

Town Council Meeting
February 11, 2013

EXECUTIVE SESSION – 6:30 PM

Review of qualifications for Boards and Commissions per RIGL 42-46-5 (a) (1)

1. Land Trust
2. Personnel Board
3. Sewer Subcommittee

TOWN COUNCIL MEETING – 7:00 PM

Present: President Gary Cote, Vice-President Kerry McGee, Councilman Jendzejec, Councilman Laboissonniere, Councilwoman Carlson

Town Manager Thomas Hoover, Town Solicitor Frederick Tobin

Pledge of Allegiance, Invocation and Review of evacuation plan

Motion was made by Vice-President McGee, seconded by Councilwoman Carlson, to approve Town Council minutes of January 28, 2013. All voted aye. (Vote 3-0 as Councilman Laboissonniere was absent from the January 28 meeting)

Motion made by Councilman McGee seconded by Councilman Laboissonniere to seal minutes from Executive Session. All voted Aye.

President's Comments

President Cote commended the Police and Public Works Departments for their tremendous efforts during the blizzard on Friday.

Police Promotions

President Cote administered the oath of office to:

- Captain John S. McDonald
- Captain Frederick J. Heise
- Lt. Benjamin J. Sedam
- Sgt. Alexander B. DeMolles
- Officer Victoria H. Thompson
- Officer Corey M. Benton

Proclamation

President Cote presented proclamation to Edouard J. Jacques for his professionalism and exceptionally meritorious service to the Town of Coventry

Consent Agenda

1. January 2013 tax abatements and additions

Motion made by Councilman Jendzejec seconded by Councilman Laboissonniere to approve Consent Agenda. All voted Aye.

Licenses

1. Application by George Melanis for new Victualling license for Nowhere Creamery, 2246 Flat River Road

Mr. Melanis advised that he will operate a business selling ice cream, coffee, pastry and lemonade.

Motion made by Councilman Laboissonniere seconded by Councilman Jendzejec to approve application subject to Board of Health approval. All voted aye.

RESOLUTIONS

1. Approval of a contract to replace the hard line phone system at the Coventry Police Dept.

Chief Volpe explained the need for replacement of the phone system, after having trouble with the current line for the last three years. The system we have is probably 35 years old and we are having problems replacing the broken handsets. We bid competitively and received two separate bids, one from RI Telephone and one from Business Electronics Inc. in Connecticut. Both prices and systems are comparable and after looking at both proposals, we decided to go with RI Telephone in Warwick. Our best bid is RI Telephone at \$23,900. We have \$21,442 in grant money available to us and we would request to take the difference out of the operating fund, either the communications or computer accounts.

A motion was made by Councilman Laboissonniere seconded by Councilwoman Carlson to approve resolution. All voted aye.

2. Approval of individual Mutual Aid Agreements between the Coventry Police Department and the Police Departments of West Warwick, West Greenwich and East Greenwich

Chief Volpe explained that *non* emergency aid calls require this type of agreement to help answer alarm calls, car stops, dui investigations or a situation where a car is being followed from town to town. Prior to these agreements, those officers would be forced to call Coventry Police to make the arrest.

After speaking with the Trust, I was surprised to learn that officers doing road details are not allowed to make any arrests. I spoke with the chiefs from West Warwick, West Greenwich and East Greenwich and we pooled our resources to come up with this document, which gives us a comfortable enough area of leeway where we don't get in trouble if we do go into each other's jurisdiction. They will be filing reciprocal agreements in their own towns. We will also be looking at Scituate, Foster and the State of CT to sign on. This will cover our officers when they operate outside of Coventry and on those occasions where officers from other towns help us.

A motion was made by Councilwoman Carlson seconded by Councilman Jendzejec to approve resolution. All voted aye.

3. Approval of a contract with Wilkinson Associates Inc to provide engineering services for energy upgrades to town buildings using funds to be made available through the voter approved bond referendum of November 6, 2012

Manager Hoover explained that we have been working with Wilkinson successfully for a few years and propose to extend the contract to include the community center, teen center, Central Coventry Park and three school boilers. Funding for this consulting work will be available through proceeds received from the bond sale scheduled for May of 2013.

President Cote asked why we are accepting responsibility for the schools and Manager Hoover replied that only the boilers were part of the energy bond, the HVAC system is separate. Councilwoman Carlson asked about savings and Manager Hoover said that over a 15-20 year period we would likely save the amount of the improvements. This payment would be covered through bond proceeds and work will begin after the bond sale.

Motion made by Councilwoman Carlson seconded by Councilman Laboissonniere to approve resolution. All voted aye.

4. Requesting the General Assembly delegation representing the Town of Coventry introduce and support enabling legislation which would provide an option to the Town of Coventry to transition it's employees to the Municipal Employees Retirement System (MERS) by reaching the full Annual Required Contribution (ARC) over a period of five (5) years

Manager Hoover advised that our legislative delegation requested a resolution from the Town Council regarding this proposed legislation. In November we sent the State Department of Revenue funding plans for our pension systems. In the case of our Police, it would take 24 years to reach 80% funding; 26 years for municipal. If we could transition to the MERS system we would be able to enter a more secure system and would probably be in a better position sooner. Right now if you had to pay the ARC, it would add \$3 million + to the budget. We are proposing to do these transitions over a five year period, making it much more affordable. However, the legislators require a resolution to support this.

Councilman Jendzejec doesn't see how this would help the town, being controlled by the state, and wondered if the state decided that they needed to increase their required ARC payments, how that would affect us. In addition, he wouldn't want the town of join MERS and then find out they need to increase the payment due to underfunding.

Manager Hoover advised that this is all subject to negotiations and agreement with our labor unions. Even if it takes us three or four years to accomplish, MERS is a much more secure system. Councilman Jendzejec asked if MERS is presently underfunded and if so, how did it get that way. Finance Director Ted Przybyla stated one reason is due to investments and each community has a different level of underfunding. As a whole I don't know the answer, but it is close to 80% funded though.

Solicitor Tobin added that we are only asking the General Assembly to enable us to adopt an ordinance, but we are not bound to do this. Currently MERS does not allow five years.

Manager Hoover and Finance Director Przybyla have attended all pension fund committee meetings. Among recommendations which will be made to the General Assembly is to ultimately try to get all cities and towns into the MERS system, because they believe so strongly in the security of it.

Motion made by Councilwoman Carlson seconded by Councilman Laboissonniere to approve resolution. All voted aye.

5. Requesting the General Assembly delegation representing the Town of Coventry introduce and support legislation which would allow the Coventry Town Council to grant partial and/or full exemptions to property owners and businesses for the purpose of creating jobs and job opportunities and not to exceed a period of ten (10) years

Planning Director Paul Sprague explained that what this legislation would do is provide exemptions as an economic development tool, providing a benefit for the town to gain business or improve upon the businesses that we have. It would also lead to job creation in the town. Again, this ordinance would enable us, but not bind us.

President Cote added that it would also give the Town Council some control in assisting small businesses and help support their growth.

Councilwoman Carlson believes it is important to help the businesses and also to bring in new business. She asked whether a criteria would be established. Solicitor Tobin remarked that our ordinance would mirror the Cranston statute, which is in effect now. It would allow the Town Council, by ordinance, to determine the conditions and specifications desired to be able to seek approval from the Town Council for an exemption. In addition, this legislation would provide tools to be able to increase the commercial and industrial tax base, thereby keeping the residential rate stabilized.

Councilman Jendzejec asked if it would take any current property off the tax rolls. In other words, if a business wants to take advantage of this ordinance, could it possibly allow a business currently on the rolls another ten years of relief?

Manager Hoover replied that it is possible, but an obvious case where it would be worthwhile to do this would be a business where ultimately the assessed value is going to vastly increase what it is now in a short period of time. If we do see the downside, we will not recommend it. Analysis will have to take place on a case by case basis. For example, if you are a new business, or a project where it will take a year to do construction or reconstruction, instead of taxing the business after the first year with the full assessed value, you could phase it in. It is an incentive for people to do the project to begin with.

Councilman Jendzejec stated that his concern would be that, since there is no money to give tax breaks, it would hurt us to take a business off the rolls in order to give relief. We could make it a criteria that if you are currently on the tax rolls that you cannot pay less, it would only be for new business. I will go along with it as long as we sit down and think very hard about the criteria that this Town Council will offer to businesses, so there is no confusion with residential and business taxpayers who need help.

Councilman Laboissonniere agreed that it provides an incentive to get business into town.

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

6. Requesting the General Assembly delegation representing the Town of Coventry introduce and support legislation which would allow the Town Council to grant partial and/or full exemptions to property owners to encourage exterior renovations or improvements made to pre-20th century buildings within a historic district by the owners pursuant to historic guidelines and extending same to buildings outside the historic district which are on the National Register.

This proposed legislation would allow granting partial or full exemptions to property owners to encourage exterior renovations or improvements to buildings within a historic district or if they are on the National Historical Register, providing another tool for us to use as an incentive. Again, the Town Council would set the criteria.

A motion was made by Councilwoman Carlson seconded by Councilman Jendzejec to approve resolution. All voted aye.

PUBLIC HEARING

Ordinance amending Article III of Section 217-5 of the Coventry Code of Ordinances entitled "Eligibility; termination of exemption"

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

Solicitor Tobin explained that Section 217-5 (f) is a sunset provision or the ordinance and unless the Town Council extends the ordinance, it will expire on June 30 of this year. By adopting this amendment tonight, you are eliminating the sunset provision, which means the ordinance will remain in effect regarding the elderly and disabled tax freeze.

Motion was made by Councilman Laboissonniere seconded by Councilwoman Carlson to close public hearing. All voted aye.

Motion was made by Councilman Laboissonniere seconded by Councilwoman Carlson to adopt ordinance amendment. All voted aye.

ORDINANCES

Ordinance amending Section 106-4 of the Coventry Code of Ordinances entitled "Schedule of Permit Fees"

The purpose of this amendment is that after taking a recent survey, our building permit fees are out of date. New fees have been proposed in the amendment and it is on the agenda tonight for a vote to advertise the ordinance amendment and prepare for public hearing.

Motion was made by Councilman Laboissonniere seconded by Councilman Jendzejec to advertise for public hearing. All voted aye.

Ordinance creating Article 19, sections 1901 through 1911 of the Coventry Code of Ordinances entitled "Historical Area Zoning" and creating a Historic District Commission

Manager Hoover gave overview of proposed ordinance, stating that there are historical grants available, but Coventry does not qualify unless we have a historic district.

Motion was made by Councilman Jendzejec seconded by Councilwoman Carlson to refer to the Planning Commission for recommendation. All voted aye.

Public Comment

Ellen DeWolfe, 15 Catalpa Way, referred to Solicitor Tobin's opinion with regard to the zoning on Reservoir Road including the opinion that the noise ordinance does not apply to manufacturing or operating hours. President Cote advised that he asked Solicitor Tobin for an opinion as to whether the zoning is considered manufacturing or construction. Solicitor Tobin found that Miozzi is a manufacturer, therefore the town really can't enforce the noise ordinance on that property.

She also asked about Sage Engineering getting baseline readings before asphalt plant production starts. Manager Hoover will inquire about testing.

Nancy Sullivan, 6 White Oak Court, advised that after searching the town website, and checking on every link, she found that the site is outdated with errors on pages, pages that can't be found, pages under construction, etc. If she was looking to move into Coventry today, the first thing she would do is check the website.

Manager Hoover responded that the entire website is currently under construction and a new site will replace the out-of-date site very shortly. President Cote added that there is only one computer technology person in the Town Hall and he also assists with the school department. The site will be updated as soon as possible.

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

Town Clerk