Road (Pole 3)
5. LORI-ANN JACKSON, dba LORI J's, 2260 Flat River Road
6. A. PAGLIARINI'S FAMILY RESTAURANT INC., 637 Washington Street
7. HUNAN BALCONY INC., 687 Washington Street
8. WILLMAR FOOD SERVICE INC., dba Spike's Junkyard Dogs, 1030 Tiogue Avenue
9. COVENTRY PINES GOLF COURSE, 1065 Harkney Hill Road
10. CVE RESTAURANT INC., dba Lena's Place, 435 Washing Street
11. DAVE'S PERKS INC., dba Dave's Perks, 1532 Main Street
12. GLORY JO, INC., dba Coventry House of Pizza, 785 Tiogue Avenue

Motion made by Robert Thibeault seconded by Gregory Laboissonniere to open hearings. All voted Aye. So voted.

No one spoke in favor, no one opposed.

Motion made by Frank Hyde seconded by Robert Thibeault to close public hearings. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Robert Thibeault to grant licenses. All voted Aye. So voted.

CLASS D CLUB RENEWALS WITH VICTUALLING

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) (Mailing address: Box 702)
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)

Motion made by Frank Hyde seconded by Robert Thibeault to open hearings. All voted Aye. So voted.

No one spoke in favor, no one opposed.

Motion made by Frank Hyde seconded by Robert Thibeault to close public hearings. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Gregory Laboissonniere to grant licenses. All voted Aye. So voted.

CLASS E RENEWAL

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

Motion made by Gregory Laboissonniere seconded by Robert Thibeault to open public hearings. All voted Aye. So voted.

No one spoke in favor, no one opposed.

Motion made by Frank Hyde seconded by Gregory Laboissonniere to close public hearing. All voted Aye. So voted.

Motion made by Gregory Laboissonniere seconded by Justin Pomfret to grant licenses. All voted Aye. So voted.

Application for new pool table license by Domenic's Restaurant

Motion made by Frank Hyde seconded by Gregory Laboissonniere to open public hearing. All voted Aye. So voted.

No one spoke in favor, no one opposed.

Motion made by Frank Hyde seconded by Robert Thibeault to close public hearing.

Motion made by Frank Hyde seconded to Gregory Laboissonniere to grant pool table license. All voted Aye. So voted.

Application by Coinstar Entertainment for Wal-Mart Supercenter, 650
Centre of New England Blvd.

Present: James Wyatt, Walmart

Mr. Thibeault questioned Mr. Wyatt regarding insurance coverage.
Mr. Wyatt gave copy of insurance to clerk.

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

No one spoke in favor, no one opposed.

Motion made by Robert Thibeault seconded by Frank Hyde to close public
hearings. All voted Aye. So voted.

Motion made by Robert Thibeault seconded by Frank Hyde to grant
license. All voted Aye. So voted.

Application for New Second Hand license by Twice is Nice, 1079B Tiogue
Avenue

Present: Sherry Jones
23 Clark Mill Road
Coventry, RI

Ms. Jones – Twice is Nice will be located across from Blockbuster on Tiogue
Avenue and is a consignment store.

Motion made by Gregory Laboissonniere seconded by Robert Thibeault to open
public hearing. All voted Aye. So voted.

No one spoke in favor, no one opposed.

Motion made by Justin Pomfret seconded by Robert Thibeault to close public
hearing. All voted Aye. So voted.

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

Application for new victualling license with additional hours by MSC Donuts
dba Dunkin Donuts, 851 Tiogue Avenue

New application for Additional Hours for Dunkin Donuts, 800 Tiogue Avenue

Debra Henderson was present representing both Dunkin Donuts. She stated
that the new store would be open from 5 a.m. to 10 p.m. and the existing Dunkin
would be open from 5 a.m. to midnight.

Motion made by Robert Thibeault seconded by Frank Hyde to open public
hearing. All voted Aye. So voted.

No one spoke in favor, no one opposed.

Motion made by Justin Pomfret seconded by Robert Thibeault to close
public hearing. All voted Aye. So voted.

Motion made by Justin Pomfret seconded by Robert Thibeault to grant

licenses. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Justin Pomfret to adjourn meeting. All voted Aye. So voted.

Meeting adjourned at 8:25 p.m.

Town Clerk