

Town Council Meeting
May 11, 2015

EXECUTIVE SESSION – 6:00 PM

- A. Review of qualifications for Boards and Commissions appointments as per RIGL 42-46-5 (a) (1)
1. Zoning Board
 2. Planning Commission
 3. Library Board of Trustees
 4. Friends of Human Services
 5. Pawtuxet River Authority

A motion was made by Councilman Laboissonniere seconded by Councilman McGee to come out of Executive Session. All voted Aye.

A motion was made by Councilwoman Duxbury seconded by Vice-President Carlson to seal minutes of Executive Session. All voted Aye.

TOWN COUNCIL MEETING – 7:00 PM

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

Pledge of Allegiance
Invocation
Review of Emergency Evacuation Plan

President's Comments

President Shibley asked for a moment of silence in memory of Bruce Capwell, a long time Coventry resident who recently passed away after a valiant fight with leukemia.

National Police Week begins this week, with Police Memorial Day on Friday, May 15. Please remember the officers who have made sacrifices in defending their cities, states and country. Families will gather in Washington, DC on Friday, where their loved ones names will be included on the wall at the National Memorial.

Saturday, May 16, is Armed Forces Day, nationally, a special day to keep veterans and those currently serving our country in our thoughts. We thank all of these officers for their service.

The third annual re-enactment of the raid on Spell Hall will be held the weekend of May 16 and May 17 at Nathanael Greene Homestead. Adult admission is \$6.00 and children \$4.00.

Approval of Town Council minutes of April 27, 2015

Mrs. Duxbury noted a correction in paragraph 6 on page 3 of the April 27 minutes, where the dollar amount of “\$475,000” is incorrect and should read “\$175,000”, with regard to the workers compensation payment for the school department.

A motion was made by Councilman McGee seconded by Councilman Laboissonniere to approve minutes as corrected. All voted aye.

DISTRICT UPDATES

District 3 Councilman McGee has received a couple of inquiries about the repaving of Route 116. Manager Hoover said the last he heard, paving would be this calendar year with curbs and sidewalks next spring.

District 5 Councilwoman Duxbury has received inquiries about leaf bag pickups and advised that yard waste is picked up after the regular trash and recycling routes, so please be patient, progress is being made. You can also call DPW and see if they have a target date in your area.

District 1 Councilwoman Carlson advised that thanks to Representative Chippendale, we will be part of a pilot program for a new light system that will be activated at Maple Valley Road, Waterman Hill and Route 102. What happens is that a light flashes to warn drivers, so that when you are at Waterman Hill or Maple Valley, the flashing light will warn people approaching on Route 102, because coming up from Foster on 102 can be very dangerous. This is something new they are

trying in only a couple of places. It is exciting because 64% of the crashes at that intersection are because people can't see leaving Waterman Hill or Maple Valley.

District 2 Councilman Laboissonnierre has also received calls regarding leaf bags and DPW has handled it expeditiously.

District 4 President Shibley received some questions about street sweeping. DPW is doing the best they can with the equipment they have right now and there is some new equipment coming in July. He is still getting e mails regarding the right of ways on East Shore Drive. We have talked with Manager Hoover and the matter will be addressed. Lastly, in District 4, Doherty's Restaurant has a nice article in the paper and we can't wait for them to open.

PROCLAMATION

Councilwoman Carlson, Representatives Nardolillo and Roberts presented proclamations to the ROTC Top Twelve cadets on their achievements and exceptional community service, dedication and commitment to the Town of Coventry.

President Shibley also recognized Representative Robert Lancia and acknowledged him for the good work that he does for the veterans.

PUBLIC COMMENT

Robert Lawrence of 26 Darton Street commented that he removed 18 bags of leaves from a right of way on Lake Tiogue. The abutter to the right of way has a dog running loose and there is dog waste all over the place. In addition there is illegal pumping going on in there, and it has been since 2010. Now there are people repairing cars on the right of way and he is concerned that the lake will become polluted with motor oil and grease.

Richard Reynolds, 501 Village Green, believes the residents in this "over 55" community are being taxed unfairly as they pay the same taxes as the rest of the citizens in town but receive no town services. He heard there are 30 more condos going in that development. The Town Council has the authority to declare this a public road. Manager Hoover will address Mr. Reynolds' issues by letter.

Danielle Donnelly, 253 Station Street thanked the Town Council, especially Vice-President Carlson, for recognition of the ROTC cadets.

Stacy O'Gorman, 31 Elton Street submitted a map of the Berkshire Plat, highlighting a pathway in the vicinity of East Shore Drive and Middle Road along with the warranty deed of Derek and Denise Onepo.

Gary Cote, 29 Pettine Street shared concerns about the state of abandonment and disrepair of Oak Haven School. In addition, there was an incident Saturday where people had gained entrance to the building and the police were called. Neither the School Department nor the town want responsibility for that building and it is blighting the neighborhood. He asked that Council keep this issue in the forefront.

Marc O'Gorman, 31 Elton Street, remarked that a game camera was recently discovered strapped to a tree, pointing in the direction of the Middle Road ten foot pathway, which is used by the public to access Tiogue Lake. Some residents are concerned about their privacy and one neighbor claimed that the town installed the camera. He also submitted a document to the Council from when he purchased his property, showing that his property has mooring rights and water access. Manager Hoover advised that he was not aware of the camera; the town did not put it there. He will look into it.

David Florio, 153 Princeton Avenue, advised that School Department Attorney Katie Duncanson is working on the Oak Haven school situation to find out who owns the property and what the next steps are with that building.

Ron Gizzarelli, 50 Harrington Road asked if the Town Manager has received any more information with regard to the right turn onto Arnold Road. Manager Hoover replied that DOT informed him the matter has been sent to the State Traffic Board. There has been no decision yet.

Mr. Gizzarelli is concerned about the ecology of Lake Tiogue. Lastly, he disagrees that Council meetings should be posted for 6:00 p.m. when that is actually the time for executive session, with the regular meeting beginning at 7:00 p.m. Manager Hoover explained that the town posts the agenda with the Secretary of State. The newspaper gets its' information from the Secretary of State's website, the town doesn't control how they advertise it.

Ms. Randolph, 25 Darton Street, reported that there is a picnic table blocking the public right of way to Tiogue Lake on the Middle Street right of way and asked that it be removed.

Linda Bouchard, 22 Elton Street spoke with regard to the right of ways on Tiogue Lake and that she should not have to fight so hard for what is already stated in the deed. We have the right to use that property.

Warren West, 114 Wood Cove Drive, believes that the proposed budget is in violation of Section 8.16 of the Town Charter. Also, before Council gives consideration to the proposed resolution awarding a contract to the audit firm, he pointed out an adjustment of a \$12.5 million bond didn't make it onto the 2013 financial statements and that is a pretty egregious error.

CONSENT AGENDA

Discussion and resulting action on tax abatements and additions for March-April 2015

President Shibley asked for an explanation of the largest abatements on the list. Finance Director Thibeault responded that Fiskeville Realty is actually Arkwright and the reason is the result of an appeal of their valuation. Arkwright got an independent appraisal, brought it to the Assessment Board of Review and the board reduced their value. Mystic Harikrishna is actually LaQuinta Inn and it is a similar situation as Arkwright.

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

LICENSES

A motion was made by Councilman McGee seconded by Councilwoman Duxbury to entertain all three proposed licenses at one time. All voted aye.

1. Application by For Pete's Sake LLC dba Mijos Tacos for a One Day Hawker's license on May 17, 2015 at Nathanael Greene Homestead at 50 Taft Street.
1. Application by Our Lady of Czestochowa for Class F and Dance license for annual festival on June 26, 27 and 28, 2015
2. Application for Class F and Liveshow licenses for a wine tasting event at Western RI Civic Historical Society (Paine House Museum) on June 20, 2015

A motion was made by Councilwoman Carlson seconded by Councilwoman Duxbury to waive the fees for OLC and Western RI Civic Historical Society. All voted aye.

A motion was made by Councilman Laboissonniere seconded by Councilman McGee to approve licenses. All voted aye.

PUBLIC HEARINGS

1. Renewal of Second Hand licenses for:
 - a. D's Walk In Closet, 15 Sandy Bottom Road
 - b. Little Pumpkins, 759 Tiogue Ave
 - c. Sew-Phisticated, 303 South Main St, Suite #2
 - d. Twice is Nice, 1049B Tiogue Ave
 - e. GameStop Inc., dba GameStop #3707, 627 Centre of New England Blvd.
 - f. Anthony Village Antiques, 658 Washington St.
 - g. Mascis, Denise dba Rainbow Relics, 89B Sandy Bottom Road
 - h. Gendron Brothers, Inc., dba Gendron's Jewelers, 19 Coventry Shoppers Park (includes pawnbroker license)
 - i. DAI LLC dba DAI Collectables, 1000 Knotty Oak Road
 - j. Sandy Bottom Bait & Tackle Inc., 97 Sandy Bottom Road

A motion was made by Vice-President Carlson seconded by Councilman McGee to open public hearings. All voted aye.

Councilwoman Duxbury asked whether taxes are up to date on licenses; Manager Hoover responded that these are all tangible taxes and only one business is delinquent. He suggested approval subject to taxes being brought up to date.

A motion was made by Councilwoman Duxbury seconded by Vice-President Carlson to approve license renewals contingent upon making sure past due taxes are paid in full before license is issued. All voted aye.

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

2. Renewal of Auto Salvage licenses for:

- a. Capozzi's Auto Sales and Salvage, Inc., 2015 New London Turnpike
- b. Chatelle, Russell L., dba RC Repair, 625 Hammet Road

A motion was made by Councilman Laboissonniere seconded by Vice-President Carlson to open public hearing. All voted aye.

There was no public comment.

A motion was made by Councilman Laboissonniere seconded by Councilwoman Duxbury to approve auto salvage renewals.

A motion was made by Councilman Laboissonniere seconded by Vice-President Carlson to close public hearing. All voted aye.

3. Amending Coventry 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

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

Solicitor Gorham explained that this is an amendment to the tax assessment ordinance, which is basically controlled by state law. The amendment required enabling legislation and that was passed some time ago. It gives the tax assessor some authority with taxing people who have a special use permit from the Zoning Board, live in a residential area, and have a mixed use of residential and commercial. There is also a condition that if there is a truck located on the property it must be under 20,000 GVW. The ordinance was written very narrowly.

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

A motion was made by Councilwoman Duxbury seconded by Vice-President Carlson to approve adoption of ordinance amendment. All voted aye.

RESOLUTIONS

1. Discussion and resulting action designating the second full week of May as "Women's Lung Health Week"

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

2. Discussion and resulting action to approve the borrowing of \$900,000 for a term not to exceed 15 years from the RI Clean Water Finance Authority for the culvert replacements on Hammet Road and the bridge replacement on Island Drive under the 2015 State Road and Bridge Program

Manager Hoover advised that the Hammet Road culverts are in such dire need of repair that steel plates were put down, and the same situation with steel plates exists with the Island Drive bridge. We do have low cost loans available up to \$900,000 through the Clean Water Finance Agency, but town approval is required. Mr. Thibeault explained the financial details, noting that the loan from Clean Water will be at a reduced rate, saving the town about \$127,000 at an interest rate of 2.50%.

A motion was made by Councilman McGee seconded by Councilwoman Duxbury to approve resolution. All voted aye.

Discussion and resulting action on approving the proposed budget for FY 2015-2016

Manager Hoover recommended approval of the proposed budget resolution.

Councilman Laboissonniere brought up the additions to pension funds this year, one being the SRP Pension fund. By not reducing our expenditures, we throw more onto the backs of the taxpayer. He would like to drop expenditures on the municipal side and see a \$125,000 reduction, the bulk of that being the expeditor position.

Mr. Thibeault advised that the Tax Assessor found approximately \$660,000 or a 1% increase in the levy without a tax increase. The additional 1.83% would be the increase from a tax increase, which supports the manager's budget. The total levy would be 2.83% of which 1% of that is an increase to the levy without a tax increase. 1.83% started out as 2.17%; we then identified additional funds and the number dropped to 1.99%, then 1.83%. In other words there is 1% growth to the levy without the benefit of a tax increase and 1.83% due to a tax increase; the total levy would be 2.83%. The actual residential property increase will be 2.25%.

Councilman Duxbury believes we need to build our Economic Development Commission and keep tax rates down as low as possible without jeopardizing the town's financial stability. She questions the funding of a municipal court that is not paying for itself through fees and fines. In addition, we don't know what Central Coventry Fire District is going to do and residents could have a huge tax burden.

Although Councilwoman Carlson likes the idea of expeditor, doesn't feel it is right at this time in this budget. She agrees that we don't know what will happen in the Central Coventry fire district; however would like to see another \$50,000 cut without sacrificing services.

Council Laboissonniere asked what was proposed in the contingency fund. Mr. Hoover responded \$200,000 which is an increase of \$100,000 but we do have an unresolved police contract issue.

President Shibley agrees with the town manager's recommendations to bring in an expeditor. Mr. Laboissonniere is against hiring the expeditor and feels that you need industry in town to get the taxes lower. Councilman McGee suggested coming up with a tax incentive plan for existing and new businesses. The expeditor is a good idea, but not this year.

With regard to the School Department, Manager Hoover advised that we are paying two things on the school side - the school's portion of the SRP settlement along with the town portion, as we felt this was the best option opposed to litigation. Then we had no choice on the workers compensation premium as what was left from the self-insurance fund has run out, leaving us with a \$175,000 premium for workers compensation. Next fiscal year we have to pay this \$175,000 as a new cost to our general fund on the town side.

Councilman McGee feels that regarding the ROTC issue, it is the school's responsibility to come up with the \$250,000. Mrs. Carlson added out of the \$68 million budget, \$45.5 million goes to salaries, leaving \$21 million. When you get \$108,000 from Exeter/ WG and then you ask the Council for \$16,000 for the buses, you're making a \$92,000 profit. In addition you are going to get money from RIDE for Vo-Tech.

Mr. Laboissonniere asked Atty. Gorham to explain what Mr. West mentioned in public comment regarding an illegal budget and the format. Mr. Gorham referred to Section 8.16 of the charter which requires the council to have at least one public hearing that's duly advertised. We did have the public hearing and are in conformance with the Charter. Mr. Thibeault agrees with Mr. Gorham, the budget was advertised, made available for inspection by the public and we are in compliance with Section 8.16. As far as format, there were a couple of columns we did not have in the town manager's presentation. Those changes were put in, however, Mr. West thought they should be listed by accounts.

Mr. Laboissonniere made a motion seconded by Councilman McGee to approve Town Manager's recommended budget minus the expeditor position of \$75,000. Vote taken: Four voted aye, President Shibley votes No. Motion passes.

Mr. Thibeault will adjust Section 1 of proposed resolution, from \$26,591,260 minus \$75,000 for the expeditor, to the new number of \$26,516,260.

Discussion and resulting action on appointing Coventry Town Solicitor Nicholas Gorham as the Moderator for the FY 2016 Financial Town Meeting

Councilwoman Duxbury made a motion, seconded by Councilman McGee, to appoint Attorney Nicholas Gorham as Moderator of the FY 2016 Financial Town Meeting. All voted aye.

Discussion and resulting action to renew the contract for performance of the annual financial audit with Baxter, Dansereau & Associates LLP of West Warwick

Mr. Thibeault explained this will be the second of a three year contract with each year being approved on an annual basis by the council. Mr. Hoover added that Baxter, Dansereau & Associates have provided a legal and very fine representation of our annual financial position.

Councilwoman Duxbury asked for an explanation of the \$12 million bond that was a prior period adjustment. Mr. Thibeault responded that when he began his employment with the town at the end of FY13, he was not aware that this bond was not identified by the audit firm. During the transition period when there was no finance director, those entries were not being entered. The audit firm didn't notice that. It's the town's responsibility to notify them of anything that's changed. Mr. Thibeault read the auditors opinion stating the town did not properly disclose financial activity related to the issuance of bonds to the RI Health and Education Building Corporation in the amount of 12.52 million.

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

A motion was made by Councilman Laboissonniere, seconded by Councilwoman Carlson to adjourn meeting. All voted aye.

Town Clerk