

TOWN COUNCIL MEETING

February 28, 2011

Present: President Gary Cote, Vice-President Kerry McGee, Ted Jendzejec, Raymond Spear

Town Manager Thomas Hoover

Town Solicitor Frederick Tobin

Pledge of Allegiance led by Town Sergeant, James Spearman

Invocation by Fr. Jon Juneau of Knotty Oak Baptist Church

Review of Emergency Evacuation Plan

President's Comments

Councilman McGee, Councilman Jendzejec, Town Manager Hoover and President Cote attended a groundbreaking ceremony for the new addition to the Housing Authority. President Cote acknowledged and thanked Congressman Langevin along with other dignitaries for their attendance, and commended Julie Leddy, Housing Authority Director and her team for the great work they do at the Housing Authority.

Manager Hoover gave an update on an item from the last Town Council meeting pertaining to an accident at the Center of New England, where the exit became blocked and people couldn't leave the business park. Manager Hoover advised that Chief Volpe has been asked to look into the incident command, meet with the Chiefs of Police in West Greenwich and East Greenwich, so that everyone will be clear on who's in charge during such a situation, to prevent this from happening in the future.

Approval of February 14, 2011 Town Council Minutes

Councilman Spear asked the clerk to add the word "and" between Resolution items #J2 and #J3, since Manager Hoover asked that they are discussed together as they are related issues.

Councilman Jendzejec requested that his letter opposing the approval of Resolution Item #J5 pertaining to the E Verify program be inserted into the minutes.

Motion made by Councilman Spear seconded by Councilman Jendzejec to approve minutes with corrections. All voted aye.

Consent Agenda

1. Application by Westminster Unitarian Church, 1395 Nooseneck Hill Road for one day Class F license on March 26, 2011
2. Resolution approving sewer tie-ins for Commerce Park Realty at #5/7, #9/11, #12/14, #13/15 Greigh Court

Motion made by Councilman Jendzejec seconded by Councilman Spear to approve Consent Agenda. All voted aye.

Report from the Pawtuxet Valley Chamber of Commerce on the activities provided through the agreement with the Town of Coventry for economic development assistance to new and existing businesses

In attendance from the Chamber of Commerce were President Greg Laboissonniere and Director Carolyn Zinno.

President Greg Laboissonniere reported on the work that the Chamber does in contributing to the economic, social and cultural development of the Pawtuxet Valley, specifically Coventry, West Greenwich and West Warwick. He spoke of recent events and fundraisers, such as Oktoberfest, Business After Hours at the Paine House with the Historical Society, Cigar Night, Valentine Business After Hours, and the annual Christmas party hosted at Flare. Events draw about 30-40 attendees and provide the opportunity for networking and "think tanks" on ways to promote businesses.

Consideration is being given this year to make more of a community event on Columbus Day. Discussions are taking place to plan another Oktoberfest this fall. Maybe we could pair up with other charitable organizations in the area, for example maybe the Tiogue Lake Association, for a fishing tournament, or maybe put a bike run together with some organizations. A summer

barbecue with a golf tournament is being considered. A few other events planned for this year include statewide business after hours at Rhodes on the Pawtuxet, another at the Hampton Inn, and our annual golf tournament.

Councilman Jendzejec asked how much money the Chamber received last year from West Warwick, West Greenwich and Coventry. Mr. Laboissonniere replied \$4,000 from West Warwick; \$1,500 from West Greenwich and \$12,000 from Coventry. Most of the Chamber membership is in Coventry. There was no town funding for three or four years and we used to rely on a portion of the hotel tax.

Councilman Jendzejec asked how many members are from Coventry and exactly how the town's \$12,000 contribution was spent. He also asked if the Chamber helps only members or any non-member Coventry businesses.

Mr. Laboissonniere responded that the funding is helping the Chamber to keep its doors open. These are all open meetings, any business is welcome. If someone is looking for help, we put them in contact with our members. We offer networking sessions and encourage visitors to come into our Business After Hours events. We offer small business seminars that are open to people who are starting businesses or are looking to get funding through the SBA. Functions are held at member locations; any visitors or guests that come into our hotels are directed to businesses in town.

Councilman Jendzejec again asked how specifically the \$12,000 contribution was spent. Mr. Laboissonniere responded more specifically that part of the funding is payroll, part is for the packets of information that get disbursed.

Councilman Jendzejec disagrees that the contribution should be used to keep the doors open and pay the staff. He asked to see a report of how it has been used to help businesses.

Councilman McGee asked for quarterly reports of what specifically the Chamber is doing for Coventry and where the money is going.

Mr. Laboissonniere stated that the Chamber is a resource and can advise, but can't help businesses with their financial burdens. We are trying to put it out there to spend local, buy local, dine local and support your local businesses. In order to do that, we need funding to get the information out there. We are doing the best we can with e mails, posters and flyers. Mr. Laboissonniere agreed to come back to Council with a report to quantify the contribution.

Councilman Spear asked if the request of \$3,500, contained in the letter from the Chamber of Commerce, is in addition to an assumed \$12,000 contribution or if it is the total request for next year? Mr. Laboissonniere replied that it is the request for next year (\$3,500), not an additional request.

Councilman Jendzejec inquired further about the number of fundraisers the Chamber has in a year, their yearly total budget, revenues, and asked for an accounting of how the \$12,000 went to Coventry businesses. Mr. Laboissonniere replied that Oktoberfest raised a little over \$3,000, the Cigar Smoker raised about \$900.00 and the golf tournament \$4,000 - \$5,000.

Mr. Laboissonniere will return at a later date to talk to Council with more detailed reports.

LICENSES

1. Application for Live Show Entertainment license by the Cozy Grill Family Restaurant, 473 Tiogue Avenue

Jason Valerian of the Cozy Grill was present. He is requesting permission to have a piano player or guitar player inside the premises, near the bar area. At a later date they would like to build an outside deck and have entertainment outside.

President Cote advised Mr. Valerian to return to the Council for permission for outside entertainment after he builds his deck; outside entertainment is a separate issue. Tonight we will only address inside entertainment, only for a guitar or piano player, and not for four or five piece bands.

Mr. Valerian agreed to limited inside live show entertainment at this time.

Motion made by Councilman McGee seconded by Councilman Jendzejec to approve inside live show entertainment license. All voted aye.

RESOLUTIONS

1. Appointing members to the Coventry Land Trust
2. Appointing members to the Coventry Sewer Subcommittee
3. Appointing one member to the Sewer Assessment Board of Review

Motion made by Councilman Spear seconded by Councilman Jendzejec to appoint the following: Anne Mae Lapinski and Pamela Conti to the Land Trust; Glen Skurka, George Avedesian and alternate member Joseph Spada to the Coventry Sewer Subcommittee; Norman Baxter to the Assessment Board of Review. All voted aye. Members present were administered the oath of office by President Cote.

4. Authorizing a contract with Woodcock & Associates, Inc. for the purpose of updating the sewer user rates and sewer connection fees

Manager Hoover advised of the necessity to perform an updated rate study before proceeding with future sewer installation contracts. The cost of the study will not exceed \$18,500 and will be paid from the sewer fund, not the general fund. It is very important that we fund this properly in order to get financing from the Clean Water Agency.

Councilman Spear's concern is that the rate is carefully reviewed to make sure that we don't end up in the same situation we are in now. There has been some pretty severe criticism among the people who have had to pay the fees, especially with the increase from \$6,600 to \$12,900. He also raised the issue of any other unforeseen fees that we will need approval for.

The updated study will go before the Sewer Subcommittee and Town Council. As far as unforeseen expenses, Woodcock won't be approved for anything over \$18,500 unless they come back to the Council.

Motion made by Councilman Spear seconded by Councilman Jendzejec to approve resolution. All voted Aye.

5. (a.) Requesting the Rhode Island General Assembly to approve a referendum on the sale of notes and bonds to finance the Town of Coventry 2012 Capital Improvements Program in Town of Coventry facilities and

(b.) Requesting the Rhode Island General Assembly to approve a referendum on the sale of notes and bonds to finance the Town of Coventry 2012 repayable energy improvements in Town of Coventry facilities

Manager Hoover advised that if the Council finds that the capital improvement program or the energy facilities improvements would require an expenditure of a certain amount, it would have to go to referendum by both Charter and General Law, but you cannot have a referendum without the okay from the General Assembly. This is a preparatory measure in both cases. I ask that you consider these requests to the General Assembly then if we do need to have a referendum, we have the ability to do it. The Charter indicates that any single item over \$100,000 has to go to a referendum. We have quite a significant program this year and are using our former self-insurance fund, which the last Council addressed and put money aside for, and that is what we are trying to do with 5a and 5b.

According to our bond counsel, facility energy improvements over a certain amount will have to be approved by referendum and to wait until approval of the next fiscal year's budget would be too late for the General Assembly to respond.

Councilman Jendzejec inquired about reimbursement and whether the town or schools get reimbursed. Finance Director Przybyla advised that the reimbursement from RIDE is restricted for the payment of debt service. Capital items on the school side are reimbursed at 49% and in the matter of energy facility improvements, they have the ability to give up to 53%.

Motion made by Councilman Jendzejec seconded by Councilman McGee to approve resolutions 5a and 5b. All voted aye.

6. Urging the Governor and the Members of the General Assembly to approve a plan to accelerate the allocation of the proposed phase-in of the State School Funding Formula funds

Manager Hoover stated that he has joined the RI Coalition of Municipal Leaders, which consists of members of the various cities and towns throughout Rhode Island who are interested in taxes and the administration of same and how it impacts our citizens.

In this case, we have a school funding formula that has a schedule of being implemented. It is proposed that some cities and towns will have an increase in their school funding from the state, and in some cases there are cities and towns that are reduced.

Coventry is scheduled for an increase. Along with other cities and towns that are scheduled to receive increases, we are each trying to get a resolution to the governor and the General Assembly to move the implementation of this allocation so that we can move forward with our budgets. Many cities and towns have already passed this resolution.

Councilman Jendzejec asked if the coalition has any reason to believe that the approval of the allocation would be delayed or amended? Manager Hoover has no indication and hasn't been told one way or the other.

President Cote remarked that this resolution will ask the General Assembly to accelerate those payments to a three year time frame rather than be phased in over seven years, to shorten up the payment period by four years.

Councilman Spear commented that he has read the resolution and he endorses it.

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

7. Authorizing relief of collecting outstanding motor vehicle taxes from FY 1999 and 2000

Finance Director Przybyla explained that the taxes of people who have moved out of state or out of town are really uncollectible. We are asking that they be written off; however, if anybody attempts to register a motor vehicle, there will be a "red flag" at the registry, we will be notified and will collect our money before they can register a car. This would just end our active collection for those two years as we are spending money trying to collect it and not getting a return.

Motion made by Councilman Spear seconded by Councilman McGee to adopt resolution. All voted aye.

8. Authorizing a contract with Webster Bank to provide "lock box" services to the Town of Coventry

Manager Hoover advised that there needs to be a little more work done on this matter, and asked that it be tabled at this time.

Motion by Councilman Spear seconded by Councilman Jendzejec to table resolution. All voted aye.

ORDINANCE – First Reading

1. Request for rezoning of Plat 76, Lot 1 at 83 Leuba Road

Attorney Robert Craven, 7405 Post Road, was present representing applicants Nancy Tefft and Coventry Green LLC. He discussed the requested zone change and the expense of the process required to extend water lines up Leuba Road. By changing the zoning and increasing the number of proposed homes, it would be much more cost effective to bring in the water lines. It would be "cost ineffective" to bring water lines up there if you are only going to build 14 homes. We are looking at maybe 38 homes.

Solicitor Tobin advised that the reason Attorney Craven is here tonight is for the Town Council's approval to proceed with the process for rezoning, which means that the ordinance is first referred to the Planning Commission for their recommendation. Before the Town Council takes this up at a public hearing, it will be advertised, abutters will be notified and you will have a recommendation from the Planning Department.

Motion made by Councilman Spear seconded by Councilman McGee to refer to Planning for recommendation. All voted Aye.

PUBLIC COMMENT

Ron Gizzarelli, 50 Harrington Road thinks that the town should take a look at re-establishing the self insurance fund, should be a priority as it would mean huge savings.

Requests that Town Council allow public comment before action is taken on issues.

Sewer Subcommittee should take a hard look at rates, as many people are on fixed incomes.

The Caruolo Act should be repealed and another way found to fund education.

Louis Diamonte, 283 S. Main Street asked if any advertisements were put in the paper requesting a rate study, rather than just hire Woodcock? Manager Hoover explained that this is a professional service, Woodcock has worked for us before and has all the data already, which already is a savings.

Motion made by Councilman Spear seconded by Councilman Jendzejec to recess to Executive Session. Voice vote: Raymond Spear – Aye; Kerry McGee – Aye; Ted Jendzejec – Aye; Gary Cote - Aye. Motion passes.

EXECUTIVE SESSION

R.I.G.L. 42-46-5 (a) (1)

For the purpose of discussing personnel matters

Present were Councilmen Raymond E. Spear, Thaddeus Jendzejec, Kerry McGee and Council President Gary Cote. Also present were Town Manager Thomas Hoover, Town Solicitor Frederick G. Tobin, and Paul Sprague, former Interim Town Manager.

Upon motion made by Councilman Spear and seconded by Councilman Jendzejec, it was voted to recess back to regular session. The resulting vote was as follows:

Raymond E. Spear	Aye
Kerry McGee	Aye
Thaddeus Jendzejec	Aye
Gary Cote	Aye

Motion was made by Thaddeus Jendzejec and seconded by Kerry McGee to approve the pension for Colonel Ronald DaSilva, former Town of Coventry Chief of Police in the amount of \$74,446.08. The resulting vote was as follows:

Raymond E. Spear	Aye
Kerry McGee	Aye
Thaddeus Jendzejec	Aye
Gary Cote	Aye

In open session, motion was made by Councilman Spear and seconded by Councilman Jendzejec to seal the minutes of the executive session. It was unanimously approved.

Vice-President McGee made a motion to adjourn the meeting, seconded by Councilman Spear. It was unanimously VOTED: To adjourn at 9:08 P.M.

Town Clerk