

TOWN COUNCIL MEETING
Coventry Town Hall Council Chambers
1670 Flat River Road, Coventry, RI
August 6, 2007

President Pomfret called for motion to go into Executive Session under RI General Laws 42-46-5-(a) (1) (2) (6).

1. Relating to personnel
2. Relating to anticipated litigation with Planning Commission
3. Relating to litigation Commerce Park v. Town of Coventry KC03-0444
4. Relating to litigation DEM v Town of Coventry 05-346ML

Motion made by Bruce Thompson seconded by Frank Hyde to go into executive session. Roll call vote. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Anthony Colaluca to come out of executive session. Roll call vote. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Bruce Thompson to seal minutes of executive session. All voted Aye. So voted.

President Pomfret announced that the Town Council unanimously voted in Executive Session to settle Item #3 relating to litigation - Commerce Park v Town of Coventry KC03-444.

- Work Session: Pension Plans, Investments

Warren West, Finance Director, stated that we have contracted with Merrill Lynch to be our investment advisor. Situation has improved since moving from Principal Group. First result is that actuaries have reported back to us that they have changed the actuarial rate of return from 6 ½ to 8 percent.

In the past all of our activity with the pension fund was handled by Principal Financial Group. Turns out they hadn't been offering us investment advice and they also provided the actuarial valuations. We felt this was a conflict of interest and we will be moving away from them and finding a new actuary.

We will also be looking into moving assets out of the control of the Principal Group and into the group headed up by Merrill Lynch. May move pension activity away from the Principal Group also.

Mr. Cloutier – So the condition of our pension may not be as bad as first thought?

Mr. West – Should get much better. Effectively the change from 6 ½% to 8 % could be as much as a \$3-\$5 million dollar improvement in the unfunded liability.

Mr. Hyde – Is there any point in time where we can see hard numbers between Principal and Merrill Lynch?

Mr. West – One of the most telling facts was the money market fund earned a higher rate of return than the mutual fund. Most of our assets were in the Principal Group mutual fund, which had a net return for last year of approximately 4.2%, while approximately \$600,000 was invested in the Principal Group CD fund, which had a greater return approximately 4.5%.

- TOWN COUNCIL MEETING

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

Town Solicitor Patrick Sullivan

Pledge of Allegiance led by Town Sergeant
Invocation by Councilman Cloutier
Town Sergeant reviewed evacuation plan.

- Swearing In Ceremony – Police Promotions

Chief O'Rourke swore in David Tomasso and Peter Zalabowski to new positions of lieutenant.

Motion made by Frank Hyde seconded by Bruce Thompson to approve Town Council minutes from July 9, 2007. All voted Aye. So voted.

- PUBLIC COMMENT

Brian and Nancy Laboissiere
Raven Blvd., Coventry

The Laboissieres have an issue with ATVs in the area and it has been going on for weeks. Riders are using the common land in the development and we all own the common land. Would like to see an ordinance passed prohibiting this. They use the right of way, the common land and there is an oval track on the neighbor's property. Also, this is not allowed in the by-laws, you can't do it.

Mr. Thompson replied that they also need to be registered by the State of RI and adhere to safety and equipment requirements.

President Pomfret stated that he is aware of the problem, will check into it and get back to the Laboissieres after discussion with the acting town manager.

- Tom Devine, One Patty Street

Questioned when Town Council is going to talk about the tax freeze, has concerns.

Pat Picard, Tax Assessor, will contact Mr. Devine.

- Karen Rainville
Hickory Ridge Campground

Ms. Rainville would like to see winter camping allowed at Hickory Ridge.

Councilman Thompson stated to Ms. Rainville that there is an ordinance being introduced which will address that issue. Believe it will be heard at a council meeting in September.

- Robert DiPadua
62 Laurel Avenue

Would like to thank the Town Council and the Public Works Department for the job on the sidewalks, storm drains and curbs in my district.

- Scott Duckworth
748 Washington St.

On the table you have an ordinance, Maisie Quinn. When will that be off the table?

President Pomfret – As soon as possible.

Mr. Duckworth asked if the personnel issue on the agenda for executive session was in reference to the town manager and that he believes the name of the individual should be listed on that agenda.

Solicitor Sullivan – Disagreed that name has to be put on agenda.

- Charles Vacca
124 Fairway Drive, Coventry

Mr. Vacca – Believe that we would be taking a step backward without a town manager. You need people in place to run the day to day management in the town. If the Town Manager is leaving, council should accelerate the process of finding a replacement.

- CONSENT AGENDA

Motion made by Frank Hyde seconded by Anthony Colaluca to table Item #15 on Consent Agenda. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Anthony Colaluca to approve Consent Agenda with the exception of Item #15. All voted Aye. So voted.

President Pomfret explained that Item #20, appointment of Councilman Colaluca as liaison to the RI Wind Alliance, resulted from the request of former councilmen wanting to look into this possibility. The Wind Alliance suggested the appointment of a councilman, and we are now taking this first step.

1. Resolution #80-07-2787 authorizing the Town Manager to enter into an agreement with Starkweather & Shepley, Inc. regarding claims management services
2. Resolution #81-07-2788 affirming award of contract for Command and Control Platform/Police Department Emergency Communications funded by a Dept. of Homeland Security grant
3. Resolution #82-07-2789 affirming award of a contract for pavement markings
4. Resolution #83-07-2790 affirming award of contract for all patch
5. Resolution #84-07-2791 affirming award of contract for hot patch, cold patch and QPR 2000
6. Resolution #85-07-2792 affirming award of contract for blue stone
7. Resolution #86-07-2793 affirming award of contract for pea stone
8. Resolution #87-07-2794 affirming award of contract for processed gravel
9. Resolution #88-07-2795 affirming award of contract for crushed rock
10. Resolution #89-07-2796 affirming award of contract for screened loam
11. Resolution #90-07-2797 affirming award of contract for catch basin cleaning
12. Resolution #91-07-2798 affirming award of contract for pipe
13. Resolution #92-07-2799 affirming award of contract for installation of water supply and treatment system at Central Coventry Park Pavilion/Restroom Facility
14. Resolution #93-07-2800 authorizing the Town Manager to sign a lease agreement with Verizon for a cell tower - 60 Wood Street
15. Resolution adopting Administrative Pay Plan (tabled)
16. Resolution #94-07-2801 authorizing the issuance of Tax Anticipation Notes
17. Resolution #95-07-2802 allowing sewer tie in for Glenwood Park Apartments, 978 Tiogue Avenue
18. Resolution #96-07-2803 allowing sewer tie in for Sts. John and Paul Parish, 341 S. Main St.
19. Resolution #97-07-2804 allowing sewer tie in for Bernard G. Coppolelli Trust, 134 Sandy Bottom Road
20. Resolution #98-07-2805 appointing Councilman Anthony Colaluca as liaison to the Rhode Island Wind Alliance's Committee on Wind Energy
20. Tax abatements for the month of July in the amount of \$94,914.87

- LICENSES

Application for fireworks license by Norman Marsocci on August 12, 2007 at Halls Beach, Johnson's Pond

Motion made by Anthony Colaluca seconded by Kenneth Cloutier to approve fireworks license subject to the submittal of required documents to the Town Clerk's Office. All voted Aye. So voted.

- RESOLUTIONS

Motion made by Frank Hyde seconded by Anthony Colaluca to table Items #2, #4 and #5 under "Resolutions". All voted Aye. So voted.

Motion made by Bruce Thompson seconded by Kenneth Cloutier to adopt Item #1 - Resolution affirming award of a contract for Main Street sewer expansion, Contract 5 and Item # 3 - Resolution affirming award of change order for Sewer Contract 4, adding 400 feet of sewer on Anthony Street and 1200 feet of sewer on Fairview Avenue. All voted Aye. So voted.

1. Resolution affirming award of a contract for Main Street sewer expansion, Contract 5
2. Resolution affirming award of a contract for road resurfacing
3. Resolution affirming award of change order for Sewer Contract 4, adding 400 feet of sewer on Anthony Street and 1200 feet of sewer on Fairview Avenue
4. Resolution authorizing the Town Manager to enter into contract with Weston & Sampson
5. Resolution appointing members to Redevelopment Agency

- PUBLIC HEARING

Application by Fr. Stephen P. Amaral of Our Lady of Czenstochowa Church for a Class F license on August 24, 2007

Motion made by Frank Hyde seconded by Anthony Colaluca to open public hearing. All voted Aye. So voted.

Solicitor Sullivan stated that this is a one day license. It is not required that the applicant be here, but the remonstrants need to be heard if they are present.

No one present. No one 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 Frank Hyde seconded by Bruce Thompson to grant license. All voted Aye. So voted.

- INTRODUCTION OF ORDINANCE

Ordinance relating to Chapter 8, Article IX, of the Coventry Code of Ordinances - Commercial Recreational Trailer Parks and Campgrounds.

Motion made by Frank Hyde seconded by Anthony Colaluca to advertise ordinance for public hearing on September 10, 2007. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Anthony Colaluca to continue Executive Session. Roll call vote. All voted Aye. So voted.

Motion made by Bruce Thompson seconded by Kenneth Cloutier to accept resignation of Town Manager and approve the confidential separation agreement and general release. All voted Aye. So voted.

Motion made by Bruce Thompson seconded by Anthony Colaluca to seal minutes of Executive Session. All voted Aye. So voted.

Motion made by Anthony Colaluca seconded by Bruce Thompson to adjourn Town Council meeting. All voted Aye. So voted.

Town Clerk