

TOWN COUNCIL MEETING
Coventry Town Hall Council Chambers
1670 Flat River Road, Coventry, RI
November 10, 2008 – 6:00 p.m.

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

Interim Town Manager Paul Sprague
Town Solicitor Patrick Sullivan

Pledge of Allegiance
Invocation
Review of evacuation plan

Motion made by Anthony Colaluca seconded by Frank Hyde to approve minutes of the September 22 and October 27, 2008 Town Council meetings. All voted Aye.

PUBLIC COMMENT

Planning Commission member, Cindy Fagan – Incoming Town Council should be responsible for appointments to Planning Commission on tonight's agenda.

Richard Nardella, Jim Roberts, Lynn Pierre and Michael Nardella, residents of Island Drive, along with Tom Hazard of Wood Cove Drive spoke regarding the Island Drive bridge and the dangerous situation there that needs to be resolved. The bridge should be replaced and request that it is raised up another six inches, allowing better access to the rest of the pond. Since the project is scheduled for the 19th of November, should be put off a month or so to allow more time to discuss the project.

Paul Sprague – This project was approved at the FTM in the Capital Improvement Budget. At that time the engineer and public works director did not feel that this bridge would make it through the winter. Also, a change in plans may require an alteration permit from DEM, and that could be a six to eight month process. This bridge is in a poor state, don't want people in danger.

Gary Cote, 29 Pettine St. – Thanked the Town Council for their service to the town and congratulated the winners of the recent election.

Ray Spear, Phillips Hill Road – Planning Commission appointments on tonight's agenda should be made by the incoming Town Council. Also request that current Town Council does not address anything tonight that does not need to be resolved tonight.

Dan Fisher, 31 Enzo Drive - Spoke regarding sewer assessments at condos in Centre of New England.

Councilman Cloutier stated that the Town Council has a plan to alleviate some of the sewer issues temporarily until there is a final resolution.

Nick Cambio, 207 Quaker Lane, West Warwick – Discussion relative to assessments and sewer system in Centre of New England. Mr. Cambio noted that he installed sewer system, owns it, maintains it, put in a pumping station. Town has never adhered to agreements and then decided to send bills to the residents at \$600.00 per unit. There was an agreement signed in 1997, an offsite improvement agreement, consent judgment, town disregarded all agreements. This unfair situation has been going on for seven years.

Have to start all over again now with the new council. I agreed to pay \$1.9 million plus interest. My residents refuse to pay these sewer fees. I would hope that after seven years, the next council gets this over and done with. I think I have been far more than reasonable. The town will then collect their 1.9 million that I offered in 2001.

Laura Flanagan, 16 Knotty Oak Lane – Looking forward to resolving issues with Mr. Cambio. Give us an opportunity to get to the table. Also request that tonight's Planning Commission appointments be left to the new Town Council.

CONSENT AGENDA

1. Resolution awarding purchase of one heavy duty four post drive-on vehicle lift and one heavy duty twin post vehicle lift to Tool & Equipment Connection Inc. of North Attleboro, MA
2. Resolution awarding contract to D & D Construction Co., Inc. for Kiley Way drainage project
3. Resolution affirming award of contract for hot patch to D'Ambra Construction Co., Inc.
4. Resolution affirming award of contract for cold patch and all patch to Johnston Asphalt, LLC
5. Resolution affirming award of contract for processed gravel and crushed stone to Walter E. Reynolds General Contractor, Inc.
6. Resolution affirming award of contract for blue stone and pea stone to D & D Construction Co., Inc.
7. Resolution affirming award of contract for screened loam to Richmond Sand & Gravel, Inc.
8. Resolution affirming award of contract for pipe to Everett J. Prescott, Inc.
9. Resolution approving sewer tie-in for property located at 26-28 Whitford Street
10. Resolution approving sewer tie-in for property located at 32-34 Boston Street
11. Resolution approving sewer tie-in for property located at 705 Tiogue Avenue
12. Resolution approving sewer tie-in for Rite Aid Pharmacy/Crestwood Liquor, located at 719 & 725 Tiogue Avenue
13. Tax Abatements for month of September 2008 in the amount of \$102,844.51 with additions of \$13,585.95 and October 2008 in the amount of \$89,307.16 with additions of \$50,597.89
14. Application for new Sewer Contractor's license by Adler Brothers Construction Inc., 604 Putnam Pike, Greenville
15. Resolution approving establishment of plaque at Washington Oak Elementary School in the names of Michael Picozzi and Brian Bamford
16. Resolution reallocating funds from Harris Park to Anthony Village Park
17. Renewal of Private Detective license for Robert J. Conover, 2747 Flat River Road
18. Abatement of Anthony Fire District Sewer Assessment

Motion made by Frank Hyde seconded by Anthony Colaluca to remove #16 reallocating funds from Harris Park to Anthony Village Park for discussion and vote on separately. All voted Aye.

Motion made by Frank Hyde seconded by Anthony Colaluca to remove #15 for discussion, establishing plaque at Washington Oak Elementary School in the names of Michael Picozzi and Brian Bamford. All voted Aye.

Motion made by Ken Cloutier seconded by Frank Hyde to approve Items #1-#14, #17 and #18. All voted Aye.

Councilman Hyde asked for clarification of #16 reallocating funds from Harris Park to Anthony Village Park.

Guy Lefebvre, Recreation Director, stated that Anthony Village has a grant from DEM, 90% state funding and 10% town funding. Already have the money secured and have been granted an extension to 12/31/09 for Anthony Village. Entire project is \$165,000.00 with the state portion \$150,000 and the town \$15,000.

The funding for Harris Park is divided into three components: the tot lot on Howard Avenue, the mill park on Main Street and the street-scape in Harris Village. Need to have this funding available and am trying to get it completed by the end of the year.

Councilman Hyde asked what Mr. Lefebvre felt was in the best interest of the town.

Mr. Lefebvre stated that this funding should be left alone, as is.

Councilman Hyde agreed and recommended that Harris Park funding be left as is. Motion made by Frank Hyde, seconded by Anthony Colaluca to table resolution. All voted Aye. So voted.

Regarding Item #15 establishing a plaque at Washington Oak Elementary School in the names of Michael Picozzi and Brian Bamford.

President Pomfret – Brian Bamford and Michael Picozzi donated land for the school on Read School House Road. The Council believes it would be a good idea and the right thing to do to approve a resolution to put their names on a plaque in recognition and remembrance of this donation.

Ray Spear – Suggest that it would be appropriate for the School Committee to be permitted to establish this plaque since this is a school building and on school property. The School Committee is responsible for school buildings.

Councilman Hyde agreed and suggested contacting Dr. Raptakis and Supt. Ken DiPietro.

Motion made by Frank Hyde seconded by Ken Cloutier to allow School Committee to take the responsibility for plaque. All voted Aye. So voted.

RESOLUTIONS

Resolution reappointing one member to the Planning Commission

Objection made by Laura Flanagan, not appropriate for the current Town Council to make this appointment. Should be removed from agenda and let the new Town Council make appointments.

Motion made by Justin Pomfret seconded by Anthony Colaluca to reappoint George Caldow to the Planning Board. Vote – Aye (3); No (Councilman Cloutier) Motion passes.

Resolution appointing one member to the Planning Commission (unexpired term)

Objection from Laura Flanagan, Town Council should allow new Town Council to make appointment.

Motion made by Justin Pomfret seconded by Anthony Colaluca to appoint Michael Baird. Aye (3); No (Councilman Cloutier) Motion passes.

LICENSES

1. Turnpike Donuts Inc., dba Dunkin Donuts, 2270 New London Turnpike for new Victualling and Additional Hours licenses

Present: James Lynch
1 Signal Ridge Way, East Greenwich

Mr. Lynch - Per the corporate office, this request is a requirement on every application in order for us to open at 5:00 am and close at midnight, seven days a week.

Motion made by Anthony Colaluca seconded by Ken Cloutier to approve license. All voted Aye.

2. Wicked Good Pizza, 674 Centre of New England Blvd. for new Victualling license

Present: Roger Carlson
152 Pawtuxet Terrace
West Warwick, RI

Mr. Carlson: Operating hours are seven days a week, 11:00 a.m. to 10:00 or 11:00 p.m., not quite sure yet.

Motion made by Anthony Colaluca seconded by Kenneth Cloutier to approve license. All voted Aye.

3. Fairfield Inn & Suites by Marriott Coventry, 4 Universal Blvd, for new Victualling license

Present: Vipul Patel
Norton, MA

Motion made by Kenneth Cloutier seconded by Anthony Colaluca to approve license. All voted Aye.

4. Murphy's Mobil, Inc., 2291 Flat River Road, for new Victualling license

Present: Rick Murphy
Foster, RI

Motion made by Anthony Colaluca seconded by Kenneth Cloutier to approve license. All voted Aye.

5. Renewal of Victualling licenses (including those with additional hours)

Motion made by Kenneth Cloutier seconded by Anthony Colaluca to approve license renewals. All voted Aye.

6. Renewal of Campground licenses

- Colwell's Campground
- Camp Ayoho
- Hickory Ridge

Due to conflict of interest, President Pomfret recused himself from Consent Agenda #6 Renewal of Campground licenses and also Item (J) Public Hearings and Ensuing Action on regular agenda.

Motion made by Frank Hyde seconded by Anthony Colaluca to approve campground license renewals. All voted Aye (3-0)

PUBLIC HEARINGS AND ENSUING ACTION

1. Application by Matthews Italian Café, dba Zelly's Last Stop Café, 2260 Flat River Road for change of class of license from Class B Ltd to Class B

Attorney Daniel Flaherty of Warwick, RI represented Mr. Petrarca of Zelly's Last Stop Café. Mr. Petrarca has been in business there over four months now, has a beer and wine license and there have been no complaints or problems. There are only eight or nine seats at the bar, will remain primarily food with expanded menu. All of the bartenders are TIPS certified. Mr. Petrarca has been in the restaurant/bar business most of his adult life. He understands the responsibility of a liquor license. Hours of operation would be open until 1:00 a.m. on weekends and 11:00 p.m. during the week.

Mr. Cloutier – Have there been any issues in the last four months?

Solicitor Sullivan – No, only one letter was mailed to the town with a general objection to the Class B license.

Motion made by Frank Hyde seconded by Anthony Colaluca to open public hearing. All voted Aye.

Janice Cornell
Flat River Road

Ms. Cornell – Do not want to see this restaurant stay open later, also don't want him to have the liquor license.

Beatrice Jordan – Letter of objection. This is not right for the area and the beer and wine license they have now is sufficient.

Solicitor Sullivan – Explained that Mr. Petrarca has already been entitled, with the Class B Ltd license, to stay open until 1:00 a.m.

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

Mr. Cloutier – Any thoughts to approval maybe with a 90 day review? Then if there are no problems, just let it go.

Motion made by Anthony Colaluca seconded by Frank Hyde to approve with a 90 day review. All voted Aye.

2. Renewal of Class A Liquor licenses (package store)

Solicitor Sullivan – There are three licensees with violations pending, but this would not impair their ability to be licensed. Police department will review the matters.

Motion made by Anthony Colaluca seconded by Frank Hyde to open public hearing. All voted Aye.

No objections or comments from public.

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

Motion made by Anthony Colaluca seconded by Frank Hyde to approve Class A license renewals. All voted Aye. (3-0)

3. Renewal of Class B Liquor and Victualling licenses (full liquor license)

Solicitor Sullivan – There are three licensees here also with violations pending, similarly situated, to be reviewed by Police Department.

Motion made by Frank Hyde seconded by Anthony Colaluca to open public hearing. All voted Aye. (3-0)

No objections or comments from public.

Motion made by Frank Hyde seconded by Anthony Colaluca to close public hearing. All voted Aye. (3-0)

Motion made by Anthony Colaluca seconded by Frank Hyde to approve Class B license renewals. All voted Aye. (3-0)

4. Renewal of Class B Ltd. Liquor and Victualling licenses (beer and wine only)

Motion made by Frank Hyde seconded by Anthony Colaluca to open public hearing. All voted Aye. (3-0)

No objections or comments from public.

Motion made by Frank Hyde seconded by Anthony Colaluca to close public hearing. All voted Aye. (3-0)

Motion made by Anthony Colaluca seconded by Frank Hyde to approve license renewals. All voted Aye. (3-0)

5. Renewal of Class D Club licenses (includes victualling and dance licenses)

Motion made by Frank Hyde seconded by Anthony Colaluca to open public hearing. All voted Aye. (3-0)

No objection or comments from public.

Motion made by Frank Hyde seconded by Anthony Colaluca to close public hearing. All voted Aye. (3-0)

Motion made by Frank Hyde seconded by Anthony Colaluca to approve Class D license renewals. All voted Aye.

6. Renewal of Class E Liquor license (pharmacy)

Motion made by Frank Hyde seconded by Anthony Colaluca to open public hearing. All voted Aye.

Wayne Asselin – In the future, would like to see listing of each license on the agenda.

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

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

President Pomfret invited public to come forward and speak with any Town Council member regarding any issues or concerns in public forum after the adjournment of the meeting.

Motion made by seconded by Anthony Colaluca seconded by Ken Cloutier to adjourn meeting. All voted Aye.

Meeting adjourned at 7:15 p.m.

Town Clerk

