

Town Council Meeting
June 25, 2012 – 7:00 p.m.

Present: Vice-President Kerry McGee, Councilman Jendzejec, Councilman Mattson,
Councilman Spear, Town Manager Thomas Hoover, Town Solicitor Frederick Tobin

Absent: President Gary Cote

Pledge of Allegiance led by Town Sergeant
Invocation by Councilman Spear
Review of Emergency Evacuation Plan

President's Comments

Vice-President McGee announced that President Cote's wife recently underwent surgery, which is the reason for his absence tonight.

Approval of Town Council Minutes from June 4, 2012

Motion made by Councilman Spear seconded by Councilman Mattson to approve minutes. All voted aye.

CONSENT AGENDA

1. Resolution approving sewer tie-ins for Tiffany Village, New London Turnpike and the Kaufman Building, 795-801 Tiogue Avenue
2. Resolution directing the Tax Assessor to levy sewer assessments on properties abutting the completed portion of Contract 6A

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

Councilman Spear referred to item #2 on Consent Agenda regarding Contract 6A, and asked if people have been notified that they will be charged the sewer assessments. Manager Hoover replied that all eight commercial properties involved have been informed.

PUBLIC HEARINGS

1. Application for Class B liquor license by Arro, LLC (Peter Archambault) dba Come Along Inn, 404 Washington Street

Motion made by Councilman Spear seconded by Councilman Jendzejec to open public hearing. Roll call vote, all voted Aye.

Applicant Peter Archambault was present. There were no questions or comments from the public, and a motion was made by Councilman Mattson seconded by Councilman Spear to close public hearing. All voted aye.

Motion made by Councilman Jendzejec seconded by Councilman Spear to approve Class B application. All voted aye.

2. Petition by Rhodes Technologies for abandonment of Paul Street, a portion of North Street and a portion of South Street

Motion made by Councilman Mattson seconded by Councilman Spear to open public hearing. All voted aye.

Attorney Fausto Anguilla represented Rhodes Technologies. He advised that the Coventry Planning Commission has met, found no adverse impact to the town by abandoning these properties and rendered a decision in favor of the abandonment. He added that the three subject parcels are within the property already owned by Rhodes Technologies. Granting this abandonment to Rhodes is important as it allows them to fully utilize their property. In addition, it will be more esthetically appealing with more green space.

Councilman McGee asked about the additional thousands of dollars that Rhodes plans to invest into the property for beautification. Representatives from Rhodes stated they plan to submit this as a capital project for next year.

Manager Hoover informed the Town Council that the property owner has asked to have the payment of the fair market value waived in light of all the improvements they plan to make to the property. Manager Hoover feels it would be fair to waive the market value purchase. However, he further indicated that if the beautification project takes too long, the town would have the ability to go back and ask for the payment.

Councilman Spear asked if the town will see an increase in property taxes and Atty. Anguilla responded that yes, this property would go onto the tax rolls.

Councilman McGee asked what the plan is for South Street and Atty. Aguilla responded that South Street will provide access to one of the parking lots. They have already contacted a landscaper.

No questions or comments from the public.

Motion made by Councilman Jendzejec seconded by Councilman Spear to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Councilman Jendzejec to approve abandonment petition and waive the \$8,100 purchase price. All voted aye.

Amendments to portions of Zoning Ordinance

A motion was made by Councilman Spear seconded by Councilman Jendzejec to open public hearing. All voted Aye.

Planning Director Paul Sprague gave overview of the amendment process and explained that Zoning Officer Jacob Peabody did a lot of work on these amendments, with the purpose being to bring the zoning ordinance into reality with what we are dealing with on a daily basis and make it more user friendly.

Vice-President McGee remarked that he understands the town has lost some business because of restrictions in the current zoning ordinance. Mr. Peabody agreed, stating that we need to deal with technology issues now, one example would be cell towers, that didn't previously exist. We need to make things easier for businesses.

Councilman Jendzejec believes these are mostly common sense items and added that the Planning Commission has already heard this matter and approved it.

Solicitor Tobin advised that although the Zoning Board has requested a change pertaining to in-law apartments, that issue was not advertised. The Town Council should handle only the published amendments and the in-law apartment can be handled separately.

There were no public questions or comments. Motion was made by Councilman Spear seconded by Councilman Mattson to close public hearing. All voted aye.

Motion was made by Councilman Spear seconded by Councilman Jendzejec to approve ordinance amendments. All voted aye.

RESOLUTIONS

1. Exercising the option to renew the services of the firm of Baxter Dansereau & Associates to perform the independent audit of the finances of the Town of Coventry for the fiscal year 2012

Town Manager Hoover recommended that the Town Council exercise the option to renew this contract for another year, which will include the fiscal year ending 2012.

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

2. Approving an agreement with the actuarial firm of Gabriel Roeder Smith and Company for an actuarial analysis of the cost to extend Municipal Employee Retirement Service (MERS) to police and municipal employees within the Town of Coventry

Manager Hoover explained that this deals with the costs involved in placing either of our independent pension plans into the state system. Finance Director Ted Przybyla and I have

been attending meetings of the state commission reviewing independent pension plans. At the last meeting they spoke of the need for this information when we submit our financial improvement plan in November. For both of these reasons, I am recommending \$3,500 per plan to do the actuarial study, which will be paid out of the pension system.

Motion made by Councilman Spear seconded by Councilman Mattson to approve the agreement. All voted aye.

3. Authorizing the issuance of Tax Anticipation Notes for the Coventry Sewer Fund

Manager Hoover explained that annually the tax anticipation notes are rolled over. We are working with Bank of America and they have indicated that they will roll these over again with favorable interest rates. This resolution was prepared by our bond counsel and is the typical resolution to accomplish this on an annual basis. Town Council approval is recommended.

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

4. Authorizing an agreement with the State of Rhode Island Department of Behavioral Healthcare, Developmental Disabilities, and Hospitals to conduct compliance check inspections in collaboration with the Coventry Police Department of licensed retail tobacco outlets to determine retailer compliance with federal regulations prohibiting the sale of cigarettes and smokeless tobacco to individuals under the age of eighteen

Chief Volpe indicated that this program entails enlisting young people to go into tobacco retail locations and check for compliance (try to buy tobacco). It is a state run program with no cost to the town and helps to keep everyone in check.

Solicitor Tobin said that although the State of RI funds the program, it takes no responsibility if any problems arise. He asked Chief Volpe if this would create a problem. Chief Volpe responded that we have good compliance in Coventry and he doesn't really see a problem. Manager Hoover added that this is a nationwide program that he has seen in operation in four states where he has worked. In addition, it is a very low risk program and Coventry is covered by the RI Interlocal Trust, our insurance carrier. It is a very effective, preventative program and he recommends approval.

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

5. Approving a new collective bargaining agreement between the Coventry Public Schools and the Coventry Teachers' Alliance School Related Personnel

Vice-President McGee feels that through hard work we have come up with a fair and equitable contract. Due to the most recent Charter change, it calls now for the Town Council to provide approval of any collective bargaining agreement both on the town or school side.

Discussion took place with regard to whether the three year contract with school related personnel would generate any increased costs to the school operating budget during that three year period. Superintendent Convery believes that the end result is that we will be able to fund those costs through attrition and other savings. However, the total maximum exposure remains \$258,455.

Finance Director Robin Pelletier also remarked that there would be a year by year analysis. There are a lot of elements at work in our projection models, and we assume we would still maintain state aid, but also remain cautious and use a conservative analysis.

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

6. Approving the award of a contract to provide hot patch asphalt to the Department of Public Works to T. Miozzi Inc., Pasteryak Asphalt, LLC and Cardi Corporation; cold patch asphalt and UPM to Johnston Asphalt, LLC and P.J. Keating Company; and QPR to P.J. Keating Company

7. Approving the award of a contract to provide blue stone to the Department of Public Works to P.J. Keating Company; pea stone to G. Lopes Construction, Inc.; processed gravel to G. Lopes Construction, Inc. and Walter E. Reynolds; 1 ½ inch crushed rock to G. Lopes

Construction, Inc. and D & D Construction; and screened loam to G. Lopes Construction, Inc.

Public Works Director Bob Clarkin explained that sometimes some of the smaller plants shut down earlier in the season and the product we need is not available. By awarding more than one company we have back up in case we cannot obtain the product, in which case we would go to the second lowest awarded bidder.

Motion by Councilman Mattson seconded by Councilman Spear to combine both materials resolutions. All voted aye.

Motion by Councilman Mattson seconded by Councilman Spear to approve Resolution Items 6 and 7. All voted aye.

ORDINANCE

Amending Chapter 180, Peace and Good Order, of the Code of Ordinances of the Town of Coventry to add Section 180-7, Property Maintenance, making it the duty of any person owning or leasing property in a residential zoning district to maintain such premises in a reasonably clean and orderly manner and to a standard conforming to other orderly premises in the neighborhood.

Vice-President McGee commented that the idea behind this ordinance is to be able to hold owners responsible for maintaining their property, especially with all the foreclosed properties in existence now. Manager Hoover added that this ordinance would target long grass, over one foot high, but not ornamental grass. Neither would it prohibit legitimate growth for agricultural purposes. This ordinance will give us some teeth for enforcement purposes.

Councilman Jendzejec asked if houses which are not being maintained would also fall under the non-utilization act as well? Solicitor Tobin will look into.

Motion was made by Councilman Jendzejec seconded by Councilman Mattson to advertise for public hearing. All voted Aye.

PUBLIC COMMENT

Gary Moore, 65 Clarke Road, a trustee of the Coventry School Employees Pension Board advised that everyone involved has been working hard to save money. Some recent changes that were adopted almost a year ago eliminates COLA (3%) for those not retired yet, raises the retirement age by seven years and cuts what people could collect by 50%. These changes were made long before the state got involved with pension reform. We provided the town with information and wonder if that will be part of the MERS study? Manager Hoover responded no, that the town doesn't believe it is responsible for this pension plan.

Mr. Moore advised that the plan is about 38% funded and covers about 350 non-teaching workers. Hopefully as we go forward, we can find some way to correct the situation with this plan as there are 350 members out there who are entitled to their pension.

Motion made by Councilman Spear seconded by Councilman Mattson to adjourn meeting. All voted Aye.

Town Clerk