

TOWN COUNCIL MEETING
January 23, 2012

6:00 PM – EXECUTIVE SESSION

To discuss matters of potential litigation concerning a settlement agreement with Immunex Rhode Island Corporation and a request for pension in accordance with RIGL 42-46-5 (2)

Present: Councilman Mattson, Councilman McGee, Councilman Jendzejec, President Cote

Absent: Councilman Spear

Motion made by Councilman Jendzejec seconded by Councilman Mattson to move to Executive Session. Individual voice vote. All voted Aye.

Motion made by Councilman Mattson seconded by Councilman McGee to resume regular meeting. All voted aye.

Motion made by Councilman McGee seconded by Councilman Mattson to seal minutes of Executive Session. All voted aye.

7:00 PM - TOWN COUNCIL MEETING

Present: Councilman Mattson, Councilman McGee, Councilman Jendzejec, President Cote

Town Manager Hoover
Town Solicitor Tobin

Absent: Councilman Spear

Pledge of Allegiance led by Town Sergeant
Invocation by Reverend Auld of Summit Baptist Church
Review of Emergency Evacuation Plan

- President's Comments

President Cote thanked Public Works employees for their work and efforts during last Saturday's snow storm.

- Approval of Town Council Minutes from January 9, 2012

Motion made by Councilman McGee seconded by Councilman Jendzejec to approve minutes. All voted Aye.

RESOLUTIONS

- Appointing members to the Juvenile Hearing Board

Motion made by Vice-President McGee seconded by Councilman Mattson to appoint Irene Jones and James Sullivan to three year terms of office and Andrew Perra and Jaime Bernard to alternate one year terms of office. All voted aye. President Cote swore members into office.

- Approval of a settlement agreement with Immunex Rhode Island Corporation (Amgen) regarding sewer use fees

Manager Hoover explained that the Town of Coventry has had a dispute over user fees with Amgen since 2004. After many sessions of negotiations a settlement was reached that calls for Amgen to begin paying user fees and also to pay us \$300,000 for past fees. Manager Hoover recommends that the Town Council approve the agreement.

Motion made by Councilman Jendzejec seconded by Councilman McGee to adopt resolution approving settlement agreement with Immunex (Amgen). All voted aye.

- Installing a lock box at the outside entrance of Town Hall for the payment of taxes, as requested by District 5 Councilman Ted Jendzejec

Councilman Jendzejec remarked that after traveling to various Town Halls throughout the State, he has noticed that many of them have lock boxes as a convenience to citizens so that they don't have to take time out of work to pay their taxes. He thinks this is a great concept and would like to offer a lock box to Coventry taxpayers.

Finance Director Ted Przybyla advised that the Tax Collector has reservations with regard to certain issues such as time and date stamping of the payment, the receipt, and defining what time the "deadline" is, for example would the deadline be as of the time the Town Hall closes on the last day for payments, or would it be midnight? Mr. Przybyla would like to have the opportunity to talk to other towns who use an after hours lock box.

President Cote stated that although he understands the tax collector's concerns, if the resolution is approved tonight there will have to be guidelines worked out first. The system won't become immediately instituted. Councilman Jendzejec agreed that administrative policy would need to be set and issues worked out before implementing this system.

Vice-President McGee has concerns about security and agrees that issues need to be worked out to make sure the box is safe from theft. In addition to concerns about theft, Chief Volpe indicated a need for policy in handling the money.

President Cote asked Manager Hoover to work out all the details administratively before the box is installed, if the resolution is approved tonight. Manager Hoover agreed.

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

LICENSES

1. Application for new Victualling license by Simco Washington St. LLC, dba Café Creamery, 433 Washington Street

Applicants Russell Amaral and Robert Simos, 435 Washington Street, were present.

Manager Hoover advised that if the victualling license is granted, it will not be issued until approval is obtained from the Board of Health along with submission of a certified food manager certificate.

Motion made by Vice-President McGee seconded by Councilman Jendzejec to grant license subject to proof of food manager's certificate and approval from the Board of Health. All voted Aye.

2. Town Council, acting as the Liquor Control Board, considering the Class B liquor license (with victualling) of Sun Lee Enterprises, Inc., 856 Tiogue Avenue

Attorney Seth Perlmutter represented Sun Lee Enterprises.

Manager Hoover advised that the deadline for license renewal was November 30, 2011. The license has not been renewed and cannot be issued until receipt of a certificate of good standing from the RI Division of Taxation and a letter of good standing from the Secretary of State, Division of Corporations.

Attorney Perlmutter indicated that Sun Lee Enterprises (Mai Tai) should be all set within two weeks with the good standing letter from RI Division of Taxation. He further noted that business has suffered due to the road construction going on out front on Tiogue Avenue along with a slow Christmas season, but he does expect to have matters cleared up in about two weeks.

Town Solicitor Tobin suggested that a show cause hearing would be appropriate if they fail to meet requirements. A motion was made by Councilman Jendzejec seconded by Councilman Mattson to continue this issue to a show cause hearing on February 27, 2012 if matters are not cleared up before that time. All voted aye.

3. Town Council, acting as the Liquor Control Board, considering the Class B liquor license (with victualling, liveness and dance licenses) of Chatermike Restaurant Corporation, 446 Tiogue Avenue

Due to a serious health problem within the family, applicant was not able to attend this evening. Motion made by Councilman McGee seconded by Councilman Mattson to continue Chatermike Restaurant Corporation to the Town Council meeting on February 13, 2012. All voted aye.

PUBLIC COMMENT

Robert DiPadua, 62 Laurel Avenue thanked the Town Council for their efforts resulting in a settlement agreement with Amgen and for allowing Mai Tai more time to get their documentation in order.

Motion made by Councilman McGee seconded by Councilman Jendzejec to adjourn meeting. All voted aye.

Town Clerk