

## TOWN COUNCIL MEETING

April 13, 2009 – 6:00 p.m.

### Work Session with Legislators

Senator Raptakis reported on the Governor's revised budget, the loss in general revenue sharing to Coventry indicated that he believes things will only get worse. Representative Serpa added that legislation has been submitted to gain relief from educational mandates. Representative Guthrie noted that 95% of mandates are school related. Several bills are being introduced with regard to placing advertisements on websites rather than paying advertising costs in the newspaper; providing individual hearings to communities regarding bus monitors, as some towns can afford monitors; and extending fire code mandates.

Vice-President Spear stated that the Town Council is working around an issue of \$5.5 million. We are not getting a feeling from you (legislators) as to whether we have to level fund or level fund and cut and have been put in a position of guessing as it is difficult to determine what the budget should be for next year. Urge you to do the best you can to get us information to finalize our budget. There are public hearings next week and in May we adopt the budget.

Councilwoman Flanagan asked if Coventry could count on anything for aid? Representative Scott Guthrie stated that if the Governor gets what he wants, the amount will be zero. There will be a better indication of general revenue sharing and aid to education following a conference on May 11. By state law, the state has to have its budget in place by July 1.

Vice-President Spear would like to see legislation enacted to freeze the rate at 4.75% for another year.

Senator Raptakis requested a further meeting with the Town Council before the end of May. Town Council suggested May 18 at 6:00 p.m. before adoption of the budget at the regularly scheduled Town Council meeting.

Motion made by Laura Flanagan seconded by Glen Shibley to adjourn work session. All voted Aye.

### TOWN COUNCIL MEETING

Present: Frank Hyde, Ray Spear, Glen Shibley, Laura Flanagan

Interim Town Manager Paul Sprague  
Town Solicitor Patrick Rogers

Absent: Kenneth Cloutier, President

Invocation by Reverend Robert Auld of Summit Baptist Church  
Review of Emergency Evaluation Plan

Motion made by Laura Flanagan seconded by Glen Shibley to approve minutes of March 23, 2009, March 25, 2009 and March 30, 2009 Town Council meetings. All voted Aye.

- Vice-President's Remarks

Mr. Spear asked Town Council if they will be available to join in the Memorial Day Parade. Town Council will participate.

- District Reports

Councilwoman Flanagan (District 2) indicated that her focus is on the upcoming budget; Councilman Hyde (District 3) asked Manager Sprague how he is coming along getting the "Welcome to Coventry" sign replaced; and Mr. Shibley (District 4) complimented DPW for their efforts in filling potholes on Pilgrim Avenue, although he is still receiving complaints on ATV activities and dust on Lydia Road.

## CONSENT AGENDA

Councilman Hyde questioned who the recipient is of the bid for engineering services; Manager Sprague responded Weston and Sampson was awarded the bid.

1. Application for new Sewer Contractor's license by Equality Construction Works, LLC, 37 F. Lark Industrial Parkway, Greenville, RI
2. Resolution cancelling Town Council meeting on May 25, 2009 due to the holiday; and rescheduling the meeting on May 11 to May 18.
3. Resolution awarding proposal for engineering services to perform update of Wastewater Facilities Plan
4. Resolution authorizing Town Manager to file application for Small Cities Community Development Block Grant Program

Motion made by Laura Flanagan seconded by Glen Shibley to approve Consent Agenda. All voted Aye.

## LICENSES

Application for new Victualling license by Cynthia Fletcher dba Big Daddy's, 2246 Flat River Road

Motion made by Laura Flanagan seconded by Glen Shibley to grant license. All voted Aye.

Application for new Peddler's license by Palagis Ice Cream, 55 Bacon St., Pawtucket

Motion made by Laura Flanagan seconded by Glen Shibley to grant license but amend dates on petition to April 13, 2009 through July 13, 2009 and change application to "individual" rather than "corporation". All voted Aye.

Application for new Peddler's license by Joseph M. Ford, Papa's Hot Dogs, 46 Laurel Lane

Motion made by Glen Shibley seconded by Laura Flanagan to grant license. All voted Aye.

## RESOLUTIONS

Resolution authorizing Interim Town Manager to execute Consent Judgment in the matter of Washington Village Country Club v. Island Green Golf, LLC v Town of Coventry.

Manager Sprague explained that Washington Village was developed in the 1980's. There is a golf course at that location. The town had the option to purchase but sold their interest to Par Four Inc., then Par Four sold to Island Green. There is a boundary dispute between Washington Village and Island Green. A survey was done and an agreement on boundaries was reached. The Town is a third party in this. Attorney Mike DeSisto has reviewed this and we agree.

Motion made by Laura Flanagan seconded by Glen Shibley to adopt resolution. All voted Aye.

Resolution in support of eliminating master level voting

Solicitor Rogers explained that a state representative has introduced this legislation and is looking for this resolution to be adopted in support of that legislation, which would not allow individuals to pull a master lever when voting.

Mrs. Flanagan agrees that a vote should be cast for a person rather than a party. This forces you to think about who you are voting for. Mr. Hyde is not in agreement.

Donna Walsh, S. Main Street, spoke in support of resolution.

Bill Hall, 1053 Tiogue Avenue – There is no bill with specific language, you would be approving something where you haven't seen the legislation yet.

Solicitor Rogers comments that he has seen extensive language and Senator Blais noted that this is not a new idea to eliminate the master level option.

Senator Raptakis added that if you pull a master level and then vote one person on the other side of the ballot, it will cancel out the first five names.

Motion made by Glen Shibley seconded by Laura Flanagan to adopt resolution. Motion passes 3-1. Mr. Hyde votes no.

## INTRODUCTION OF ORDINANCES

### Ordinance regarding Bi-Partisan Boards and Committee membership

After discussion, the Town Council feels this ordinance is not ready for public hearing. Manager Sprague informed public that the ordinance will be advertised in the newspaper before public hearing takes place.

## PUBLIC HEARING AND ENSUING ACTION

### Ordinance pertaining to the removal of Town Council appointees to Town boards, commissions and committees for cause

Mr. Hyde suggested again addition of the word "gross" In Section 2-77 (b) (iv).

Vice-President Spear commented that council had considered that change previously and decided against it.

Wayne Asselin – Heard the phrase "Town Council appointed" members, what about "Town Manager appointed" members?

Solicitor Rogers – This ordinance speaks to Town Council appointments. The Town Manager per the Charter has certain appointing authority and there may be a subsequent ordinance at some point, but this speaks to those appointments within the domain and jurisdiction of the Town Council.

Mr. Asselin asked about suspensions, hearings or administrative leave, until a hearing can take place. Mr. Spear responded that a person would not be removed until a hearing takes place.

Mr. Gizzarelli - I think you should have a respectful, automatic suspension, where the person can't serve until they hearing takes place.

Vice-President Spear – It is the opinion of the council that if somebody is accused of something, we don't want to take any action against that individual until such time as we have given the person an opportunity to be heard. Then we will make a decision as to whether there is just cause for action or a determination is made that we need further evidence, then the matter can be tabled until we have such evidence. I think that the judgment of the council would be sufficient to make sure that we take appropriate action. If something had to be done because of the severity of it, we may act before the hearing.

Motion made by Laura Flanagan seconded by Glen Shibley to adopt ordinance. All voted Aye.

## DISCUSSION

### Vacancies on boards and commissions

After a study of boards and commissions, Vice President Spear announced that there are 22 positions that are currently either vacant or temporarily maintained by people whose terms have expired. He noted the need to establish a procedure for the town manager and

town clerk to follow in terms of getting these posted. Mr. Spear asked that town political party chairs be notified of the vacant and expired positions and provided with a draft ordinance.

Mr. Hall questioned if this was a first reading and has it been voted on to be advertised.

Sol. Rogers – The first reading was duly posted on the docket. The council earlier indicated they wanted to have more consideration, now I am hearing that now the council may consider revisiting the agenda, take a vote, and have first passage this evening. I would then vote for first passage, then at the next meeting the council could have second passage. If you want to be in a position to adopt at the next meeting, then it would behoove you to adopt this draft ordinance.

After extensive discussion, the council reconsidered action taken on Bipartisan Boards and Commissions ordinance. Motion made by Laura Flanagan seconded by Glen Shibley to accept reading and first passage of ordinance. Vote 3 Aye, 1 No (Mr. Hyde votes no)

#### Sewer Ordinance discussion regarding assessment methodology

Vice-President Spear indicated that Council is looking for a type of funding formula; there were two different methods that were dialogued at our last meeting.

Chairman Bill Hall of the Sewer Subcommittee recommended the method of Geremia & Assoc. Costs will vary depending on the cost per project, which would reflect the total construction price divided among the parcels of property based on EDU's.

Manager Sprague noted that Clean Water Finance Agency money is available, but the agency is looking for some baseline figure to be charged so that they have an assurance that money will be collected.

Mr. West noted that Clean Water is not prepared to offer funding unless we have a specific assessment to put on the table, possibly a base rate. They will work with us toward financing.

Discussion ensued regarding flat rates, fixed costs, our assessment of \$6600 not meeting the costs, how to make up the loss, how other towns do this, cost sharing on upgrades of sewer plant, staying with the same methodology but increasing a dollar amount that can be adjusted up or down, depending on the cost of the project, and how to arrive at a minimum.

Mr. Asselin suggested everyone paying for the sewers. Mr. Sprague indicated that enabling legislation would have to be enacted.

Bill Hall - If the council is going to go ahead with a minimum dollar amount, then suggest staying with the current methodology and come to a conclusion on what that dollar amount is going to be.

Councilman Spear noted this discussion to be taken under advisement and given further consideration.

#### PUBLIC COMMENT

Jason Marsden  
Audubon Lane

Asked that minutes be updated on town website.

Motion made by Frank Hyde seconded by Laura Flanagan to adjourn meeting. All voted Aye.

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Town Clerk