

Town Council Meeting
July 27, 2015

EXECUTIVE SESSION - 6:00 PM

- A. For the purpose of discussing matters of possible litigation as per RIGL 42-46-5(a) (2)
 - 1. Flat River Road/Industrial Drive sewer project
 - 2. Coventry Fire District at Anthony Station
- B. Review of qualifications for Boards and Commissions appointments as per RIGL 42-46-5 (a) (1)
 - 1. Historic District Commission

TOWN COUNCIL MEETING – 7:00 PM

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

Pledge of Allegiance
Invocation by Manager Hoover
Review of Emergency Evacuation Plan

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

A motion was made by Councilman Laboissonniere seconded by Councilwoman Duxbury to seal minutes of Executive Session. All voted Aye.

President's Comments

President Shibley attended a very successful event at Nathanael Greene Homestead last weekend celebrating the birthday of General Nathanael Greene, born on July 27, 1742.

In addition, the AFJROTC held a cookout on Saturday at Briar Point from 11 a.m. to 6 p.m., another well attended event, as a thank you to everyone who has supported the ROTC program at CHS.

Approval of Town Council minutes June 22, 2015, June 29, 2015 and July 7, 2015

President Shibley brought attention to the omission of the Town Council's vote to seal executive session minutes on July 7. Manager Hoover publicly indicated that the Council had voted to seal minutes and the July 7 minutes will be amended to include that motion.

A motion was made by Councilman McGee seconded by Councilman Laboissonniere to approve minutes from June 22, June 29 and July 7 with correction. All voted aye.

PROCLAMATIONS

- 1. Honoring the life and contributions of the late Bruce Capwell

Vice President Carlson and Councilman Laboissonniere read and presented a proclamation to the family of the late Bruce Capwell.

- 2. Recognizing the Feinstein Middle School's Girls Softball Team on winning the state championship

President Shibley presented a proclamation to the Feinstein Middle School's Girls Softball Team; Representatives Nardolillo and Roberts along with Senators Kettle and Raptakis presented certificates from the State of Rhode Island.

- 3. Recognizing Stephen Pratt for achieving first place in the University of Rhode Island Design Competition for Addressing Airport Needs

President Shibley presented a certificate of recognition to Stephen Pratt. Councilwoman Duxbury added that not only was this a URI award, but a National award. Steven is going on to a career with Lockheed Martin in Kentucky.

4. Recognizing retired Police Chief Bryan Volpe for his years of service to the Town of Coventry

President Shibley presented retiring Police Chief Bryan Volpe with a certificate of recognition, after an almost 26 year career with the town. Certificates were also presented by State Representatives Roberts and Nardolillo along with Senators Kettle and Raptakis. Chief Volpe was presented with the "key" to the Town of Coventry by Vice-President Carlson.

Manager Hoover then introduced Coventry's new police Chief, Detective Commander John S. McDonald, who this week will assume the position of Police Chief.

COUNCIL DISTRICT UPDATES

Councilman McGee, District 3, reported that residents in his district have shown concern over fire department issues; other than that, there is really nothing new to report.

Councilwoman Duxbury, District 5, advised that she has received questions from residents about the sidewalk work that is going on in Wood Estates and one question is whether or not the sidewalks will be ADA compliant. DPW Director Kevin McGee replied that sidewalks will be in compliance with the American Disabilities Act. Ms. Duxbury stated that construction will be going on the rest of the summer, but if anyone has questions she is reachable by e mail or cell phone. However, in the end we will have a much safer situation with a crosswalk and light at the high school.

District 1 Vice-President Carlson was pleased with the groundbreaking ceremony that was held for the Coventry Lumber Music Pavillion. She thanked the contributors who were instrumental in making this happen: Miller Electric, RT Nunes, Crossman Engineering, Doherty's and Coventry Lumber. She announced Coventry's First Annual Car Show, which will take place on August 8, 2015 at the Town Hall. She remarked that residents in District 1 also have concerns about the fire district situation in town.

District 2 Councilman Laboissonniere first thanked the many people who have contributed to the Celebrate Coventry Committee. He went on to comment that the fire district situation is a concern on the minds of residents in District 2. He suggested that the Town Council form an advisory commission to study the feasibility, ramifications, and benefits to having one fire district in town. He would like to see the committee consist of one Town Council member, one resident chosen by the board of directors from each fire district, the appointment of two additional members by the Town Council, making up a seven member committee that will make a report to the Town Council. Solicitor Gorham advised that this issue would need to be an agenda item and suggested it is added to the next Town Council agenda.

President Shibley, District 4, commented that he has been receiving calls from residents on trash pickup, neighborhood disturbances and the East Shore Drive right of ways.

SCHOOL DEPARTMENT REPORT

School Committeewoman Ann Dickson announced that Louise Seitsinger, Tiogue Elementary Principal, has been chosen the RI Elementary Principal of the Year. Coventry Schools will re-open on Monday, August 24 for teachers; students return on Wednesday, August 26. The superintendent search continues with Mike Convery as the interim superintendent.

Rhode Island has passed legislation that mandates all day Kindergarten beginning August of 2016. The RI Dept of Education recently informed the School Department that the General Assembly allocated \$240,622 to Coventry to support transition expenses during this fiscal year. This amount is 1/3 of the \$721,867 allocated to Coventry to implement all day K. The remaining 2/3 (\$481,244) will be available during fiscal 2017 assuming the District implements full day K. Estimated costs were noted as well as an offset by the increased allocation from the state. In addition, she noted that districts that do not implement full day K to all eligible students by August of 2016 will **not** be eligible for State Education Aid, which would mean approximately \$22,500,000 for Coventry.

Councilman McGee commented that although he is in favor of all day K, it will be difficult financially.

President Shibley asked Ms. Dickson whether the \$240,622 allocation is actually for this coming fiscal school year. Ms. Dickson believes it is, but stated that there is a school committee meeting tomorrow night and all day K will be further discussed, hopefully including more options and answers.

A motion was made by Councilman Laboissonniere seconded by Vice-President Carlson to add Public Comment to the agenda. All voted aye.

PUBLIC COMMENT

Ken Jackson, 2799 Harkney Hill Road, asked when the Financial Town Meeting transcript will be available. With regard to the fire department issues, he doesn't believe the taxpayers should get saddled paying for the losses from Central or Anthony, especially since we already gave Central \$300,000 and we are not sure we are going to get that back. .

Mark O'Gorman, 31 Elton Street, spoke regarding the encroachment agreement between the Town of Coventry and Lori Lanoue of 83 East Shore Drive. We were told that this agreement would be filed in the Town Clerk's Office and would transfer to the next owner of 83 East Shore Drive, yet there is no such record on file. We checked at the zoning office and it was not on file there either. This becomes a problem when there is a new Town Manager, Town Council or property owner.

It continues to be uncomfortable for residents to access the right of way as it is treated like private property. The encroachment agreement needs to be rescinded and all encroachments removed. Our community's rights are being violated and once again we are requesting that the encroachment agreement be placed on the agenda of an upcoming council meeting.

Robert Lawrence, 26 Darton Street, also spoke about the encroachment agreement, stating that he did receive a copy from the Town Manager's office, but it does not appear in the town property records. He is concerned with what happens if the Town Manager retires or if Ms. Lanoue sells or transfers ownership of the property and requested that these right of way issues be placed on a Town Council agenda.

In addition, he talked about signage on right of ways. Manager Hoover responded that after discussion with Solicitor Gorham, he is agreeable to put up signs at the right of ways that are currently so called drainage areas. There is ongoing discussion regarding 83 East Shore Drive as well as 25 East Shore Drive , but for the others where we were basically ordered to put drainage betterments in, I am agreeable that the town does own those. We will continue to work on these issues.

PRESENTATION

Andrew Boisvert, Chairperson of the Coventry Historical Commission, introduced the members of the Commission. He gave a presentation of what the commission has done in the past two years and where they are going in the future. Prior to 2013, the town did not have historic district status. In 2013 the town adopted an ordinance establishing the Historical Commission and the commission had their first meeting on September 26, 2013.

The Commission discusses what buildings to preserve, their immediate objectives as well as long term goals. Those goals include expanding historic districts to include Anthony, Harris and Summit. Also included in the presentation was a copy of the zoning ordinance as it relates to historical area zoning, its purpose and intent. Copy of the bylaws were included in the presentation as well as rules of procedure, standards, guidelines, and an overview of the Harris and Anthony Village districts. (See full report in council folder). Currently we have only one district which includes Paine House and the "Mruk" fire building.

In the future we will seek state and local funding, tax incentives, credits and low interest loans for home owners. Councilman McGee asked how long before Anthony and Harris become historic districts and Mr. Boisvert responded that the commission hopes by the spring, it is a slow process.

Commission member Charles Vacca stated that the commission will present a proposal to the Town Council on historic districts both in Harris and Anthony. The old Mapledale School in the Anthony district has been included and we have ideas of what it could be used for. In my opinion, it would be a shame if the old Byron Reed building is razed. Years ago it was an old mortuary and furniture business. We do appreciate the Town Council's attention, this is a very important issue in the Town.

Solicitor Gorham added that as he understands, the commission has jurisdiction of a triangular piece or property at the Route 117, Holden St. and Station St., and that is it right now. This report points out a huge volume of historic resources that can be an asset to Coventry.

Solicitor Gorham feels that the National Register of Historic Districts would be a good beginning point as it is sort of the gold standard for a district. He recognizes that there will be challenges in convincing homeowners to become part of a historic district, especially when they find out that you can regulate how their door looks. It is not an easy process and I give you a lot of credit for this undertaking. Coventry is bristling with historic resources.

Manager Hoover commended the Commission on the the great job they have done. President

Shibley also thanked the committee along with Paul Sprague, for putting this report together.

CONSENT AGENDA

1. Discussion and resulting action on tax abatements and additions for June 2015

Councilwoman Duxbury referred to the \$297,475 difference between what we have given back vs. what we have collected, and historically, if this is typical. Tax Assessor Pat Picard replied yes, it is typical and there are a variety of reasons for fluctuations, some being from lawsuits from prior years.

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

RESOLUTIONS

1. Discussion and resulting action on awarding a contract to Crossman Engineering of Warwick, RI for engineering services for the improvement of Arnold Road at a cost of \$185,846

DPW Director McGee explained that this was predicated from the infrastructure bond passed by the voters in November. Arnold Road needs total rehab, which is part of this, including sidewalks, curbs, storm drains. We need to have a retaining wall at the causeway, the one that is there is falling in. Coventry is part of a group of three communities that were awarded a grant from DOT that includes pavement markings, signage, traffic signals, all regarding safety, layout and changes. We put out bids for the work, six replied, and Crossman was the best and most qualified candidate.

Councilwoman Duxbury asked how much we might receive from the grant; Mr. McGee responded that although we do not know yet, he thought in the range of \$325,000 to \$350,000. He will be meeting with RIDOT to see how this will all work out and what the dollars available will be for Coventry. The remainder of the funding will come from the infrastructure bond.

The work will be done in phases. President Shibley asked whether there would be a caution light at Johnson Blvd. and Arnold Road. Mr. McGee said a full traffic signal, not just caution.

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

2. Discussion and resulting action on awarding a contract to Northeast Revaluation Group LLC of Warwick, RI for the 2016 full revaluation of the Town of Coventry at a cost of \$486,400, to be paid over the next two fiscal years

Finance Director Bob Thibeault stated that the town will be doing a full revaluation, has gone out to bid and delivered bids to all firms licensed to do revaluations in the state of RI. We received only one bidder, which was Northeast Revaluation at a price of \$476,000. Initially they bid at \$486,400 and we were successful in negotiating down to \$476,000, payable over two years. Northeast additionally agreed on a 47%/53% payment over two years.

When asked why she feels we only received one bid, Tax Assessor Picard attributed it to the fact that there are 39 cities and town in Rhode Island and only six firms that perform revals. She thinks they may have been too busy to bid.

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

PUBLIC HEARING

1. Application for new Class B liquor license for Mai Tai 1 Inc., 856 Tiogue Avenue

Due to recent surgery, Attorney Perlmutter, who represents Mai Tai, requested a continuance to the August 24 Town Council meeting. Manager Hoover recommended the continuance.

A motion was made by Councilman Laboissonniere seconded by Councilman McGee to continue to the August 24, 2015 Town Council meeting. All voted aye.

ORDINANCES

Amending Zoning Ordinance Article VI DISTRICT USE REGULATIONS, Section 4, "TRANSPORTATION, COMMUNICATIONS & UTILITIES" SECTION 4 ITEM 15 to clarify Item 15 and adding Article 20, Section 1, Wind Energy Facilities, in order to regulate the development of the

Town's wind power resources

Solicitor Gorham recused himself due to a conflict and Attorney Bill Bernstein will represent the town on this issue. This is a new, rewritten ordinance by Attorney Bernstein, requiring a new first reading. Manager Hoover asked the Council to vote to advertise for a public hearing on August 24.

Solicitor Gorham clarified that he will not be coming in front of the town either with a client or to advise the town on this issue, as he is conflicted on both sides.

Vice-President Carlson referred to the RI Guidelines for turbines and is particularly concerned about fall zones, that we need to be careful, for example, if more houses are built in the future in close proximity to a turbine. With roads cut in, there is a lot of private property that was formerly landlocked and is not now.

She stated that she has done homework on turbines, flicker, fall zones, sounds, ice throw, etc. and there are pros and cons for each side. One thing we have not addressed is infrasound measurements, and I think this is something that we also need to look at. She feels that a yearly review of sound, flicker and infrasound is warranted.

Manager Hoover indicated that there will be a meeting between Mrs. Carlson, Attorney Bernstein and himself to talk about changes and amendments. Amendments can be made at the public hearing.

A motion was made by Councilman McGee seconded by Councilwoman Duxbury to advertise three times for public hearing on August 24. All voted Aye.

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

Town Clerk