

TOWN COUNCIL MEETING

November 8, 2010

Present: President Raymond Spear, Vice-President Laura Flanagan, Glen Shibley, Frank Hyde
Absent: Kenneth Cloutier

Town Manager Thomas Hoover
Asst. Town Solicitor Mark Freel

Pledge of Allegiance led by Town Sergeant
Invocation by Pastor Chris Baker of Knotty Oak Baptist Church
Review of Emergency Evacuation Plan

President's Comments

President Spear announced existing vacancies on the Redevelopment Commission, Land Trust, Tax Assessor's Board of Review, Juvenile Hearing Board, Sewer Assessment Board of Review and Conservation Commission.

The next Town Council meeting will be held on November 22, 2010, at which time all newly elected Town Council and School Committee members will be sworn into office, with a social gathering to follow.

Approval of Minutes

Motion made by Vice-President Flanagan seconded by Councilman Shibley to approve October 25, 2010 Town Council minutes. All voted Aye.

Consent Agenda

1. Resolution revising language with regard to Coventry Meadows sewer tie-in, which was approved at a Town Council meeting on October 25, 2010
2. Application for new Sewer Contractor's license by Smithfield Peat Co., Inc., 295 Washington Highway, Smithfield, RI
3. Approval of Tax Assessor's abatements and additions for the month of October 2010

Manager Hoover explained that a language revision is necessary because the resolution which was approved at the last meeting was for an *emergency* tie-in situation, which is not the case. The revised language simply changes the wording from an emergency to a normal tie-in situation.

Motion made by Councilman Shibley seconded by Vice-President Flanagan to approve Consent Agenda. All voted Aye.

Resolutions

1. Resolution exempting the Town of Coventry Finance Director position from the provision of residency as defined in section 15.02 of the Home Rule Charter

Manager Hoover commented that from a field of 34 candidates applying for the Finance Director position, the field was narrowed down and six were interviewed. The most qualified candidate is Ted Przybyla, who currently lives in Scituate.

Councilman Shibley asked for a correction on the resolution approving residency exemption, should reflect today's date of November 8, 2010.

Councilwoman Flanagan made motion seconded by Glen Shibley to approve resolution with correction of date to November 8, 2010. All voted aye.

2. Awarding a contract for repairs to the Flat River Reservoir spillway, footbridge and outlet

Manager Hoover explained that Coventry has a long standing agreement with Quidnick Reservoir Company, whereby the town is required to perform maintenance on the dam. The low bidder for this project is Deslandes Construction Co. Much of the damage is due to the flooding last spring. FEMA has granted us \$35,148 toward the costs, the remaining amount will come from impact fees. Mr. Hoover further stated that a matrix has been prepared showing all bid results. A panel consisting of Dennis Smith, Superintendent of Public Works; Bob Joyal, Town Engineer; and Jim Russell from Quidnick Reservoir Company have reviewed the bids and Deslandes Construction is the low bidder at \$107,097.

Discussion ensued. Vice-President Flanagan is concerned with Deslandes bid, believing that this bidder has undercut the others to a point where she questions their ability to purchase materials at these costs. She is also concerned with potential overruns, believes that further consideration is warranted and urges the Town Council to table the award at this time.

She reminded Superintendent Smith that she will not vote on a bid award unless she has reviewed the complete bid package. Since Deslandes has also told us that he has done some work for the Town of West Warwick, Mrs. Flanagan requested that Mr. Smith get in touch with the Town of West Warwick to see if they experienced any problems, costs or overruns.

Mr. Smith assured Council that he will check with West Warwick regarding the contractor as well as prepare complete bid packages for the Town Council. Mr. Smith stated that time is of the essence as the level of the pond could be affected during the spring as this project has to be done while the pond is low.

If this matter is tabled, Attorney Freel recommended that it is placed on the next Council agenda as a new item for the new Town Council.

Gary Cote, 29 Pettine Street, stated that the numbers don't make sense to him and he agreed that the resolution should be held for more information before voting.

Motion made by Laura Flanagan seconded by Frank Hyde to refer bid package back to the Town Manager for further review. All voted aye.

Public Hearing - Adoption of Floodplain Management Program Ordinance

Planning Director Paul Sprague advised that this is a program mandated by public law. When FEMA changes flood insurance rate maps, the town is required to pass a floodplain management ordinance in order to allow its' residents the ability to purchase flood insurance and RIEMA (RI Emergency Management Association) has approved this ordinance to go before Town Council.

President Spear opened public hearing.

Ron Gizzarelli, 50 Harrington Road, has concerns with ordinance and asked that it be held over for new Town Council to handle.

No further comments, President Spear closed public hearing.

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

Public Comment (no comments from the public)

Motion made by Councilwoman Flanagan seconded by Councilman Shibley to recess to Executive Session. All voted Aye.

EXECUTIVE SESSION Per R.I.G.L. 42-46-5(a) (2)
For the purpose of discussing pending litigation

Motion made by Councilwoman Flanagan seconded by Councilman Hyde to adjourn Executive Session and seal minutes. All voted aye.

At the resumption of the public Town Council meeting, Vice President Flanagan made motion seconded by Councilman Hyde to authorize the Town Manager and Attorney Freel to enter into the settlement described in Executive Session, whereby Shawomet would receive its requested dimensional variance and the lawsuit would be dismissed. All voted aye.

On the Westwood Case, Councilwoman Flanagan moved and Councilman Hyde seconded authorizing the Town Manager and the Solicitor to enter into the proposed Settlement Agreement. All voted aye.

Town Clerk

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