

TOWN COUNCIL MEETING

April 27, 2015

WORK SESSION 6:00 PM

Present: Vice-President Carlson, Councilman McGee, Councilwoman Duxbury,
President Shibley, Councilman Laboissonniere, Town Manager Hoover, Town Solicitor Gorham.

Town FY 2015/2016 Town Departments FY 2015/2016 Budget Request Review

Town Manager Hoover began by stating that he has not changed his recommendations since submitting his budget in March. At that time he indicated that the town would be willing to fund the necessary portion of the SRP Pension under the budget as well as premiums for workers compensation.

The School Department, in their first presentation, indicated they would like to have an additional \$720,000. Mr. Hoover recommended that we only stick with the two items mentioned, SRP pension and worker's compensation.

Councilwoman Duxbury asked whether we were considering the revenue impact of the proposed tax classification change; Mr. Thibeault responded yes, however the impact to revenue will be trivial. At this point only one property would be eligible for the special use permit.

She also questioned the revenue impact if we change the way we charge interest on past due payments, charging only for the portion that is actually past due. However, she remarked that the tax collector made a good point, in that whatever revenue we lose from charging interest on past due tax assessments would have to be replaced or raised by way of adding it to the rest of the revenue.

Mrs. Duxbury noted a proposed 2.27% increase per the Town Manager's recommended budget. She would like to know what that increase would be if we only looked at the contractual increases for personnel, group insurance, the arc payment and the business expeditor, what needs to be funded.

Mr. Thibeault explained that the budget as originally submitted was based on 100% tax collection rate and that's where the tax levy amount of 2.18% was set. We know we never collect 100% of the budgeted levy. Last year we were able to achieve the needed revenue with some sources of one time revenue and anticipated savings on the levy. For example, we had approximately a \$400,000 savings that could be applied to the budget as the state is providing extra funding for school bond debt retirement. For 2015 we needed the offset due to the fact that we weren't going to collect 100% of the levy along with other revenue sources. For FY16 we are trying to keep the levy as low as possible. We also came to the determination that we weren't going to be able to cover it fully without a tax increase. Although it's not in the managers recommended budget, I would suggest that we increase the levy 2.35%.

Manager Hoover said in addition to that, let's go back to Ms. Duxbury's question about only funding certain things in the budget; mandates. You did show an impact on every department but you actually added some other mandates to her question. Could you explain those that you felt needed to be added and explain your methodology on how you determined the impact to each department?

Mr. Thibeault replied that some additional things, such as sewer usage, retirement for the police, landscaper for the cemetery, are items that were added back in, in addition to the items identified by Ms. Duxbury because they are contractual. That made the adjustment to the tax levy 1.68%. When you consider the fact that we are not going to collect the full levy, we'll call it a 1.85% increase to the levy. Manager Hoover encouraged the council not to accept this because the impacts to the departments, particularly the large departments like police and public works, will be hurt badly.

Councilwoman Duxbury does not want to raise taxes 2.35% this year when next year we are facing all-day kindergarten; would like to see an increase of something less than 2%. She also does not agree with the expeditor position requested by Manager Hoover. Councilman McGee also does not agree with the hiring of an expeditor. If there is \$600,000 left then we don't have to cut DPW or the Police Department. The police department allows \$53,000 for overtime. That is going to happen whether we budget it or not. After spending money on roads and bridges how can we cut out \$100,000 and still maintain the roads? Cutting \$271,000 is not a lot of money when you look at a \$24 million dollar budget on the municipal side. How do you cut \$40,000 from snow removal after the winter we just had? Would like to see the increase below 2% also.

Councilman McGee asked Chief Volpe to explain what his department can do without that won't have a detrimental effect. Chief Volpe replied law enforcement is very difficult to predict. The police department has given back in some years, due to military service, employees being deployed, officers pass away, leave for other departments, or have been terminated. That can account for a lot of the overage money given back. Right now our budget is built on 57 officers. The overtime number accurately represents what we will probably spend and that includes training, different kinds of training such as diversity training, training in mental illnesses, use of more tools and verbal techniques. When looking at a budget that was currently at \$297,000 in overtime, that goes pretty quick, not accounting for the holidays, bike patrol, boat patrol, big events that occur, natural disasters.

In response to Manager Hoover's question regarding the police cars, there are a lot of cars in different stages of disrepair. The cars used on a daily basis average about 40,000 miles per year. The Ford SUV is a little bit more expensive, but we had no problems with maintenance.

Councilwoman Duxbury stated in the past that cars on an emergency basis were funded with money from capital funds and if we received the \$271,000+ in cuts and there is \$60,000 to \$70,000 in one of those funds that has to be used, is it possible to use that to help fill these holes. Mr. Hoover explained under the charter he can move between accounts within a department with council approval. This past year, for example, we were killed by the snow and went extremely over budget, causing spending freezes in all departments.

Mr. Thibeault also said the remaining capital budget for FY12 was \$62,000 and that has to be spent by the end of this fiscal year. With regard to surplus from the recent audit, Mr. Hoover remarked that anything over 10% of our fund balance goes towards the pension liability.

DPW

DPW Director Kevin McGee explained when his budget was submitted to the town manager they were at 2.2%, with 2% for payroll. I don't know where I can cut. Whether it is looking at doing things differently, yard waste, whatever the council decides we will have to work with, but keep in mind that we will have to lose some services. In addition this year they are already over budget on truck and equipment repairs and currently have no spare trucks. We also have to think about fuel, asphalt, pothole repair, gravel.

Mr. Hoover recommended we not cut the budget because it is already pretty lean as it is. If Council deems the tax levy needs to be reduced, I would at least ask Council to let administration come up with the areas that would need to be cut.

Councilwoman Duxbury had asked what the tax rate would be if we only funded what was necessary. Mr. Thibeault said that would be .5%, an approximate savings of only \$271,000.

President Shibley is comfortable with the town managers recommendation without further cuts. Manager Hoover added that we have been very judicious with the budget in the last several years and he is struggling to keep it in the black. The pension is hurting us the most. We've had to raise taxes to meet these annual required contributions.

Councilman Laboissonniere asked if the tentative amount of \$425,000 for the SRP pension contribution is in this budget. Mr. Hoover responded that it is.

Mr. Laboissonniere also asked what the total amount is to make 100% of our ARC payment and how much of that is for the police and municipal. Mr. Thibeault responded the police is at \$602,528 and the municipal is \$73,821. The debt service is up \$1.1 million, voter approved. With just those items our budget increased \$ 2.2 million. He asked the dollar amounts will we receive for emergency management funds. Mr. Hoover said about \$90,000. So, there are dollar amounts from the outside coming back to help us. We have added money to the budget, yet we are looking to add an expeditor. What is the expeditor going to do to pay back the town for spending \$85,000 for a new position?

Also, what is the dollar amount for the workers compensation payment from the schools and are we paying that payment on the town side? Mr. Thibeault said the dollar amount is \$175,000. A prior council back in 2010 decided that they were going to discontinue being self-insured. The agreement was that \$1.2 million dollars of the approximately \$4 million would go towards capital improvements and the remainder would be used to pay the expenses to the Trust, and we paid the school portion of that. We have been paying that out of the Trust, but this year, FY15, is the last year that those funds are available. In addition, Mr. Hoover acknowledged that those funds are in the school budget and are going to be maintenance of effort. We are paying the SRP for the school side also.

Mr. Laboissonniere said they always paid that money to our self-insurance fund, it was in their budget. During a budget crunch, they requested not to have to pay that because our fund was self-perpetuating at that point. Mr. Hoover said we are paying the SRP on the school side also and the only other thing I recommended is the workers compensation premium. It will be paid out of the school budget and it is maintenance of effort.

Councilman McGee asked about professional services of \$16,500 in Town General. Mr. Thibeault explained that the account covers a variety of professional services, actuarial fees, agent fees, bond council, fire alarm dispatch services, Quidnick Reservoir, and the Johnsons pond contract among others. We have had some heavy duty actuarial services this past year.

Councilman Laboissonniere asked how we are going to pay for the building on Tiogue Avenue that has to come down. Manager Hoover responded with reimbursement \$40,000 from the WB fund balance.

TOWN COUNCIL MEETING – 7:00 PM

Present: Vice-President Carlson, Councilman McGee, Councilwoman Duxbury, President Shibley, Councilman Laboissonniere, Town Manager Hoover, Town Solicitor Gorham.

Pledge of Allegiance led by Town Sergeant

Invocation by Manager Hoover

Review of Emergency Evacuation Plan

President's Comments

President Shibley made several announcements:

- Applications are currently being taken for openings on the following boards and commissions: Friends of Human Services, Coventry Housing Authority, Library Board of Trustees, Planning Commission, Zoning Board of Review and Pawtuxet River Authority. Applications can be found on line or at the Town Hall.
- The third annual re-enactment and encampment of the raid on Spell Hall will be held at the Nathanael Greene Homestead the weekend of May 16 and 17. The fundraising event is commemorating the 239th RI Independence Day as well as the 140th anniversary of Greene's promotion from private to Major General. Admission is \$6.00 for adults; \$4.00 for children.
- Mr. Ted Holmberg passed away on April 12 at the age of 83. He was a former owner of the Pawtuxet Valley Daily Times and previous to that had a successful twenty year career with the Providence Journal.

Approval of Town Council minutes from April 6 and April 18, 2015

Councilwoman Carlson asked for correction in April 6 minutes (change Vice President McGee to Vice President Carlson).

A motion was made by Councilman McGee seconded by Councilwoman Carlson to approve minutes of April 6 (with correction) and April 13. All voted Aye.

COUNCIL DISTRICT UPDATES

Councilman Laboissonniere, District 2, advised that a meeting has been set up for this Wednesday to address and smooth out some of the concerns within a development in District 2, which would actually be applicable in every district.

Councilman McGee, D3, has had some people ask about street sweeping and he explained that we are running late but it is a work in progress. He has also had several people ask about when the new garbage program would begin and he told them around Labor Day.

District 5 Councilwoman Duxbury asked for an update from Solicitor Gorham with regard to last Friday's court date on the marijuana grows. Solicitor Gorham responded that the stay was upheld, meaning that the marijuana grow, which is about 400 feet from the high school, will continue. It was upheld by Superior Court until another court date is scheduled. Mrs. Duxbury added that she is having the Zoning Officer check into three or four additional issues and he is in the process of rectifying them.

District 1 Councilwoman Carlson is looking into the ability of having applications for boards

and commissions available on-line where you can actually fill in the form and send it in to the Town Hall. In addition she has asked that the political party affiliation come off of the application.

President Shibley, District 4, reported that a new business, Phillipou's Twisted Pizzeria, has opened in his district. In addition the new owner of the former Nino's on Tiogue Avenue is renovating and would like to open in June.

He spoke about the spray paint and graffiti on the new Nathanael Greene Bridge along with a portion of a plaque regarding Spell Hall. This not only desecrates the bridge but the memory of General Nathanael Greene. There could be hundreds of people coming in for the re-enactment and I don't know if I could ask Town Manager or DPW if we might be able to rectify cleaning up the concrete, maybe the plaque too. It is a real insult to Rhode Island residents driving across the bridge.

PROCLAMATION

1. President Shibley presented a proclamation to Rick Becker and Garland Pen, winner of a 2015 Small Business Week Award .

SCHOOL DEPARTMENT REPORT

School Committee Member Donna Kalunian updated the Town Council on several School Department issues. The superintendent has established an advisory committee with the goal of gaining community support for the Coventry Public Schools, focusing on vision and communication. In addition students in grades 3-8 along with some high school students are currently participating in the new PARCC assessment, and this will serve as a baseline year for accountability going forward. Science NECAP testing will take place in May. The School Committee and the Superintendent are looking forward to the April 30 public discussion on the school department's FY 16 budget. Alan Shawn Feinstein middle school students were commended for an excellent job done at a recent performance.

PUBLIC COMMENT

Stacy O'Gorman asked that several documents be placed in the town records and briefly read a few highlights from each document. She stated that these documents show that the town acknowledges certain locations as public right of ways used for lake access and one is an encroachment agreement. Mr. Marc O'Gorman of 31 Elton Street, President of the Tiogue Lake Shores Homeowners Association, remarked that the Association feels that public access could be improved on these right of ways allowing for safer access to the lake for local residents. Paths should be cleared of obstructions, boundaries should be marked. The Association would like permission from the Town to have a survey completed on one of the rights of way and lastly, the Association would like to have the obstructions removed from the fifth public right of way, with survey markers placed to confirm the path and on all rights of way with signs reading "Town of Coventry Right of Way". The fourth right of way, located on East Shore Drive at the bottom of Elton Street, is an encroachment agreement. The Association would like permission from the Town to have a survey done on this right of way, all of the encroachments should be removed, including the sprinkler system and install a six foot privacy fence.

The last right of way, at the bottom of Middle Road, contains structures blocking access and the association would like to have the obstructions removed, with survey markers and a sign reading Town of Coventry Right of Way.

A resident at 36 Elton Street submitted a letter asking for right of way signs and on the Elton Street access would like to see all encroachments removed including the steps and sprinkler system. The Middle Road right of way access should not be moved to accommodate abutting residents.

Charlotte Porter, 26 Sandra Circle, complained of odor, noise and working after hours at the business at 75 Airport Road. We have had to put calls in to DEM and the Coventry Police Dept.

Kenneth Jackson, 2799 Harkney Hill Road, referred to work session held earlier this evening and would not like to see the expeditor cut from Town Manager's budget. If an expeditor could get one or two companies here, it would be very helpful as far as taxes. He would like to see some movement with talking to the legislative body with regard to the School Department and reversing the maintenance of effort law. Hopefully, once we get the new garbage trucks, worker's compensation payments will be reduced. I don't want to see cuts in DPW, but rather should look at Parks and Recreation, cut down on their services or raise the costs to the parents of the children using the services. He suggested the possibility of volunteers to take care of the cemeteries.

Louis Diamonte, South Main St., President of Local 3484, questioned if there is an ordinance regarding landscaping, due to the leaf situation in the Town of Coventry. He stated that people hire contractors to come in, clean their yard, then the contractors bag the leaves and put them out for the town to pick up. Can we monitor the landscapers that go out in the town. Councilman McGee remarked that no matter who rakes the leaves, we still have to pick them up.

CONSENT AGENDA

1. Resolution approving sewer tie in at 1180 Tiogue Avenue, Assessor's Plat 27 Lot 120

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

2. Resolution approving sewer tie in at 446 Tiogue Avenue, Assessor's Plat 39 Lot 65

Motion made by Councilman McGee seconded by Councilwoman Duxbury to approve. All voted aye.

LICENSES

1. Application by James Burrill, for new victualling license for Sandy's Specialties Country Store, 192 Pilgrim Avenue

James Burrill, 879 Nooseneck Hill Road explained that he and his girlfriend moved their small country store to Coventry from Scituate. They need a victualling license because they want to make and sell homemade chocolates.

A motion was made by Councilman Laboissonniere seconded by Councilwoman Duxbury to grant license subject to Board of Health approval. All voted aye.

2. Application by Paul Gervais, Buddha Belly, LLC for one day hawker license on May 16, 2015 at Nathanael Greene Homestead, 50 Taft Street

Mr. Paul Gervais was advised that he was invited to sell food at the Nathanael Greene Homestead re-enactment on May 16, 2015. He sells Chinese food from a truck.

A motion was made by Councilman Laboissonniere seconded by Councilwoman Carlson to approve one day hawker's license. All voted aye.

3. Application by Keith Lambert of New England Novelty for temporary hawker license for the sale of fireworks at 9 Reservoir Road

Mr. Lambert sent Mr. Neil Shaw of Attleboro, MA to represent him and explained to the Council that he intends to place a 20 x 40 foot tent on property owned by Confreda Gardens at the corner of Reservoir Road and Tiogue Avenue from June 24 to July 5.

Councilwoman Duxbury expressed concern as to where the tent will be located and the fact that this is a very high traffic area. In addition, there is a school in the area and a lot of truck traffic on Reservoir Road.

When asked, Chief Volpe added that there are always traffic problems there, but the police can monitor the situation. There are some options with the off street parking; a lot depends on the time of day. President Shibley agrees there is a potential traffic problem.

Mr. Shaw added that no fireworks will be used on the property, these are RI Safe fireworks, nothing to shoot in the air.

A motion was made by Councilwoman Duxbury seconded by Councilwoman Carlson to open this issue to the public for comment. Councilman McGee voted no. Motion passes.

Kelly Erinakes, 9 Sugar Maple Drive asked that if this license is granted, the start date is at least June 26 because the high school does not get out until June 25.

Nancy Sullivan, 6 White Oak Dr., talked about traffic problems and generally a bad location.

Motion by Councilwoman Duxbury seconded by Councilwoman Carlson to close public comment. All voted aye.

Councilman Laboissonniere asked if there was a legal age to purchase fireworks. Mr. Shaw believes age 16, some places won't sell to you unless you are 18. Mr. Shaw agreed to adjust their start date to June 26.

A motion was made by Councilman McGee seconded by Councilman Laboissonniere to approve application, subject to fire marshal approval with a start date not before June 26. Vote taken: Councilmen McGee, Laboissonniere and President Shibley voted Aye; Councilwomen Carlson and Duxbury voted No. Motion passes.

Although President Shibley voted affirmatively, he agrees there is a potential traffic problem and asked that the police keep a close watch.

4. Application by Thomas Bianco, for new victualing license for Frozen Nightmares LLC, dba Honey Cone Frozen Yogurt, 790 Tiogue Avenue

Mr. Bianco explained that he is going to purchase the present location of Honey Cone on Tiogue Avenue and move the yogurt business to the vacant shop next to DiPetrillos Pizza on Tiogue Avenue. Mrs. Duxbury said this being a purchase of a business, are the taxes up to date? Mr. Bianco stated that he is actually purchasing their assets and taking their trade name.

A motion was made by Councilwoman Carlson seconded by Councilman Laboissonniere to approve license subject to Board of Health approval. All voted aye.

5. Application for Filling Station license and Victualling license by Chaudhry Iqbal, dba Coventry Mart and Gas, 1100 Main Street

A motion was made by Councilman Laboissonniere seconded by Councilman McGee to approve application subject to Board of Health approval and payment of any outstanding taxes. All voted aye.

Councilwoman Carlson asked that the Town Council is notified of the tax status on a new business.

PUBLIC HEARING

1. Application for renewal of Class B liquor license for Chen & Chen Restaurant, 856 Tiogue Avenue

A motion was made by Councilman Laboissonniere seconded by Councilwoman Duxbury to open public hearing. All voted aye.

Attorney Seth Perlmutter was present and stated that financing did not come through for Chen and Chen; the applicant has abandoned the project. The former owner of Mai Tai wants to renovate and reopen this business.

Solicitor Gorham asked if he is saying that he wants the Town Council to deny the renewal of Chen's Class B license. Attorney Perlmutter said yes, that the principals are unwilling to transfer to Mai Tai. Mai Tai transferred the license to Chen and Chen over a year ago and they rented from the owners of Mai Tai. Chen is out. Solicitor Gorham asked why he doesn't just transfer the license and asked if there are outstanding bills. Attorney Perlmutter replied that Chen and Chen refuse to transfer and surrendered the keys.

Solicitor Gorham added that even if Chen and Chen never operated but owed money to local vendors, they would have better chance to get paid with a transfer, because before the Town Council would approve, they can insist that any bills are paid. So the question is whether there are outstanding bills.

Attorney Perlmutter responded that he has nothing to do with Chen; they rented the property from the owners of Mai Tai. Title to property never changed. Chen took over the restaurant and never renewed that license. If Chen, as a corporation, owes to vendors, that is the vendor's problem. Councilwoman Duxbury asked about taxes and Atty. Perlmutter replied that Chen may owe taxes, but not Mai Tai. This is a whole different entity. All that is before the Town Council today is Chen's renewal application, and they withdrew their application.

Manager Hoover added that if the owner of the building is the same, and there are taxes owed, it is the responsibility of the property owner to pay them. So if the tax collector tells me that there are back taxes, before they will entertain an application from Mai Tai, those taxes will have to be settled. Atty. Perlmutter believes the bank that holds the mortgage pays the taxes.

A motion by Councilman Laboissonniere seconded by Councilwoman Duxbury to close public hearing. All voted aye.

A motion was made by Councilman Laboissonniere seconded by Councilman McGee to deny renewal, effectuating the revocation of the license of Chen and Chen. All voted aye.

RESOLUTIONS

Discussion and resulting action on awarding a contract to Cagney Food Service of Cranston, R.I. for the 2015 food service operation at Town ball fields located at the Paine Field Coventry Little League and Memorial Field at Wood Street

Recreation Director Guy Lefebvre advised that this is the second year that we recommend the food service contract be awarded to Cagney Food Service. They have met bid requirements and we have had a good experience with them. They were the sole bidder although we invited seven firms.

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

Discussion and resulting action on awarding a contract to Ocean State Transit of Exeter, R. I. for bus transportation services for the 2015 Summer Playground Program at the rate of \$48 per hour and \$.60 per mile, estimated to be \$42,000 for this season

Mr. Lefebvre stated this is the sixth consecutive year that we recommend Ocean State Transit. Have had no problems with them, they were the low bidder of two bids, and the registration fees cover the cost of this summer transportation.

A motion was made by Councilman Laboissonniere seconded by Councilwoman Duxbury to award contract. All voted aye.

Discussion and resulting action regarding the transfer of 2.05 acres of land adjacent to the Washington Oak Elementary School and off Read School House Road that was erroneously conveyed to the Town of Coventry back to the Estate of Michael Picozzi

Planning Director Paul Sprague remarked that when former land owner Michael Picozzi donated land to the town for a school in December of 2000, a 2.05 acres parcel of that land was erroneously conveyed to the town. Mr. Picozzi has since passed away, but the family asks that the land be returned to the Estate of Michael Picozzi.

Attorney Gene Carlino, representing Deborah Picozzi, Executrix of the Estate of Michael, agreed with Mr. Sprague's explanation, and the family is simply seeking the correction of a scrivener's error on the deed. Evidence is clear what Mr. Picozzi intended to donate to the town, however, the metes and bounds description contains an error as too much property was conveyed.

A motion was made by Councilman Laboissonniere seconded by Councilwoman Duxbury to approve conveyance back to the Estate. All voted aye.

Discussion and resulting action regarding the approval of a 'Tentative Agreement' between the Town of Coventry, the Coventry School Department, the Trustees of the Coventry School Related Personnel Pension Plan and Trust and the Coventry Teachers Alliance School Related Personnel, Local 1075, to resolve the underfunded Coventry School Related Personnel

Pension Plan and Trust in accordance with the requirements of the State of Rhode Island

Manager Hoover summarized the history of this pension plan. The plan's actuary determined that if additional funding was not available, the plan would have insufficient funds in the future to pay all benefits and would fail. A committee was established and there were many meetings over the course of about a year and a half. Initially the town took the position that we are not responsible for this plan, but short of going into court to resolve it, the Dept. of Revenue stepped in and Governor Chafee asked the Department of Revenue to assist us in coming to a resolve.

Ultimately there was a tentative agreement and as a result after many meetings, an agreement was reached between the Town, the school and the unions. As a result, responsibility ultimately will be \$425,000 a year, with agreed upon concessions from the unions. Had it not been for those concessions and the pensioners, we would be paying a lot more. The unions are paying 67% of the ARC, where we are paying only about 33% with the \$425,000, which was to be equally split between the school and the town. I have recommended that the town pay all of the \$425,000 essentially to avoid maintenance of effort.

This is one of the remaining plans, after the state passed the pension act that was not in compliance until we come to some type of resolve. The state department of revenue decided to hold our incentive aid for FY 2014-15 in escrow. The law states that if the plan is not brought into compliance by May 1 of the following fiscal year, then the previous year's incentive aid shall be redistricted among other cities and towns in the state. We have over \$166,000 that is being held in escrow, two of those payments being held. If we cannot resolve by the end of this week, May 1, then the state will distribute to other cities and towns. Manager Hoover recommends approval; one of the benefits besides getting this out of critical status is that we would start duly receiving our incentive aid annually, also of importance.

David Ritchotte, President of the Board of Trustees of the SRP Pension fund, was present and advised that current pensioners have taken a vote and signed the agreement, the School Committee will be meeting tomorrow night to take it up and I think the last signature has to be the CTA, and I would assume Ms. Erinakes would sign for that.

Mr. Ritchotte talked about the concessions that were offered by the retirees and the actives, as they have done away with COLAs and the retirees are taking a 2% cut on their gross pay. As we look at how we got to where we are, it is through concessions of members of the plan. He thanked all of the retirees and believes this is a good resolution.

The School Department will take over administration of the plan, not the trustees. Attorney Tim Bliss, one of the town's assistant solicitors, an expert in pension law, will rewrite the plan.

A motion was made by Councilwoman Duxbury seconded by Councilwoman Carlson to approve resolution authorizing the Town Manager to sign a tentative agreement for the SRP pension plan. All voted aye.

Discussion and resulting action regarding a request to be made of the Rhode Island General Assembly to amend the Town of Coventry Sewer enabling legislation, allowing amendments to be made to the Town of Coventry Sewer Ordinance by the Coventry Town Council

Solicitor Gorham explained that the House and the Senate require a resolution in order to change legislation. The Sewer Subcommittee has met to redraft and revise, but in order to do that Mr. Gorham has advised that enabling legislation has to be changed at the state level. If we can get this to the General Assembly before they adjourn, hopefully they will consider it.

A motion was made by Councilman McGee seconded by Councilman Laboissonniere to approve resolution and send to legislators. All voted aye

1. Discussion and resulting action authorizing the Town Manager to execute a Conservation Easement and any and all documents necessary to effectuate the transfer of the parcel of land known as the "Grote Property" to the Town of Coventry

Manager Hoover explained that the Land Trust property was purchased with assistance from a DEM grant. However, DEM requires a conservation easement on the land and that is highly recommended.

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

ORDINANCES

1. Amending Zoning Ordinance Article 6, Table 6-1, Section B Agricultural Uses

Solicitor Gorham explained that this ordinance was held over after the public hearing on April 13 because the Council was awaiting review by the Planning Commission. The Commission has since recommended approval and it was found to be consistent with the comprehensive plan of the town.

A motion was made by Councilman Laboissonniere seconded by Councilwoman Duxbury to adopt ordinance amendment. All voted aye.

2. Amending Coventry's Ordinance Paragraph 217-26 (A) to include residential properties containing commercial or business uses, such ordinance to be applicable to taxes assessed on or after the assessment date of December 31, 2014

Solicitor Gorham advised that this is an amendment to our tax assessment ordinance, which has been made possible by an amendment to the tax assessment enabling act by the General Assembly, making the narrowest of changes. It simply allows for people who have a vehicle that has been parked near or at their home, less than 20,000 lb GVW, making the basis for special use permit approval. The tax assessor can now consider that as residential property under Class 1, rather than purely commercial property, which had the effect of imposing what some might deem as an undue tax burden on property that was otherwise residential. So that is what this does in a very narrow fashion.

A motion was made by Councilwoman Duxbury seconded by Councilwoman Carlson to advertise for public hearing. All voted aye.

3. Amending Zoning Ordinance Article VI DISTRICT USE REGULATIONS, Section 4, TRANSPORTATION COMMUNICATIONS & UTILITIES, SECTION 4, ITEM 15, for clarification and adding a new Article, Article 20", Special Regulations, in order to regulate the development of the Town's wind power resources.

Solicitor Gorham explained that this is an amendment to the Zoning Ordinance which should be referred to the Planning Commission. Wind turbines are current allowed by a special use permit. This amendment just provides a great deal more substance for the Zoning Board in their review for a wind turbine anywhere in town. This has a suggestion of adding a new article XX to the Zoning Ordinance.

Manager Hoover added that the ten that have been approved in town will not be affected by any of these new regulations.

A motion was made by Councilwoman Carlson seconded by Councilwoman Duxbury to send to the Planning Commission and advertise for public hearing. All voted aye.

4. Adopting the regulation and licensure of massage parlors, body works service providers and other such activities under authority provided to the Town of Coventry pursuant to RIGL 45-6-1

Solicitor Gorham advised that Councilwoman Duxbury proposed this ordinance to address an ongoing problem in Coventry and to combat unlicensed abuses that are incidental to body work services and message parlors. The proposed ordinance is almost verbatim from the Providence ordinance. Solicitor Gorham remarked that it does not have to be referred to the Planning Commission because it is not a zoning ordinance; it is in order for advertising. Councilman McGee did comment that on page 3 of the ordinance it refers to who can "inspect" and he doesn't feel that the Town Council should be included in any way, it is not the job of the Town Council, Council does not do enforcement. Solicitor Gorham clarified that would mean a "designee" of the Town Council.

Councilwoman Duxbury is happy to see that that we are excluding anyone who is licensed by the State of Rhode Island. There was some discussion as to the hours of operation, but that matter will be taken up more specifically at the public hearing.

A motion was made by Councilwoman Duxbury seconded by Councilwoman Carlson to advertise for public hearing. All voted aye.

5. Amending the Town of Coventry Zoning Ordinance and the Coventry Zoning Map, Assessor's Plat 53, Lot 26 currently from Industrial 1 to Planned Development (PD)

Attorney Tom Cronin was present and reviewed a matter that is coming before the Town Council through the mechanism of zone change. This proposal has been before the Planning Commission and will be coming before the Town Council. Tonight is an introduction of the application as many of your constituents are hearing about this and we want you to have an understanding of what's happening. This is an 18 acre parcel of land at 1320 Main St. It is currently zoned Industrial and we want to change that zoning to PD. There is a proposal for an age restricted condo development with 19 buildings, 38 units with garages, a private road, trash, public water and sewer. It will be age restricted similar to the one on Nooseneck Hill Road. It has been approved in master plan.

In addition there will be single access in and out, two storage buildings for the residents, no stress on the school system. There will be a walking path around the banks of the river. We expect this to be a bonus to the town, it fits within the housing plan of the town and also puts no stress on town services.

Councilman McGee said that whenever a developer gets permission to build these developments, in later years they all come back and ask for town services.

Manager Hoover said there will be public hearings to address these concerns. There will be a formal presentation at the public hearing.

Solicitor Gorham asked to clarify what we are doing going forward. Attorney Cronin replied that they are going forward with a formal application that will be made, advertisement will be placed for public hearing, we will make a formal presentation on that evening and there will be public comment. If approved by the Town Council, it will be sent to the Planning Commission for preliminary approval of the plan.

Solicitor Gorham clarified that first you want a preliminary approval from the Town, then we treat this as a zoning amendment if you get the contingent approval? Attorney Cronin responded that if we get contingent approval and the Planning Commission approves the project details, it will be the usual development process, for example DOT comes in, DEM, and it will be built in a manner approved by the Town Council and the Planning Commission.

Solicitor Gorham asked when does the zoning amendment come to us. Want to make sure we are prepared for that from a notice standpoint. Attorney Cronin responded that they will submit an application to advertise.

Councilman Laboissonniere asked whether this is to be advertised or not. Attorney Cronin said no, this is only an informal presentation so that you are familiar with it when your constituents begin to call you about our storage units.

Manager Hoover asked when he wants to have the public hearing and Attorney Cronin responded that he expects the engineers will have that prepared by the end of May to submit.

Solicitor Gorham stated this is only an informal presentation, nothing has to be done after this meeting. Councilman Laboissonniere again asked whether or not we have to take action on this and Solicitor Gorham replied not yet, but you will be asked to eventually and that is what I want to clarify.

A motion was made by Councilwoman Carlson seconded by Councilwoman Duxbury to adjourn meeting. All voted aye.

Town Clerk