

TOWN COUNCIL MEETING  
October 24, 2011

Present: President Gary Cote, Ted Jendzejec, Kerry McGee, Raymond Spear, Carl Mattson, Jr.

Town Manager Thomas Hoover  
Town Solicitor Frederick Tobin

Pledge of Allegiance led by Town Sergeant  
Invocation by Rev. Justin Martin of Knotty Oak Baptist Church  
Review of Emergency Evacuation Plan

President's Comments

President Cote welcomed everyone and thanked them for their interest in the town.

Approval of Town Council Minutes

Councilman Spear made motion seconded by Councilman Mattson to approve minutes from September 26, 2011. All voted Aye.

CONSENT AGENDA

1. Approval of tax abatements and additions for the month of September

Motion made by Councilman Spear seconded by Councilman McGee to approve abatements and additions for month of September. All voted aye.

LICENSES - Renewal of victualling licenses for 2011-2012

1. 1100 MAIN ST. COVENTRY, LLC, dba Coventry Mart, 1100 Main St
2. BJ'S WHOLESALE CLUB, INC., dba BJ's Wholesale Club, 790 Centre of New England Blvd
3. A&J BORRELLI BAKERY & PASTRIES, INC. dba Borelli's, 765 Tiogue Ave
4. BRITAY'S DELI & CATERING, 789 Tiogue Ave
5. CAPTAIN NEMO'S SUB SHOP, 15 Sandy Bottom Rd
6. CCF, LLC, dba Wendy's with Additional Hours, 2311 New London Turnpike
7. CHINA STAR, 1028 Tiogue Ave
8. COVENTRY DONUTS, INC., dba Dunkin Donuts (Additional Hours), 800 Tiogue Ave
9. CUMBERLAND FARMS, INC., Cumberland Farms #1219, 1600 Nooseneck Hill Rd
10. CUMBERLAND FARMS, INC., Cumberland Farms # 1247 (Additional Hours), 785 Tiogue Ave

11. CUMBERLAND FARMS, INC., Cumberland Farms # 1250, 436 Knotty Oak Rd
12. HESS CORPORATION, dba Hess 39210 (Additional Hours), 764 Tiogue Ave
13. DECIANTIS ICE CREAM CO., 1373 Main St
14. DELOPS, INC., dba D'Angelo Sandwich Shop, 795 Tiogue Ave
15. DEPETRILLO'S PIZZA AND BAKERY, INC., 797 Tiogue Ave
16. DOUBLE A REFRESHMENT'S CO., INC., dba Del's Lemonade, 465 Tiogue Ave
17. FIDAS, ELENI, dba Silver Lake Pizza (Additional Hours), 1146 Main St
18. SARAG, LLC, dba Subway, 47 Sandy Bottom Rd
19. JAN CO. CENTRAL, INC., dba Burger King #3133, 1145 Tiogue Ave
20. DRAKE PETROLEUM COMPANY, INC., dba Coventry Xtra Mart (Additional Hours), 851 Tiogue Ave
21. LABRAKIS, JOHN N., dba Santoro's Pizza & Restaurant, 687 Tiogue Ave
22. L/M TACORI, INC., dba Taco Bell (Additional Hours), 784 Tiogue Ave
23. D J PROVIDENCE CO LLC, dba McDonald's (Additional Hours), 1100 Tiogue Ave
24. MEALWORKS, LLC, 1606 Nooseneck Hill Rd
25. GELINA'S ICE CREAM, LLC, 975 Tiogue Ave
26. NERARD, INC., dba Kentucky Fried Chicken of Coventry, 830 Tiogue Ave
27. NEWPORT CREAMERY, LLC, 781 Tiogue Ave
28. PJ'S DINER, INC., 608 Tiogue Ave
29. RICK & DEES INC., 17 Knotty Oak Rd
30. SUMMIT GENERAL STORE, LTD., 25 Old Summit Rd, Greene, 02827
31. STOP & SHOP SUPERMARKET COMPANY LLC, 900 Tiogue Ave
32. TOM'S FRUIT AND DELI, INC., 821 Tiogue Ave
33. COVENTRY LODGING ASSOCIATES, LLC, dba Hampton Inn, 850 Centre of New England Blvd
34. CHOCOLATE DREAMS, INC., 577 Tiogue Ave
35. WAL-MART STORES EAST L.L.P., dba Wal-Mart Supercenter (Additional Hours)

650 Centre of New England Blvd

36. MCS DONUTS, INC., dba Dunkin Donuts (Additional Hours), 851 Tiogue Ave
37. CS FOOD, LLC, dba Subway, 650 Centre of New England Blvd, located in Wal-Mart
38. R.B. DONUTS, INC., dba Honeydew Donuts, 710 Centre of New England Blvd
39. PAPA GINO'S, INC., dba Papa Gino's, 1080 Tiogue Ave
40. GTECH CORPORATION, dba Gtech Café, 1372 Main St
41. SHIVAI NEHAL REALTY LLC, dba Fairfield Inn & Suites, 4 Universal Blvd
42. MURPHY'S MOBIL INC., 2291 Flat River Rd
43. RAC ENTERPRISES INC., dba Wicked Good Pizza, 674 Centre of New England
44. TURNPIKE DONUTS, LLC, dba Dunkin Donuts, 2276 New London Tpke
45. UNITED LLC, dba Coventry Shell, 642 Washington St
46. MANIBEN LLC, dba Subway, 2405 Nooseneck Hill Rd
47. MAHAL INC., dba Veterans Market, 182 Arnold Rd
48. DAVE'S MARKETPLACE OF COVENTRY, INC., 23 Coventry Shoppers Park
49. MAIN ST DONUTS INC., dba Dunkin Donuts (Additional Hours), 24 Coventry Shoppers Park

Motion made by Councilman Spear seconded by Council Mattson to approve renewals contingent upon compliance with all state and town requirements. All voted aye.

#### PUBLIC HEARINGS

1. Transfer of Class B liquor license (with victualling) from Café Giannas LLC, 915 Tiogue Ave. to Café Giannas Inc.

Motion made by Councilman Jendzejec seconded by Councilman Mattson to open public hearing. All voted aye.

Proprietor Dave Thomas, 70 Leuba Road, was sworn by Solicitor Tobin. Mr. Thomas advised Council that he is now sole proprietor and has changed from a limited liability corporation to a corporation.

There were no further questions. A motion was made by Councilman Spear seconded by Councilman Jendzejec to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Councilman Jendzejec to approve license transfer. All voted Aye.

2. Application for Additional Hours by Zarokostas Realty LLC dba The Olde Theater Diner, 33 Sandy Bottom Road

Motion made by Councilman Spear seconded by Councilman Mattson to open public hearing. All voted aye.

Attorney Jean Boulanger represented Mr. Zarokostas and explained the request for additional hours. Currently the diner is open from 6 a.m. to 1 a.m., with the last person cleaning up and leaving at 2 a.m. Staff comes in at 3 a.m. to prepare for the day. Mr. Zarokostas would like to have the ability to serve an early breakfast. In essence they would be open and staffed 24 hours; however, the bar and game room areas will remain closed for those additional hours and only the dining room/kitchen facilities will be open.

There were no further questions and a motion was made by Councilman Spear seconded by Councilman McGee to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Councilman McGee to approve request subject to the understanding that the only areas to be open will be the dining and kitchen areas only for the purpose of serving food; the bar and game room will be closed. All voted aye.

Renewal of Class A liquor licenses

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

Motion made by Councilman McGee seconded by Councilman Spear to remove Crestwood Wine & Spirits and Bill's Liquors LLC from the agenda and hear these issues separately. All voted aye.

Motion made by Councilman Spear seconded by Councilman Mattson to open public hearings for Coventry Discount Wine & Liquor, Anthony's Wine & Spirits and Shoppers Liquors. All voted aye.

There were no questions and a motion was made by Councilman Mattson seconded by Councilman Spear to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Councilman Mattson to approve Renewal of Class A licenses for Coventry Discount Wine & Liquor, Anthony's Wine & Spirits and Shoppers Liquors contingent upon approval from state and local authorities. All voted aye.

Motion made by Councilman Spear seconded by Councilman Mattson to open public hearing on Crestwood Wine and Spirits. All voted aye.

General Manager of Crestwood Liquors, Michael Clift, was sworn by Solicitor Tobin.

Mr. Clift remarked that the last infraction was 2007-08. Since that time they have passed all compliance checks and take this current violation of serving a minor very seriously. He indicated that the clerk who was on duty has registered and will attend training classes within the next 30 days.

Although President Cote acknowledged that accidents do happen, he advised that Council is not trying to put anyone out of business, but needs to look out for the well being of the people.

Police Chief Volpe indicated this was the second offense in five years, but on the whole the establishments in town do a good job. Chief Volpe does not recommend suspension of license but suggested a probationary period if possible. If there is a violation during the probationary period, he would recommend suspension or some kind of ramification.

There were no further questions. A motion was made by Councilman Spear seconded by Councilman Jendzejec to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Councilman Jendzejec to approve Class A license renewal for Crestwood Liquors subject to a probationary period of three months; also subject to full compliance of all town and state requirements. All voted aye.

**BILL'S LIQUORS, LLC, dba Bill's Liquor Store & Bill's Package Store,672 Main St**

Motion made by Councilman Spear seconded by Councilman Jendzejec to open public hearing. All voted aye.

Attorney Peter Nolan, 1070 Main Street represented William Fontaine of Bill's Package Store. Attorney Nolan advised that Mr. Fontaine also admits to a similar mistake of serving a minor and takes that very seriously as well. The clerk has already gone to retraining, has become certified and completed 30 mandatory hours of community service.

Chief Volpe does not recommend suspension of license but suggested a probationary period. If there is a violation during the probationary period, he would recommend suspension or some kind of ramification.

There were no further questions and a motion was made by Councilman Spear seconded by Councilman Jendzejec to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Councilman McGee to approve Class A license renewal for Bill's Package Store with a probationary period of three months; also subject to full compliance of all town and state requirements. All voted aye.

**CLASS B LIQUOR LICENSES**

Motion made by Councilman Spear seconded by Councilman Mattson to open public hearing. All voted Aye.

Manager Hoover advised Council that there have been no violations in the past year and recommended approval contingent upon meeting all requirements of state and local departments.

There were no further questions and a motion was made by Councilman Spear seconded by Councilman McGee to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Councilman McGee to approve Class B license renewals contingent upon full compliance with all state and local regulations. All voted Aye.

1. MRL, LLC, dba Come Along Inn, 402 Washington Street with Liveshow Entertainment
2. ZAROKOSTAS REALTY LLC, dba The Olde Theater Diner, 33 Sandy Bottom Road with Liveshow Entertainment and Additional Hours
3. H & N ENTERPRISES, INC., dba Village Pub, 1128 Main St
4. JAGUAR TAP, INC., dba Nicky's Lounge, 354 Tiogue Ave., with Liveshow Entertainment
5. SUN LEE ENT. INC., dba Mai Tai Restaurant, 856 Tiogue Ave
6. CHATERMIKE RESTAURANT CORP., dba Nino's on Lake Tiogue, 446 Tiogue Ave. with Dance & Liveshow Entertainment
7. FLARE RESTAURANT & LOUNGE, LLC, dba Flare a Brick Oven Bistro, 577 Tiogue Ave., with Liveshow Entertainment, Outside allowed
8. REKAS, RUSSELL E. & KYLE, dba Reko's Pitcher's Mound, 620 Tiogue Ave., with Liveshow Entertainment
9. VENUS PIZZA, 2080 Nooseneck Hill Road with Liveshow Entertainment
10. CROWEBAR & TAVERN LLC, dba Scott's Crowebar & Tavern, 1152 Main St. with Dance & Liveshow Entertainment
11. HARRIS BAR & GRILLE INC., dba Harris Bar & Grille, 666 Main St., with Dance & Liveshow Entertainment
12. APPLE NEW ENGLAND INC., dba Applebee's Neighborhood Grill & Bar, 830 Centre of New England Blvd. with Live Entertainment
13. TCG, INC., dba The Cozy Grill Family Restaurant, 473 Tiogue Ave., with Liveshow Entertainment, guitar or piano
14. CMG, SOUTH, LLC, dba Cilantro Mexican Grill, 712 Centre of New England Blvd
15. ANDIAMO RESTAURANT INC., dba Andiamo Restaurant, 1650 Nooseneck Hill Rd
16. WEST COVENTRY PIZZA, INC., dba Europa, 2260 Flat River Rd

17. TIN CUP GOLF & DRIVING RANGE, 2 Fairway Drive
18. INDIGO REALTY LLC, dba Indigo Lounge, 599 Tiogue Ave with Liveshow Entertainment
19. CAFÉ GIANNAS, INC., dba Café Gianna Family Restaurant, 915 Tiogue Ave

### **CLASS B LIMITED**

Motion made by Councilman Spear seconded by Councilman Jendzejec to open public hearing. All voted aye.

Manager Hoover advised Council that there have been no violations in the past year and recommended approval contingent upon meeting all requirements of state and local departments.

There were no further questions and a motion was made by Councilman Spear seconded by Councilman Mattson to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Council McGee to approve subject to compliance with state and town regulations. All voted aye.

1. THE ORIGINAL GENTLEMAN FARMER RESTAURANT, INC., 2405 Nooseneck Hill Road
2. XENOPOULOS, PETER, dba Pete's Pizza Plus, 21 Phillips Hill Road
3. A. PAGLIARINI'S FAMILY RESTAURANT, INC., 637 Washington Street
4. HUNAN BALCONY INC., 687 Washington Street
5. COVENTRY PINES GOLF COURSE, 1065 Harkney Hill Road
6. RICCOTTI'S SUBS INC., 718 Centre of New England Blvd.

### **CLASS D CLUB**

Motion made by Councilman Jendzejec seconded by Councilman McGee to open public hearing. All voted aye.

1. CLUB JOQUES, 184 Boston Street, with Victualling & Dance
2. COVENTRY MEMORIAL POST #9404 VFW, 29 South Main St., with Victualling & Dance
3. COVENTRY MEN'S CLUB INC., 30 Phillips Hill Road with Victualling & Dance
4. POLISH NATIONAL ALLIANCE, GROUP NO. 1001, INC., dba PNA, 15 Meeting Street with Victualling & Dance

Manager Hoover advised Council that there have been no violations in the past year and recommended approval contingent upon meeting all requirements of state and local departments.

There were no further questions and a motion was made by Councilman Spear seconded by Councilman Mattson to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Councilman Jendzejec to approve Class D renewals subject to compliance with state and town requirements. All voted aye.

### **CLASS E LICENSE**

Motion made by Councilman Spear seconded by Councilman Jendzejec to open public hearing. All voted aye.

1. APOTHACA, INC, dba Phusion Pharmacy, 17 Coventry Shoppers Park

Manager Hoover advised Council that there have been no violations in the past year and recommended approval contingent upon meeting all state and local requirements.

There were no questions and a motion was made by Councilman Spear seconded by Councilman Mattson to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Councilman Jendzejec to approve Class E renewal subject to compliance with state and town requirements. All voted aye.

### **Amending Section 217-5 of the Coventry Code of Ordinances, Chapter 217, Article III**

Motion made by Councilman Spear seconded by Council Mattson to open public hearing. All voted aye.

Solicitor Tobin explained there are two proposed changes in the current ordinance that deal with exemptions for disabled persons. You will see these changes in two spots in the ordinance: on the first page Section A Subsection 3 "*if the applicant has been totally disabled during the entire last completed calendar year, then such applicant must prove residency in Coventry for the five years prior to the total disability application date*", and on the last page it indicates that if property is held jointly by a husband and wife and is otherwise entitled to be exempted, it shall not be disallowed upon the grounds that only "*one of the spouses is not totally disabled*". Only *one* spouse would have to be totally disabled, not both.

President Cote pointed out that being a five-year Coventry resident does not mean that you have to live in the same house in Coventry for five years. Currently there are 157 households in Coventry qualifying for the tax exemption for disabled.

Councilman Jendzejec feels this is an opportunity to make things fair and equitable across the board for the people of the town.

Kathy Patenaude, 38 Fieldstone Drive, was sworn by Solicitor Tobin. Ms. Patenaude raised concerns with regard to how many residences will receive the exemption, what the financial impact to the town will be, and if the Town Council has considered doing a "means" test for

eligibility. She added that there should be a means test for the elderly exemption also.

Councilman McGee shared Ms. Patenaude's concerns, and feels we need to define "disability". You could be disabled yet have a spouse working and bringing in a lucrative paycheck. Councilman McGee also has concerns about abuse of the system.

Councilman Jendzejec defined totally disabled as the inability to work. Totally disabled means totally disabled, your only means of income is a total disability check.

Manager Hoover advised there are currently 157 residences that receive the tax freeze for disabled, \$145,773.96 out of a 62+ million dollar budget. He does not expect a drastic impact with this proposed change.

William Wolf, 46 Cantaberry Lane, was sworn by Solicitor Tobin, and advised that Social Security keeps records of who is disabled. He suggested that the Council request a list of names of the people in the Town of Coventry, so you will know how many additional names may be added to that list.

President Cote stated that due to the HEPA laws he doesn't believe we could get that information. This is not meant to be a free ride, but the idea behind this is to help people pay their taxes, stay in their homes and in the town of Coventry.

Joe Broggi, Sherwood Valley, was sworn by Solicitor Tobin and remarked that when Social Security determines that you are disabled, you cannot work at all. The Tax Assessor requires a copy of the award letter from Social Security to be eligible for the freeze.

Kathy Patenaude suggested that if you are looking to change the ordinance, why don't you change the senior exemption and make it two elderly in the house. She asked the Council to do more research, as the number of eligible residences could go up dramatically. People in town who pay their full tax bill will be subsidizing others; eligibility should be determined by a means test.

Kelly Erinakes, Coventry Teacher's Alliance, was sworn by Solicitor Tobin and suggested putting a cap on the number of residences that would receive the freeze; if the number exceeds the cap, then revert back to original ordinance.

Carmine Oliveiri, 1640 Nooseneck Hill Road, was sworn by Solicitor Tobin, doesn't see the need to change the ordinance, as currently if you make less than \$45,000, you get an exemption regarding earnings anyway.

David Gorman, Hornbeam Road was sworn by Solicitor Tobin and is also in favor of a means test for eligibility.

Councilman Matson agrees that a means test is a good idea and Councilman Spear asked for more time to research the proposed amendment to the ordinance.

There were no further questions and a motion was made by Councilman Spear seconded by Councilman Mattson to close public hearing. All voted aye.

Motion made by Councilman Jendzejec seconded by Councilman McGee to table ordinance to next council meeting to allow time for further research. All voted aye.

Review and approval of the Coventry Transportation Improvement Plan (TIP) for submission to the Rhode Island Department of Transportation

Manager Hoover explained that every three years the Town has to submit a Transportation Improvement Program (TIP) to the State of RI and the federal government; this year it is due in to the state by October 28, 2011. It is really a wish list and projects can only happen if federal money is available. Projects must be located on federal aid routes and our wish list is in priority order as follows:

Resurfacing of Route 117  
Arnold Road  
Safe Route to Middle School  
Bike Route signage project  
Arkwright Bridge  
Weaver Hill Road  
Hopkins Hollow Road

Motion made by Councilman Spear seconded by Councilman Mattson to open public hearing. All voted aye.

Councilman Jendzejec asked about the safe route to the middle school. Recreation Director Guy Lefebvre responded that it would be a safe route for 6<sup>th</sup> and 7<sup>th</sup> grade students, connecting the bike path from the school grounds to the greenway, making a direct route from Battey Ave. at a cost of about \$145,000. Councilman Jendzejec added that if you are a member of the Safe Route to School program, you would be able to apply for grants. There would need to be a committee put in place. He added that it would be a good idea to put in sidewalks near the high school on Reservoir Road, but Manager Hoover responded that he doesn't think Reservoir Road is in the federal aid system. There are many projects that need to be done, but the roads are not on the state approved list.

Motion made by Councilman Spear seconded by Council Mattson to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Councilman Mattson to approve Transportation Improvement Program as presented. All voted aye.

REPORTS

Regarding the status of a business license for the operation of Mishnock Garden Center, Planning Director Paul Sprague updated Town Council on Mr. Warnock's status. Mr. Warnock has retained Engineer Bob Boyer and Mr. Boyer has submitted a PAP with application to RIDOT. In addition, a shed-like structure, heated and air conditioned, is being constructed, with a toilet and an above ground holding tank. It has been delivered to the site, the camper will be removed and replaced by the shed. Mr. Warnock has plans to begin clearing the area for off-street parking and requested that he be allowed to reopen so that he can order supplies and be ready to sell this weekend. Mr. Sprague noted that he has made substantial progress

President Cote congratulated Mr. Warnock on his progress, but expressed disappointed that the establishment was open and making sales during the time which it was ordered closed by the Town Council. During that time an undercover officer of the police department purchased a shrub, which is being held in evidence at the police department. The

Council does not want to put Mr. Warnock out of business, but this is unacceptable; no one should have been selling out of that location.

Vice-President McGee commented on Mr. Warnock's total disregard for what the Town Council wanted. The Council is willing to work with Mr. Warnock so that he is able to get the Christmas trees and materials for the season, but it has to be a two way street.

Mr. Bob Boyer of Boyer Associates, advised that the Department of Transportation faxed him a letter today with twelve listed requirements; he believes they can be met by the end of November.

Motion made by Councilman Spear seconded by Councilman Jendzejec to extend the operation of Mishnock Garden Center to November 28, pending a final compliance report. All voted aye.

## RESOLUTIONS

1. Confirming the appointment of Veronica Assalone, Esquire, to the position of Assistant Town Solicitor for the Town of Coventry

Solicitor Tobin commented that Ms. Assalone will take on the duties of Asst. Town Solicitor to the Planning and Zoning Boards and urged Town Council to confirm her appointment.

Motion made by Councilman Spear seconded by Councilman Jendzejec to confirm appointment of Veronica Assalone to the position of Assistant Town Solicitor. All voted aye. Ms. Assalone was sworn into office by President Cote.

2. Approving a contract with Election Data Services, Inc. for the purpose of assisting the Coventry Board of Canvassers in the redistricting of Coventry Town Council Districts

Dorothy Berube, Chairperson of the Coventry Board of Canvassers advised Town Council that the law requires redistricting this year. The Board of Canvassers recommends that the town hire the same firm that the state uses, Elections Data Services, which will result in money savings since they already have our data.

Motion made by Councilman Mattson seconded by Councilman Spear to approve resolution. All voted aye.

3. Awarding contracts for the provision of winter sand to the Estate of John Koszela and D & D Construction for the 2011/2012 winter season

Manager Hoover noted that we have two companies on the bid award so that if one cannot provide what we need, we can fall back to the other firm, but will mostly rely on the low bidder.

Motion made by Councilman Spear seconded by Councilman Jendzejec to approve resolution. All voted aye.

4. Requesting that the Director of the Rhode Island Department of Transportation install a left turn traffic signal on eastbound Route 3, Tiogue Avenue, at Hopkins Hill Road

Councilman Jendzejec noted that a left hand turn signal on both sides of Hopkins Hill

Road had been discussed, including coming down Hopkins Hill Road and taking a left onto Route 3.

Motion made by Councilman Jendzejec seconded by Councilman Spear to amend resolution to add "make left hand turn not only eastbound but from Hopkins Hill onto Route 3 in both directions". All voted aye.

Manager Hoover asked Engineer Bob Joyal to prepare letter to RIDOT immediately.

Motion made by Councilman Jendzejec seconded by Councilman Spear to approve as amended. All voted aye.

5. Authorizing a Temporary Use Agreement between the Town of Coventry and Raymond L. Plante, property owner, for the purposes of installing drainage along the Coventry Greenway

Mr. Lefebvre advised that the town has a temporary agreement with Mr. Plante, allowing him to prepare and install a drainage pipe into his system on the greenway and also giving us access to Mr. Plante's property.

Manager Hoover added that eventually we will come back and ask for a permanent maintenance easement.

Motion made by Councilman Spear seconded by Council Jendzejec to approve resolution. All voted Aye.

6. Awarding a contract for the repair of the Pawtuxet River bank at Sandy Bottom Road to R. T. Nunes & Sons, Inc. at a cost of \$89,975

One bid was received from Nunes, which was less than the grant. We were successful in getting a grant for 90% and will perform our 10% match with an in-kind donation from the town. It is all expected to be done by November 30, 2011.

Motion made by Councilman Spear seconded by Councilman Jendzejec to approve resolution. All voted aye.

PUBLIC COMMENT – No further comments

Motion made by Councilman Spear seconded by Councilman Mattson to adjourn meeting. All voted Aye.

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Town Clerk