

TOWN COUNCIL MEETING
Coventry Town Hall Council Chambers
1670 Flat River Road, Coventry, RI
January 28, 2008

Executive Session

RIGL 42-46-5 (a) (1) (5)

- *Relating to Personnel*
- *Acquisition/Disposition of property*

Motion made by Frank Hyde seconded by Anthony Colaluca to go into Executive Session. Roll call vote. All Aye.

Motion made by Bruce Thompson seconded by Frank Hyde to emerge from Executive Session. All voted Aye. So voted.

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

TOWN COUNCIL MEETING

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

Solicitor Patrick Sullivan
Acting Manager Paul Sprague

Pledge of Allegiance led by Town Sergeant
Invocation by Councilman Colaluca
Evacuation plan by Town Sergeant

Motion made by Bruce Thompson seconded by Kenneth Cloutier to approve minutes from Town Council meetings on January 14, 2008.

CONSENT AGENDA

1. Tax Abatements for the month of December 2007 in the amount of \$12,327.19

Motion made by Bruce Thompson seconded by Anthony Colaluca to approve Consent Agenda. All voted Aye. So voted.

LICENSES

1. Application for Live show Entertainment license for Flare Restaurant, 710 Tiogue Avenue

Motion made by Bruce Thompson seconded by Kenneth Cloutier to grant live show entertainment license. All voted Aye. So voted.

2. Application for Victualling license, Rick-n-Dee's II, 2260 Flat River Road

Motion made by Anthony Colaluca seconded by Frank Hyde to grant new victualling license. All voted Aye. So voted.

PUBLIC HEARINGS

Abandonment – Portion of Dawley Street

Motion made by Kenneth Cloutier seconded by Bruce Thompson to open public hearing. All voted Aye. So voted.

Attorney Jack McGreen, Esq. represented applicant Omega Financial Corp.

Atty. Green - The Planning Board has recommended approval. This is just 400 square feet on a dead end road.

Mr. Sprague – The Planning Board made the finding that this strip of roadway serves no purpose and therefore recommends the abandonment. The engineer does not have a problem with this abandonment

Atty. McGreen – We also have received no objections to this petition.

Raymond Chabot (abutting owner)
13 Dawley Street

My concern as an abutter is whether the town will continue to maintain the road, such as snow plowing and drainage.

Mr. Sprague – The strip to be abandoned is on the right side of the small fence. The town will still take care of the road, it is a town road.

Motion made by Anthony Colaluca seconded by Bruce Thompson to close public hearing. All voted Aye. So voted.

Motion made by Bruce Thompson seconded by Anthony Colaluca to grant petition for abandonment. All voted Aye. So voted.

RESOLUTIONS

1. Resolution appointing member to Affordable Housing Committee

Motion made by Anthony Colaluca seconded by Bruce Thompson to appoint Councilman Frank Hyde to Affordable Housing Committee. Mr. Hyde recused himself with regard to this resolution. All voted Aye. So voted 4-0.

2. Resolution appointing ex-officio member to Affordable Housing Committee

Motion made by Frank Hyde seconded by Anthony Colaluca to appoint Russell Crossman as ex-officio member on the Affordable Housing Committee. All voted Aye. So voted.

3. Resolution urging Congress to provide for United States Veterans

Councilman Colaluca explained there has been concern from residents in his district regarding the needs of our veterans. This proposed resolution is a mirrored version of what other cities and towns have adopted. We will be joining with them in an effort to urge the support of our congressional delegation in this endeavor.

Motion made by Kenneth Cloutier seconded by Frank Hyde to adopt resolution. All voted Aye. So voted.

4. Resolution declaring the vote of the Town Council on Article IX – Commercial Recreational Trailer Parks and Campgrounds on September 24, 2007 null and void

President Pomfret recused himself. Vice-President Thompson presided.

Solicitor Sullivan – This was placed on the agenda based upon an opinion from the Attorney General's office. There was a complaint filed under the Open Meetings Act where the agenda indicated that the matter was tabled; next to it in parentheses was the word "tabled". There had been two public hearings on that ordinance; September 10 and September 24. The opinion of the Attorney General was that we may not have fully indicated that the council was going to vote on that ordinance that evening. So, they ruled that the town violated the open meetings act.

I'm not sure that I agree with it, but they suggested we do a resolution declaring their vote that evening null, and revoke. So, this resolution declares the vote null and void.

Motion made by Anthony Colaluca seconded by Kenneth Cloutier to adopt resolution. All voted Aye. So voted

PUBLIC HEARING

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

Application by Wayne Medeiros of Fall River, MA for Transfer of Class B license with dance and live entertainment at 17 Sandy Bottom Inc., dba Junior's Steakhouse, 17 Sandy Bottom Rd.

Joseph Manera, Esq. represented Wayne Medeiros

Mr. Manera stated that Mr. Medeiros would be running the same operation with the same type of entertainment as previous owner. This is Mr. Medeiros' first venture into restaurant business. Will maintain the same hours of operation, menu, and entertainment. Would like to request the Board tonight to approve this application.

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

Solicitor Sullivan – The town is in receipt of two claims against the licensee for some unpaid bills. These bills are in the name of the kitchen lessee. Victory Foods notified me tonight that they are not going to press their objection. Objections are overruled.

Mr. Colaluca – Does the previous owner have any part in the restaurant?

Mr. Manera – No.

Motion made by Frank Hyde seconded by Kenneth Cloutier to grant license. All voted Aye. So voted.

ENACTMENT OF ORDINANCES

President Pomfret recused himself.

1. Article IX – Commercial Recreational Trailer Parks and Campgrounds
(Revote on Ordinance introduced on August 6, 2007; advertised on August 31, 2007; public hearing on September 10, 2007 and September 24, 2007)

Representative Nick Gorham stated that he believes this should be a public hearing and that he wants to speak.

Solicitor Sullivan advised this is not a public hearing. Those were held on September 10 and September 24, 2007.

Representative Gorham – I have a few things I would like to say as a citizen of the Town of Coventry. I think there are a few other people here who would like to weigh in on this. I think it's a terrible idea. Feel you should take some input from the public.

Vice President Thompson – We've had two public hearings, people have been able to voice themselves. Based on what the town solicitor has advised us, we may just go ahead and vote on this issue. Not open for discussion at this point

Mr. Charles Vacca also noted that he believes this item should be open to public discussion.

Motion made by Anthony Colaluca seconded by Frank Hyde to adopt ordinance. All voted Aye. So voted. 4-0

WORK SESSION

Independent Auditor's Report FY 2007-2008

Paul Dansereau of Parmelee & Poirier gave overview. Parmelee and Poirier were hired to perform the audit for the last three years. Mr. Dansereau has reviewed financial statements. Explains pages 13 and 14, showing liabilities and assets.

Cash presentation on Page 15 comprised of general fund, school department and special revenue funds. Grants from federal government.

The town had a fund surplus of \$138,000 in general fund for the year. Added to your fund balance, that gives you a total fund balance of \$6,121,000.00.

You had a \$588,000 reserve for the 2008 budget, which you used. You have a \$5,179,000.00 unreserved fund balance.

Based on that, bond people look at what you have in the fund balance (reserve). They want to know that the town is secure in their fund balance, in order to be able to “weather storms”. Your fund balance right now is about 8% of what your budget is. You don’t want to use too much of the fund balance; it will cost you in the long run. It is financial stability that determines your interest rate. Make sure that the fund balance is strong.

President Pomfret – What is a good percentage?

Mr. Dansereau – Not too far below 10%. I just want to warn you not to use too much of the fund balance. The town is in a good financial position now. The sewer enterprise fund has a seven million dollar fund balance, these funds are made to run a profit. There are no issues regarding federal grant usage.

Mr. Hyde – In relation to other cities and towns, how does Coventry rank?

Mr. Dansereau – In the middle. Others have higher percentages in their funds, some are less.

- Auditor’s Report on file.

President Pomfret noted that he would like to adjourn this meeting in memory of Heather Drew, a local teenager killed in a tragic accident this week.

Motion made by Anthony Colaluca seconded by Bruce Thompson to adjourn meeting in memory of Heather Drew. All voted Aye. So voted.

President Pomfret announced that the Town Council is available to the public in a forum at this time if anyone has any issues or concerns they would like to address.

Motion made by Bruce Thompson seconded by Anthony Colaluca to adjourn meeting. All voted Aye. So voted.

Town Clerk