

TOWN COUNCIL MEETING  
Coventry Town Hall Council Chambers  
1670 Flat River Road, Coventry, RI  
May 21, 2007

TOWN COUNCIL MEETING

Present: Kenneth Cloutier, Anthony Colaluca, Justin Pomfret, Bruce Thompson,  
Frank Hyde

Town Manager Richard Kerbel  
Town Solicitor Patrick Sullivan

Pledge of Allegiance led by President Pomfret.  
Invocation by Kenneth Cloutier  
President Pomfret reviewed evacuation plan.

The Town Council recognized Captain Walter Hennessy and Officer Domenic Guglielmo of the Coventry Police Department for their heroic efforts in saving the life of a young woman whose car plunged into Johnson's Pond on May 4, 2007.

Police Chief O'Rourke presented Captain Hennessy and Officer Guglielmo with medals of valor for brave and heroic actions in preventing a tragedy. Fire Chief Hoxsie presented a plaque to each officer for their valiant efforts regarding this rescue.

The Town Council also recognized the week of May 20 – 26 as Public Works Week in Coventry, commending the Coventry Public Works Department for their efforts and a job well done.

Motion made by Anthony Colaluca seconded by Bruce Thompson to approve Town Council minutes from May 7, 2007. All voted Aye. So voted.

- PUBLIC COMMENT

*Randy Hamelin*  
*30 South Pond Drive*

Mr. Hamelin requested street light in area of South Pond Drive, entrance very dark. Ms. Barrett, Town Engineer, stated that he would need to speak with someone from his fire and lighting district. Mr. Gary Cote of Anthony Fire District was present and stated that he would contact Mr. Hamelin tomorrow to see what could be done.

*Louis Diamonte, Union Vice-President*  
*Youngs Avenue*

Mr. Diamonte stated that Public Works Department is in need of money for vehicle repairs and new equipment. This can't wait for TIF bonding. We have no replacements for trucks that break down every other day; can't jeopardize workers.

Mr. Thompson – We haven't forgotten about Public Works. This is not going to be a quick fix. I feel very strongly about TIF, want to get it moving. I believe we are negotiating TIF with a large developer.

*Ronald Gizzarelli*  
*50 Harrington Road*

Mr. Gizzarelli –Equipment for DPW should be made a top priority. Reminded council of the problem with water flow from Center of New England still being a concern, not corrected yet. Water also comes from Amgen and also from the development.

Mr. Kerbel stated that he is trying to arrange a meeting with all involved parties. This situation has to be analyzed by somebody; we are trying to be more aggressive with opening the gate on Tiogue Lake.

President Pomfret suggested hiring someone to study and fix this problem.

*Kenneth DiPietro*  
57 Pond View Drive  
Cumberland, RI

Mr. DiPietro – Commended everyone responsible for carrying out the emergency drill at Knotty Oak Middle School last week. It was an important drill and very well coordinated.

School Committeewoman Kathy Patenaude  
38 Fieldstone Drive

Ms. Patenaude indicated to the Council that she is supportive of the school's budget and the town's recommendations.

*Frank Hyde*  
401 Fairview Avenue

Mr. Hyde would like to see the transfer station open on Saturdays.

Ms. Barrett stated that it is now open 12 Saturdays a year, would need overtime in the budget to keep open more. Also would have to look into situation regarding union contract.

### CONSENT AGENDA

1. Resolution affirming award of a contract for Command and Control Platform for Emergency Communications for the Police Department, funded by a grant from Department of Homeland Security.
2. Resolution # 66-07-2773 reappointing John Donovan to the Pawtuxet River Authority.
3. Resolution #67-07-2774 reappointing Robert Crowe, John D'Onofrio and Edward Iannotti to the Zoning Board of Review
4. Tax abatements for the month of April, 2007 in the amount of \$891.98 with additions of \$518.84
5. Application for Class F and Dance licenses by Our Lady of Czenstochowa Church on July 13, 14 and 15 for parish festival
6. Resolution #68-07-2775 appointing Paul Sprague as Acting Town Manager in the absence of Town Manager
7. Resolution #69-07-2776 affirming award of contract for street sweeping
8. Resolution #70-07-2777 establishing bond for sewer and water extension on Edward Street

Motion made by Bruce Thompson seconded by Frank Hyde to remove Item No. 1 from Consent Agenda and table it to a future meeting. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Kenneth Cloutier to approve Items #2 through #8. All voted Aye. So voted.

### LICENSES

Application for Exhibitions and Performances License by Apeiron Institute, Hammet Road

Karen Talbot represented Apeiron Institute. Distributed information to Town Council.

Motion made by Anthony Colaluca seconded by Kenneth Cloutier to approve license. All voted Aye. So voted.

Resolution accepting and recommending Town Manager's Proposed Budget as amended for FY 2007-2008 to the Financial Town Meeting

President Pomfret – This council has made some changes to your proposed budget.

President Pomfret read Town Council amendments to the Town Manager's proposed budget as follows:

Dept 210	Town Manager	deduct \$	24,083
Dept. 225	Information Technology	add in \$	67,097
Dept. 250	Human Relations	deduct \$	750
Dept. 310	Town Clerk	deduct \$	12,894
Dept. 320	Bd. Of Canvassers	deduct \$	8,840
Dept. 410	Town Solicitor	deduct \$	3,800
Dept. 610	Town Treasurer	deduct \$	11,300
Dept. 620	Tax Assessor	deduct \$	1,700
Dept. 630	Tax Collector	deduct \$	2,587
Dept. 710	Police Dept	add \$	19,096
Dept. 720	Animal Control	deduct \$	8,885
Dept. 810	Engineering	deduct \$	23,033
Dept. 820	Inspection & Permits	deduct \$	1,392
Dept. 830	Roads & Bridges	deduct \$	17,454
Dept. 850	Building Maintenance	deduct \$	11,000
Dept. 860	Refuse Collection	deduct \$	15,196
Dept. 870	Refuse Disposal	deduct \$	523
Dept. 880	Vehicle Maintenance	deduct \$	15,438
Dept. 910	Recreation	deduct \$	108,192
Dept. 925	Human Services	deduct \$	13,192
Dept. 930	Library	deduct \$	14,439
Dept. 940	Planning	deduct \$	91,929
Dept. 941	Planning Commission	deduct \$	2,500
Dept. 942	Zoning Board	deduct \$	3,250
Dept. 943	Conservation Commission	deduct \$	850
Dept. 944	Land Trust	deduct \$	825
Dept. 950	Town General	deduct \$	133,650
Dept. 960	Contributions		-0-

President Pomfret – As far as the School Department goes, you are asking for what was capped by Senate Bill 3050. Regarding the School Department, unless any other town councilmen disagree with me, we were going to cut \$211,000.00, but now my recommendation is to leave the School Department alone. School was level funded last year, I think we all remember what we went through last year.

Mr. Colaluca – In the budget summary, I see a proposed increase of 5.6%.

Mr. Kerbel – The 5.25% is the cap on the property tax revenue. The school has other revenues.

Mr. Hyde – I think that this is the appropriate time to suggest that the transfer station be opened on Saturdays. I don't necessarily think that \$3,000 is going to have an impact on this budget. It should just be open on Saturdays. Being that it is such a minute amount, we might have it in our budget now.

Manager Kerbel – It is open 12 Saturdays a year now, due to Monday holidays and it is open every Saturday in November.

Mr. Hyde – It's not really opened on Saturdays, only if there is a Monday holiday.

Ms. Barrett – The \$3,000 though was based on adding approximately nine more Saturdays. That doesn't include waste removal and other expenses. Haven't discussed this with the union. Would also be a question of how many personnel would be required to be opened.

Mr. Hyde – When I asked you, you did say \$3,000.

Ms. Barrett – That was an estimate for personnel for nine more Saturdays, not to be open every Saturday.

President Pomfret – Directed Town Manager to have Ms. Barrett do an analysis to see what the expenses would be. Maybe find a day during the week when it is used the least, and change that to Saturday, could look into that.

Mr. Hyde – I'm not in favor of the fees for the transfer station, but am in favor of spending three or four thousand dollars to keep it opened on Saturdays.

President Pomfret – I would be in favor of that too. Have spoken to some people in my district, and I think most of the people in the community agree that we pay enough in taxes, don't want to start charging fees. Also, don't want to see western Coventry become a dumping ground.

President Pomfret – As far as the School Department, are we in agreement to keep the school budget in tact, as is?

Town Council in agreement, keeping the \$211,000 in the budget.

Mr. West – The net cuts are \$511,598 going from a total budget of \$89,846,355 to \$89,334,757. This drops the budget \$511,598.

Mr. Kerbel – This would be about .12 cents, gross approximation. From the most recent estimate of \$16.34 and you might get down to \$16.22 approximately. Approximate for two different reasons: one is that we don't have final numbers on the assessed valuation yet and the other is that we have to go through the calculation.

Mr. West – You have a little more than \$500,000 to balance the budget coming out of the general fund reserves. These cuts would allow us to balance the budget without taking the money out of the reserves. Essentially that would leave the tax rate where it is.

Mr. Kerbel – What Mr. West is saying, there are revenue estimates that are included in the budget and then after you take all that revenue, the way it used to be done with budgets, is you then say that is what I need for tax dollars. And you figure out a tax rate. Senate bill 3050 changed that equation somewhat, in that what was done in this budget, the 5.25% was allowed to increase on the levy. What Mr. West is saying is that if you eliminate the transfer station fees of \$100,000, you can take that other \$400,000 as opposed to reducing tax revenue, you could take it out of what is coming out of the town's fund balance and then the tax rate would be the \$16.34.

Mr. Hyde – I think what we are after is lowering the burden on the taxpayer, so we don't want to mess with what has already been proposed.

President Pomfret – We were given a budget by the town manager, we have done our job, gone back and worked on this, made necessary cuts because we feel the rate is too high. This Council is trying to stick up for the taxpayer. We don't want to add fees for the transfer station. Trying to lower the tax rate.

Mr. West – If you don't increase the levy by the maximum allowable under Senate 3050, you will lose that money forever.

President Pomfret – Don't want to learn that it is going to be the same rate again after all this trimming.

Mr. Kerbel – We are telling the council that there are two options: One is to take this out of the fund balance, the other is to reduce the property taxes. If you reduce property tax revenue, it is about a 12 cent reduction. What Mr. West is trying to tell you is that unfortunately that with Senate Bill 3050 long term financial viability and options for the town, doesn't reward you for making this decision. I understand what the council is saying about protecting the taxpayers, and it's logical what you are saying. What Mr. West is trying to say is that if you don't do the maximum each year, you don't get a chance to increase it by more next year.

So, it's 5.25% this year, 5% next year, and keeps going down. If you haven't done the maximum this year, then next year if you want to do this program or that program, the money won't be available because the total amount wasn't taxed this year.

Mr. Hyde – I'm not here to raise the taxes to the max. I'm here to cut, not raise. Looking out for my constituents.

Mr. Thompson – Senate Bill 3050 has thrown this out there, at the same time I'm in agreement that if we are going to make these cuts, let's stick to them. We have to look for outside sources of revenue.

President Pomfret – This is going to be a tough sell with a bond if we don't come down any.

Mr. Hyde – We worked hard on this, let's stick to it.

Mr. Colaluca – Agrees, stick to what we proposed.

Mr. Cloutier – I know next year the cap is 5%, and based on what is done here will effect us going forward, I understand that. Numbers-wise, if we dip into the reserves, does it help us or hurt us.

Mr. West – The concept of reserves is this, you don't want to have to dip in to the savings. We've been doing that for a number of years.

Mr. Hyde – Every town and city in the state does that.

Mr. West – If we reduce the levy this year, the increase next year will be based on the levy that we put into place this year. Essentially next year we won't have the maximum increase.

Mr. Hyde – I say we do this as proposed.

President Pomfret – Agreed, we should tough it out. I am sitting up here now to fight for the taxpayer. I plan to live here a long time and don't want to chase anybody away.

Mr. Hyde – We have been the highest taxed town in the state year after year. This shows good faith regarding the council, we don't deserve that dubious distinction.

President Pomfret – In case the public didn't catch it, we added to the police pension line liability. We have to try to get out of that hole. For the record we have added to that this year. Added \$325,267.

Mr. Kerbel – First of all, I'm not confident in the number Mr. West gave, I got a different number. Need to do calculation if you could give us a second. Secondly, I just want to say that after looking over some of your cuts, I'm not confident that they can be done with the existing contracts that the town has. There are certain items that the town is contractually obligated to pay.

President Pomfret – I understand and am aware of that. I believe everything we have here is in order but you can look through it.

Mr. Hyde – I think we all did a good job and stand united.

Mr. Thompson, Mr. Cloutier and Mr. Colaluca are all in agreement.

Motion made by Frank Hyde seconded by Anthony Colaluca to approve amended budget as presented. All voted Aye. So voted.

Resolution memorializing the General Assembly to enact legislation authorizing the Town of Coventry to finance certain projects through the issuance of bonds

This resolution requests the General Assembly pass legislation that would allow the town to go before the voters with the bond referendum for a total of \$32,250,000. Karen Grande, the town's bond counsel, is here to explain it. I think as we discussed with you, the way that this is going through is per direction of the Town Council, which is to have one vote on the total \$32 million. It requires action by the General Assembly, no action at the financial town meeting, and then a vote of the people in referendum. The scheduling on that referendum is dependent on when it is passed by the General Assembly and when the council decides.

President Pomfret – Can those figures be changed?

Karen Grande – The dollar amount on the bond can be decreased, because when the voters approve it, it is a “not to exceed” number. Once it’s approved by the voters, it has to come back to the Town Council for yet another resolution. At that point you can decide whether you are issuing the full amount or a portion, subject to the discretion of the Council.

President Pomfret – What is the number for the Town Hall?

Manager Kerbel - \$8 million dollars, that’s Town Hall and school combined.

President Pomfret – I have a hard time with that number. I was hoping for a bond a lot lower than \$32 million dollars. I do not see how the Town Hall can cost \$8 million dollars with the building already existing.

Manager Kerbel – Again, you are talking about inflated costs, and this is just a walk-through by an architect. We didn’t pay anything for this estimate. This could change. Could be effected by the square footage of the building.

President Pomfret – Could we get another figure from someone regarding the numbers before we do this?

Manager Kerbel – The only problem that I would see in delaying it would be that the General Assembly may sometimes rush to adjourn. Right now the next Council meeting is scheduled for June 25. I would think that in all likelihood by June 25 the state legislature would either be adjourned or very close to it and not willing to accept this bill. There are two items later on in the agenda where we have to schedule a special meeting. Again, this is your call, but anytime there is a delay from now on, there is a chance that the General Assembly will not be willing to look at it.

President Pomfret – I understand that the number can’t increase, but it can decrease? It seems to me that the library amount has almost doubled.

Ms. Grande - The council can approve a lower amount.

President Pomfret – I’ll go along with that, as long we hear on the record that this number can be lowered in the future.

Ms. Grande – If I might make a further suggestion, I have for another community, done the legislation so that the General Assembly would approve with a “not to exceed” number. This required some additional paragraphs of explanation.

President Pomfret – Because of the situation with the General Assembly, maybe we should go ahead and put this through, then we have the right to come back with a lower number.

Manager Kerbel – I think what you are saying is that you want to approve this “as amended”, which as bond counsel just said, gives you the option to lower it prior to a referendum. Also, on your desk tonight is a letter from the Superintendent of Schools, asking for a increase of \$10 million to \$11 million, the increase for technology.

Motion made by Frank Hyde seconded by Kenneth Cloutier to pass the resolution with the understanding that the number in the resolution is the number that will be on the ballot, and may reduce it after it is passed. All voted Aye. So voted.

- PUBLIC HEARINGS

*Renewal of Auto Salvage licenses*

Capozzi’s Auto Sales and Salvage, Inc. 2015 New London Turnpike

Motion made by Bruce Thompson seconded by Kenneth Cloutier to open public hearing. All voted Aye. So voted.

Vice-President Thompson stated that some of his constituents have questioned expansion of sales, looks like a car lot. Eight or nine cars there this evening for sale. Is this part of this auto salvage license?

Jacob Peabody, Zoning Officer – Capozzi’s is probably the cleanest salvage yard in town. I would have to research the sales portion.

Present: Chris Brzoza  
Judy Capozzi

Mr. Brzoza – As far as the auto sales, we have been trying to sell a couple of employees vehicles. We do not stack our vehicles in the salvage yard.

Mr. Peabody: As far as auto salvage, they are in compliance.

Mrs. Capozzi – Yes, we are also licensed for auto sales, that is through the state.

Mr. Thompson – I just want to be able to go back to my neighbors regarding their concerns.

Mr. Brzoza – As far as I understand, we are within our rights to be able to put out one or two cars for sale on that property. I will look into the laws.

President Pomfret – At this point I don't see any reason to stop this business. If there are problems, Mr. Peabody can go out and check on it.

No one spoke in favor, no one opposed.

Motion made by Frank Hyde seconded by Kenneth Cloutier to close public hearing. All voted Aye. So voted.

Motion made by Bruce Thompson seconded by Anthony Colaluca that auto salvage license is renewed. All voted Aye. So voted.

David A. Carlos, A. Carlos and Sons, 625 Hope Furnace Road

Motion made by Frank Hyde seconded by Kenneth Cloutier to open public hearing. All voted Aye. So voted.

Present: David Carlos  
625 Hope Furnace Road

Mr. Colaluca – How many cars do you have there?

Mr. Carlos – Under 100.

Mr. Colaluca – Will you be increasing that number any time soon?

Mr. Carlos – No.

Mr. Peabody, Zoning Officer – Everything is okay.

No one spoke in favor, no one opposed.

Motion made by Frank Hyde seconded by Bruce Thompson to close public hearing. All voted Aye. So voted.

Motion made by Kenneth Cloutier seconded by Bruce Thompson to renew auto salvage license. All voted Aye. So voted.

Application for new Second Hand license by Barbara Wahl for Second Chance,  
1650 Nooseneck Hill Road

Motion made by Frank Hyde seconded by Kenneth Cloutier to open public hearing. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Kenneth Cloutier to close public hearing. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Kenneth Cloutier to table license until Ms. Wahl presents up to date documentation to the Town Clerk. All voted Aye. So voted.

- INTRODUCTION OF ORDINANCES

Ordinance amending Ordinance No. 7-02-1234 entitled "Permit Fees" providing a separate Schedule of Fees for Electrical Permits

Motion made by Frank Hyde seconded by Bruce Thompson to advertise for public hearing on June 4, 2007 at 6:00 p.m. All voted Aye. So voted.

Ordinance amending Chapter 16 – Taxation

Motion made by Frank Hyde seconded by Anthony Colaluca to advertise for public hearing on June 4, 2007 at 6:00 p.m. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Kenneth Cloutier to adjourn meeting. All voted Aye. So voted.

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Town Clerk