

Town Council Meeting
September 8, 2014

EXECUTIVE SESSION 6:00 PM

- A. For the purpose of discussing matters pertaining to collective bargaining as per RIGL 42-46-5(a):
 - 1. IBPO
- B. For the purpose of discussing matters of litigation as per RIGL 42-46-5(a) (2):
 - 1. CTASRP Pension Plan
 - 2. State Pension Lawsuit

TOWN COUNCIL MEETING 7:00 PM

Present: Vice-President Kerry McGee, Councilwoman Carlson, President Cote, Town Manager Thomas Hoover, Town Solicitor Frederick Tobin; Councilman Laboissonniere was absent.

Pledge of Allegiance
Moment of Silence
Review of Emergency Evacuation Plan

President's Comments

President Cote congratulated Ms. Duxbury on winning the special election for the District 5 Town Council seat and thanked everyone who went out to vote.

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

Approval of Minutes from August 12 and August 18, 2014

A motion was made by Vice-President McGee seconded by Councilwoman Carlson to approve minutes of the August 12 and August 18 Town Council meetings. All voted Aye.

PROCLAMATION

- 1. President Cote presented proclamation to the Mruk family in memory of Fire Chief Stanley Mruk
- 2. President Cote, as well as Representatives Guthrie and Tomasso, presented proclamations to Ms. Kylie Pimental on her recent crowning as Miss Teen New England.

CONSENT AGENDA

- 1. Discussion and resulting action on tax abatements and additions for May and June 2014
- 2. Approval of sewer tie in applications for 1056 Main Street and 8-10 Union Street
A motion was made by Vice-President McGee seconded by Councilwoman Carlson to approve Consent Agenda. All voted Aye.

LICENSES

- 1. Application by Britay's Deli and Catering, 435 Washington Street for new Victualing License

Proprietor Ronald Andrews was present and explained that Britay's is moving back to Coventry and will be located on Washington Street in the plaza next to Midland Transmission.

A motion was made by Councilwoman Carlson seconded by Vice-President McGee to approve application subject to Board of Health approval. All voted aye

- 2. Application by Sam Limiadi, LLC dba Chocolate Dreams, 577 Tiogue Avenue for new Victualing License

Proprietor Sam Limiadi explained that although he is taking over as new owner, the business is staying in the family, just a transfer of name, same business. However, this will be a sole proprietorship rather than an LLC.

A motion was made by Councilwoman Carlson seconded by Vice-President McGee to approve license. All voted Aye.

3. Renewal of Private Detective License for Bruce Capwell, 5555 Flat River Road

A motion was made by Councilwoman Carlson seconded by Vice-President McGee to approve license renewal. All voted Aye.

LIQUOR CONTROL BOARD

1. The Town Council acting as the Liquor Control Board to consider a violation of Bella's Sports Bar, 1152 Main Street, Coventry, RI

Chief Volpe reported that on August 9 the police responded to Bella's pertaining to a report of naked dancers on the rear deck. The owner was then contacted and this incident is now before the Town Council. My recommendation is that Mr. Thomas be required to close his business for one week.

Proprietor Dave Thomas commented that he had no idea this was going on at his establishment and is embarrassed by the whole situation. He was upstairs with his children when an officer contacted him and brought him to the back deck to see for himself.

Solicitor Tobin asked Mr. Thomas if he agrees to a one week suspension, to which he replied that he does agree. Although this is Chief Volpe's recommendation, the Town Council would make the final decision. President Cote advised Mr. Thomas that he is entitled to a show cause hearing and that Council does not intend to violate any of his rights. However, Mr. Thomas indicated that he does agree to the one week suspension.

Vice- President McGee stated that although he appreciates the letter that he received from Mr. Thomas outlining the increments that he plans to put in place, they should have been put in place previously. The last time you were before us we told you that we don't want that kind of business in town, so please clean it up.

President Cote admonished Mr. Thomas, this being his third time before the Town Council, and advised that if it happens again that he will do what he has to do in order to get the license revoked.

Councilwoman Carlson agrees that this is very disappointing. She has been on the Town Council for two years and has seen Bella's before the Council three times. You have a family friendly restaurant, I don't want to see you closed, but you have to be more careful. Maybe if you were on the premises more, this wouldn't happen.

A motion was made by Vice-President McGee seconded by Councilwoman Carlson to take Chief Volpe's recommendation and close Bella's for a week, to begin at midnight on Thursday, September 11 and remain closed to the following Friday morning. All voted Aye.

RESOLUTIONS

1. Discussion and resulting action regarding appointing Paul St. Amand as a full member, reappointing Charles Vacca as a full member, and appointing Dean Bentley as an alternate member to the Historic District Commission

A motion was made by Councilwoman Carlson seconded by Vice-President McGee to approve resolution. All voted aye. President Cote administered oath of office to Dean Bentley.

2. Discussion and resulting action regarding the re-appropriation within the Town's FY15 budget of \$4,000 from the Town's Contingency Fund (1-1-1-8-950-49900) to the Town General/275th Anniversary Account (1-101-8-950-27450)

A motion was made by Councilwoman Carlson seconded by Vice-President McGee to approve resolution. All voted Aye.

3. Discussion and resulting action regarding the appropriation of funds to cover the cost of the arbitration award on the collective bargaining agreement between the Town of Coventry and the International Brotherhood of Police Officers Local 306.

Manager Hoover advised that the amount is \$236,509 for three fiscal years in total, all in accordance with state law and the arbitrator's ruling. His opinion, as well as that of the Town, is that this ruling is really a loss for both sides, neither side would declare victory. I won't try to politicize this, but it is where there is a state law mandating what we should do with our unfunded pension liability, and at the same time a state law that says we have to adhere to binding arbitration for public safety forces. Certainly on the town administration's side, we are not in favor of binding arbitration and hope that as we move forward, both sides will negotiate a sound, collective bargaining agreement, fair to both sides. We are disgusted on the town side and have a feeling that they are also disgusted on the union side. I ask for Town Council approval of this resolution.

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

4. Discussion and resulting action regarding the awarding of a one year contract for maintenance on the Town of Coventry sanitary sewer lines as required to D'Ambra Construction of Warwick, RI at the attached unit prices

DPW Director McGee explained this would award a contract for a sewer contractor to be working in the town right away on sewer maintenance. It would not prevent homeowners and businesses from having any company to tie them in, but would basically stop just anybody from working, we won't have to go back and fix things. It was bid out per unit price.

Vice-President McGee inquired whether this is separate from what Weston and Sampson does and Manager Hoover replied that it is separate, but if we have a sewer break in any of our main sewer lines that are not connected to a property, then they would be on emergency 24 hour basis.

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

5. Discussion and resulting action regarding the awarding of a contract for updating the Coventry Sewer Facilities Plan as recommended by the Coventry Sewer Subcommittee to Weston & Sampson Inc. of Peabody, MA at a cost of \$37,400

Manager Hoover advised that back in June the Town Council went out for bid and took action to authorize the revision of our sewer facilities plan. The main reason for wanting to move forward is because we obtained an important existing sewer line from Woodland Manor to West Warwick. We picked up the pump station and are in hopes of one day extending this line all the way to West Greenwich. But in order to do that, we needed an update of the plan. Weston and Sampson prepared our original plan, we were successful in this particular bid and I am recommending that you approve this resolution so that we can get on with the expansion of our sewers.

Vice-President McGee, as a member of the Sewer Subcommittee, said they have worked closely with Weston and Sampson and Kent Nichols. We have been very pleased working with them and we highly recommend passage of this resolution.

A motion was made by Vice-President McGee seconded by Councilwoman Carlson to approve resolution. All voted Aye.

6. Discussion and resulting action regarding the awarding of a contract for design and engineering services for the installation of sidewalks on Reservoir Road to Crossman Engineering of Warwick, RI at a cost of \$26,750.

Manager Hoover stated that Councilwoman Carlson wishes to table this resolution for further research. However, we have been successful in gaining funds from the State of RI through their bond with the Clean Water Finance Agency. We took informal bids for a consultant for design and engineering services and the most successful of the two bidders was Crossman Engineering, not to exceed \$26,750. We talked previously that construction probably won't begin until close to the end of the current school year, so between now and then we would like to get this design done.

Vice-President McGee asked whether we could answer any of these questions now as he would rather see a local company such as Crossman awarded the bid. However, Councilwoman Carlson requested more time to digest the bid information. President Cote indicated that there are three council members in attendance tonight. If Ms. Carlson is in a position not to approve this tonight, we would either have to table it or kill it. We can address the issue on the 22nd and at that time we will have a full slate of council members.

A motion was made by Councilwoman Carlson seconded by Vice-President McGee to table resolution. All voted Aye.

PUBLIC COMMENT

Ken Jackson, 2799 Harkney Hill Road, asked for town fees to be placed on the town website.

Deborah Pagano, 27 Catalpa Way, stated that although she was impressed with the way the Town Council handled the situation with Bella's, she is still saddened that the residents in her neighborhood are still putting up with the odors from 75 Airport Road. Residents remain frustrated, Mr. Miozzi is confrontational, and even this morning she was awakened at 5:45 a.m. by beeping trucks, which she thinks belong to Mr. Baird.

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

Town Clerk