

Town Council Meeting  
October 15, 2012

Work Session regarding the installation and assessments for Sewer Installation  
Contract #6 and 6A in the Tiogue Lake, Tiogue Avenue and Arnold Road area

Karl Murray, 26 Alaska Street, addressed Council regarding the 8% interest charged on sewer assessments, especially with the increase from Phase 1 at \$6,600 that is now up to \$12,900. He asked the percentage rate at which the town has borrowed and Finance Director Ted Przybyla responded that it is a blended rate under 3%. Mr. Przybyla added that the extra percentage charged is for general operations and expenditures of the sewer fund. Manager Hoover further explained those operations and expenditures as maintaining past and future neighborhoods, sewer lines, pump stations and charges for ongoing maintenance.

President Cote added that the assessment rate was set by a prior Town Council. The current Town Council has voted to put a hold on the Contract 8 sewer program after doing a rate study and finding out the costs. We just can't justify those kinds of bills. It is my understanding that the increase from \$6,600 to \$12,900 was due to construction costs of the sewer line. The Town Council has inquired of local banks to see if they would consider running a special program for sewer assessments with better interest rates, but the lending institutions were not interested. The town borrows from the Clean Water Financing Authority and pays it back. However, we have stopped the sewer program because the rates are so high.

Lois Babrie stated she owns a business in the area and is barely able to keep the doors open. She lives on the corner of Montana St. and Idaho St. D'Ambra has knocked down her trees and stored machinery and gravel on her property without permission. After calling D'Ambra for restitution for the trees, they gave us a dead, scrub tree. We are broke and frustrated.

Thomas Fitzgerald, 50 Arizona St., complained that no one can afford the 8% interest rates. A lot of people in the neighborhood have been out of work, or just getting back to work. The Town digs up the roads, fixes drains, then D'Ambra digs it up again. Kent County Water was in there too, but didn't fix the water lines. Now we don't have a fire department, but there is another whole tax for that too.

President Cote stated that there is probably nothing this council can do to change the assessment, but can work on the interest rate and will concentrate on that.

Dave Solera, 57 Arizona St. was blindsided not only with the sewers but the bill and is stuck trying to pay \$12,900. He bought his house five years ago, can't get a lower interest loan for the \$12,900 because he has no equity in the house and the house is worth less than he paid for it.

George Caldow, 62 Lakeside Drive, stated that D'Ambra messed up drainage in front of his house on Lakeside Drive. He agreed that interest rates should be looked at and maybe there is some way to get lowered interest rates through a special fund.

Jim Barrow and Susan Barrow, 34 Lakeside Drive also complained about D'Ambra's work on the road. Last year during the first snowfall the plows wouldn't come through because they were afraid to damage their plows.

Ron Gizzarelli, Vice President of Tiogue Lake Association, 50 Harrington Road, believes the Sewer Subcommittee and the Town Council have been working very hard as to how to give the taxpayers relief. He was happy to hear that the sewer program has been temporarily suspended; it should be easier when the economy turns around a bit. We need some creative financing and ideas. People have limited income; we need something to cut down the payments, or maybe something that kicks in when the property is sold, maybe a bond? But we definitely do need the sewer system around Tiogue Lake.

President Cote thanked residents for their attendance and input and closed work session.

### TOWN COUNCIL MEETING

Present: President Gary Cote, Vice-President Kerry McGee, Councilman Jendzejec, Councilman Mattson, Councilman Spear

Town Manager Thomas Hoover, Asst. Town Solicitor Veronica Assalone

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

### President's Comments

Councilman Mattson asked if using the Waterman Fiske Fund might be a way to help residents with the interest rates on sewer assessments. Manager Hoover explained that he will look into this, but the Fiske fund is limited and operates only on the interested generated from the fund.

### Approval of Town Council Minutes from September 10 and September 24, 2012.

Councilman Spear asked for two corrections based on his review of the minutes. The first correction is at the bottom of page one in the September 24 minutes where Solicitor Tobin is referred to as "President" Tobin. Secondly, on page 5 of the same minutes, Councilman Spear requested more detailed information on a motion passed to approve a revised meeting schedule for the remainder of the year, more specifically naming the meeting dates.

Motion made by Councilman Spear seconded by Councilman McGee to approve minutes as corrected. All voted aye.

### CONSENT AGENDA

1. Approval of tax abatements and additions for the month of September 2012
2. Resolution releasing remainder of bond for Red Brook Meadow Phase II per recommendation of the Planning Commission
3. Approval of sewer tie-in for Colbea Enterprises, LLC located at 642 Washington St.
4. Approval of sewer tie-in for Walter J. Mruk Sr. located at 1132 and 1140 -1142 Main Street

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

## RESOLUTIONS

1. Resolution appointing one member to the Tax Assessment Board of Review

Motion made by Councilman Spear seconded by Councilman McGee to appoint Donna Kalunian to the Tax Assessment Board of Review. All voted aye.

2. Resolution appointing one member to the Pawtuxet River Authority

Motion made by Councilman Mattson seconded by Councilman Jendzejec to appoint Michael Brault to the Pawtuxet River Authority. All voted aye. Mr. Brault was sworn into office by President Cote.

3. Resolution appointing Mark Robitaille to the Municipal Employees Pension Board as a replacement for Mike Savastano who has resigned

Motion made by Councilman Spear seconded by Councilman Jendzejec to appoint Mark Robitaille to the Municipal Employees Pension Board. All voted aye. Mr. Robitaille was sworn into office by President Cote.

4. Authorizing the Town Manager to enter into a contract for the testing of a black, sticky, oily residue appearing on property in the North Wood Estates and Westwood Estates neighborhood within the Town of Coventry

Manager Hoover reported that in addition to the proposal provided by the citizens of the neighborhood, he has received and reviewed two additional proposals. Sage Environmental from Pawtucket, RI, submitted a total bid of \$7645.00; Pare Corp located in Lincoln, RI submitted a bid for \$9,500 and would do things a little differently from Sage; and Alliance Environmental from Warwick, RI submitted a bid of \$21,900, a more extensive and expensive proposal. After review of all three proposals, Manager Hoover recommended that the Council consider Pare Corp at \$9,500.

Motion made by Councilman Matson seconded by Councilman Spear to open public comment on this issue only. All voted aye.

Ms. Tammy Duxbury distributed a comparison chart of the environmental engineering companies that submitted proposals. She did not include Alliance in the analysis predominantly due to the price and the amount of testing they would perform. She further explained the various criteria on the comparison chart, the first criteria being the fact that the neighborhood group wants an independent company, with no involvement with any contracts with State of RI or the Town of Coventry. Pare has done consulting with RIDOT, RIDEM, the State Planning Board and RI Resource Recovery, Ninety percent of Pare's work is with state agencies. Sage is 90% private. It is important to hire an independent company, as residents have expressed a lack of trust with town and state agencies.

Sage will also review DEM files looking for past violations, types of permits issued, levels of emissions allowed. It is important to know what we are looking for if we are going to

look at emissions from the asphalt companies. She did not see anywhere in Pare's proposal that they would review DEM files.

In addition, the Pare Company would send test samples to EES Laboratories, a lab also used by RIDEM. However, Sage has the ability to subcontract with labs in Massachusetts and New Jersey; in NJ there is also access to a biochemist Ph.D. for analysis. Sage has a specialist to study air quality and asphalt plants. Another concern is the timeframe since both plants will close very soon and Sage can commence immediately. She urged the Town Council to reconsider Sage.

Vice-President McGee remarked that it bothers him that the neighborhood group is insinuating that the Town Council is less than honorable in this endeavor, when in fact the Council has bent over backwards to do everything it can to move forward on this situation.

Ms. Duxbury responded that neighborhood residents have been offended by the lack of response for the past 18 months, but this is actually more directed toward the Department of Environmental Management than the Town Council. Sage will review DEM files, permits are public record and will show what is emitted, how much is emitted and there is also a consent order stating when they can emit. We want to see what is on record and we need to know what they can emit in order to test for it.

Janet Brouillette, 5 Giblin Lane, has concerns whether testing will be accurate if the plants are being renovated or modified. She wants to know what she has been breathing the past year and a half.

Motion was made by Councilman Jendzejec seconded by Councilman Mattson to appoint Sage Environmental. All voted Aye.

Mary Vandervelde, 7 White Oak Court, asked if the town could order no further alterations or changes by the asphalt plants, including no change to their physical structure until testing is done, in order for valid testing to take place. Asst. Town Solicitor Assalone responded that the town has no authority to do that and President Cote added that as long as inspections show that all is well, we have no authority to tell them to do that.

Town Manager Hoover advised that the Building Inspector and the Zoning Officer have both inspected the plant and nothing is being done that requires Mr. Pasteryak to obtain permits.

Councilman Jendzejec suggested moving on to the first step in the process, see what is going on, find out what's causing it, where it's coming from, and resolve it.

Ms. Duxbury commented that Sage will get us started, but as noted at the last meeting, in the spring there will be some follow-up testing; the price of \$7600 is for right now. When the plants open back up in the spring, we will be back here asking the town for additional testing. Manager Hoover asked for the group's cooperation as they have to work closely together.

Ms. Duxbury asked to be included in meetings and whenever informed of any testing results.. President Cote advised that the engineering company will be working for the Town of Coventry; the Town Manager will communicate with you.

Jerry Park of Lisa's Way, Westwood Estates, asked Mr. Pasteryak's operating hours. Councilman Jendzejec responded 7 a.m. to 7 p.m. Mr. Miozzi was supposed to be the same, however he has permission from the court for running late hours thirty times a year; that permission was allowed by a Judge and is out of our hands.

Chief Volpe added that he has already worked 24 days of the 30; has six left.

Deborah Pagano, 27 Catalpa Way, made phone calls back in August because she couldn't sleep and was frustrated with the noise coming from the plant. After calling the police, she was told that they had no record of Miozzi operating that night. In addition, she has noticed truck traffic in there before 7 a.m.

Charlotte Porter, Sandra Circle, reported that she has heard the plant in operation at 2:45 am.

President Cote stated that the hours of operation for the plants are 7 am to 7 pm. He has discussed this with Mr. Pastryak, who has agreed not to operate before 7 a.m.

Motion made by Councilman McGee seconded by Councilman Spear to close public comment. All voted aye.

Motion made by Councilman McGee seconded by Councilman Spear to approve resolution awarding contract to Sage environmental of Pawtucket, RI. All voted aye.

5. Authorizing the Town Manager to enter into a contract with Wells Fargo Advisors LLC to provide investment services to the Police and Municipal Employee Pension Funds at a yearly fee of \$45,500

Finance Director Ted Przybyla explained that Merrill Lynch pulled out of the pension market, the town sent for proposals for new financial advisors, three bids were considered and Wells Fargo, the low bidder, was unanimously selected. Merrill Lynch assets will be transferred to Wells Fargo. Wells Fargo currently has contracts with North Providence, Bristol and 11 other town pension plans in Connecticut.

President Cote asked the representative from Wells Fargo if he realizes that our police and municipal pensions will be deemed in critical status and whether he is confident that Wells Fargo can help bring us up to status. He replied that Wells Fargo has 11 other town pension plans in CT and they look forward to the opportunity to work with Coventry.

Motion made by Councilman Spear seconded by Vice-President McGee to approve resolution. All voted aye.

## ORDINANCES

### Amendment to the Municipal Services Ordinance

Motion made by Vice-President McGee seconded by Councilman Mattson to suspend reading of the proposed ordinance. All voted aye.

Councilman Jendzejec gave brief overview of proposed ordinance amendment, stating

the ordinance would allow for the town to pick up refuse in the mobile home areas and condo associations, or provide reimbursement for refuse collection. Tonight's vote is to allow for advertising of a public hearing.

Motion made by Councilman Jendzejec seconded by Councilman Spear to advertise ordinance for public hearing. Vote taken: 3 Aye; Councilman Mattson abstains; President Cote votes no. Motion passes.

#### PUBLIC COMMENT

Janet Brouillette, 5 Giblin Lane, questioned the status of the Central Coventry Fire District and asked whether it would be better to combine all the fire districts into one for better management.

President Cote responded that the districts have separate legislative charters and are completely separate taxing entities from the Town of Coventry. The Town has no authority to govern or set their rules and regulations.

In the meantime, chiefs from surrounding districts have been contacted and will respond to any emergency call that Central Coventry cannot respond to through an automatic aid agreement, so nobody is going to go without emergency service.

Ron Gizzarelli, 50 Harrington Road, spoke with regard to public employee pensions and feels that privatizing doesn't work; after 5 years you are paying 1/3 more than with public employees. Urged Council to look very closely at pension plans and formulas.

Motion made by Councilman Spear seconded by Councilman Jendzejec to adjourn meeting. All voted aye.

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Town Clerk