

TOWN COUNCIL MEETING

October 14, 2009

Present: Frank Hyde, Kenneth Cloutier, Raymond Spear, Glen Shibley, Laura Flanagan

Town Manager Thomas Hoover

Town Solicitor Patrick Rogers

Pledge of Allegiance by Town Sergeant

Invocation by Reverend Auld of Summit Baptist Church

Review of Emergency Evacuation Plan

President's Comments

President Spear gave update on the Gifford Street abandonment. At this time the abandonment request will remain tabled as more time is needed before a determination can be made and any action taken.

President Spear announced a program available to senior citizens whose mailboxes have been vandalized. Assistance is available to replace a mailbox, at no cost, through a grant program at the middle school called SAVE (Students Against Vandalism Everywhere). Middle school students are working cooperatively with students at the high school on this program.

Presentation of Community Video Showcase Program

Ed Warzycha, Director I.T. Department, has been in contact with a company named CGI, where an opportunity has arisen whereby CGI would provide the town with a videographer who would film 10-15 minutes of video (up to six videos) about the community. We would edit the videos the way we want them and as a result, a link will appear on our main website page allowing the public to see what the town has to offer, for example Tiogue Lake, Johnson's Pond, etc. The goal is to give people better information about Coventry. There is no cost to the town; CGI would seek sponsorships through advertisements.

East Providence, East Greenwich, Narragansett, Middletown, North Kingstown, Portsmouth, Smithfield and Warwick have signed up for the service; three are on-line now. (Mr. Warzycha showed the video from Narragansett's website). CGI has been in business since 1988 and the participating communities are satisfied with the service.

The Town Council agreed that this may be a good idea. President Spear directed Manager Hoover to prepare a resolution for council consideration at the next meeting.

- Motion made by Laura Flanagan seconded by Kenneth Cloutier to approve minutes from September 28, 2009 Town Council meeting. All voted aye.

CONSENT AGENDA

Vice President Flanagan requested that Items #3 and #4 be removed for discussion.

1. Application by Nicholas Cardarelli for renewal of Private Detective license
2. Application by Douglas Goss of the Plumber Company for a sewer contractor's license

Motion made by Frank Hyde seconded by Laura Flanagan to approve Consent Items #1 and #2. All voted aye.

3. Resolution awarding bid for winter sand to Estate of John Koszela
4. Resolution awarding supplemental bid for winter sand to Walter E. Reynolds Inc. and D&D Construction

Vice President Flanagan asked for explanation of how bids were awarded. Manager Hoover responded that it is common to award bids to more than one company in the event that one runs out of product, there is someone in a fall back position. The first resolution is to award the primary contract to the Estate of John Koszela, the lowest bidder. The second resolution is to award alternative bids. We will use exclusively the Estate of John Koszela for the sand and if they run out, we will use one of the other two bidders. Koszela has bid the sand delivered at \$11.00 per ton and if we pick up, it is \$9.00 per ton. The alternative bids are \$12.00 delivered and \$11.50 picked up.

Mrs. Flanagan asked what the chances are of the town picking up the sand and Superintendent Smith responded that there is a huge difference in price if we pick it up and the town will pick it up. A motion was made by Laura Flanagan seconded by Frank Hyde to approve Items #3 and #4. All voted Aye.

RESOLUTION

Resolution in opposition to legislation introduced in RI General Assembly regarding mandatory binding arbitration for teacher contracts (Re-vote)

President Spear explained that the Town Council voted on a matter in August not in full compliance with the RI Open Meetings Act. President Spear wanted the public to be aware of the reason the Council took initial action, which was based on information that the state legislature could meet, possibly prior to the end of the week in which we had the meeting. It was assented to by the Council that we didn't have time to go through the regular process because of the emergency nature of this bill and the dire financial consequences to Coventry if approved.

In retrospect, we recognize that we did not need to have that special meeting; the legislators haven't met yet with regard to this legislation. The Council was advised by the Attorney General's office that if we put this back on a regular, posted agenda with 48 hour notice, then take action on it, that no charges would be brought against the Town Council.

Motion made by Laura Flanagan seconded by Glen Shibley to dispense with reading resolution.

Mr. Hyde wanted resolution read into the record. He stated that he agrees with the body of the resolution, but disagrees with the first two paragraphs and how this relates to police and fire. He further stated that he will not vote in favor the way it reads now. President Spear does not see this resolution as being critical of our police or fire departments. Councilman Hyde disagrees.

Mrs. Flanagan made motion seconded by Glen Shibley to undo prior motion to dispense with reading and asked clerk to read resolution into record. All voted aye.

Whereas, mandatory binding arbitration on all issues, including wages and benefits, presently in force for local police and fire, has lead Rhode Island, according to RIPEC, to having the 5th highest police costs in the nation and the highest paid firefighters nationally;

Whereas, Connecticut mandatory binding arbitration has lead to contract awards that have resulted in the highest paid teachers in the country;

Whereas, unions don't generally strike, they "work to rule";

Whereas, Rhode Island cities and towns have to comply with statutory and decreasing property tax caps;

Whereas, binding arbitration chills the negotiation process and would create a disincentive for teacher unions to settle the unresolved issues by negotiations as they will perceive that they will gain more thru an arbitration award rather than a negotiated labor agreement;

Whereas, arbitration can take well over a year and cost tens of thousands of dollars; and

Whereas, the proposed mandatory binding arbitration legislation being advanced by the teacher unions does not take student welfare into account, conform to the existing property tax caps ("3050"), and does not recognize management rights that our courts have established or prevent strikes or work to rule;

NOW, THEREFORE, BE IT RESOLVED the Town Council respectfully requests the Rhode Island General Assembly to reject any and all binding arbitration legislation currently being considered for teacher contracts.

BE IT FURTHER RESOLVED that the Town Clerk is hereby instructed to submit a copy of this resolution to the State Senators and State Representatives in the Rhode Island General Assembly seeking their consideration and support of.

Mr. Hyde again stated that he objects to the first two paragraphs and will abstain from voting.

Motion made by Glen Shibley seconded by Laura Flanagan to accept resolution as read. Vote: 4 Aye -1 Abstain (Mr. Hyde abstains) Motion passes.

Mrs. Flanagan remarked that she believes the wording of the resolution puts the blame on binding arbitration rather than police, firefighters, teachers or any other group. There is no dispute that the result of having binding arbitration in place is that we have the highest police costs in the nation and the highest paid firefighters nationally along with the highest fire district tax anywhere in the country. The result of binding arbitration in those cases is what has led to contracts being what they are. We want to protect the taxpayers and don't want to put teachers' unions in that same situation.

PUBLIC COMMENT

No Bin – No Barrel

Superintendent of Public Works Dennis Smith submitted a revised informational flyer which will be mailed out to every resident as well as posted on the town website. Mrs. Flanagan further suggested leaving a simple, one page notice at various places in town, with a phone number to call to aid people with questions.

Virginia Soucy, 3618 Flat River, raised issue of putting out bins with only a couple of items in it. Manager Hoover suggested that she obtain a smaller bin. Superintendent Smith is checking on smaller bins; also, he is attending a meeting at the Senior Center on October 20, will get feedback from seniors, and is also checking on a special cart with wheels and handles.

No further comment.

- Solicitor Rogers announced that applicants to Boards and Commissions have been notified of Executive Session. If anyone is present and would like discussion to be held in public, to come forward.

Ed Streker stated that he has applied for the Charter Review Commission. Although he is a disabled vet, he believes some changes need to be made to the Charter, some things are outdated, and further thinks there are some violations of the RI Constitution. Mrs. Flanagan informed Mr. Streker that we need nine members on the Charter Review Commission and currently we do not have nine applicants. Therefore, at this time, the Town Council will not be acting to form a Charter Review Commission.

Motion made by Laura Flanagan seconded by Kenneth Cloutier to go into Executive Session at 7:55 p.m. All voted aye.

EXECUTIVE SESSION

Pursuant to R.I.G.L. Section 42-46-5 (a) (1)

Discussion of job performance, character or physical or mental health relating to potential appointments to Town Boards and Commissions

Motion made by Laura Flanagan seconded by Frank Hyde to adjourn Executive Session and keep minutes of Executive Session sealed. All voted aye.

President Spear declared Executive Session adjourned at 9:30 p.m.

Town Clerk