

TOWN COUNCIL MEETING
November 13, 2012

EXECUTIVE SESSION – 6:00 PM

Motion made by Councilman Mattson seconded by Councilman McGee to recess to Executive Session for the following purpose:

Discussing matters of litigation as per RIGL 42-46-5(a) (2)

Roll call vote. All voted aye.

Motion made by Councilman Spear seconded by Councilman Mattson to allow Councilman elect Gregory Laboissonniere to attend the meeting. All approved.

Motion made by Councilman McGee seconded by Councilman Mattson to convene regular session of the Town Council. All voted aye.

TOWN COUNCIL MEETING -7:00 PM

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

Town Manager Hoover, Town Solicitor Tobin
Pledge of Allegiance led by Town Sergeant
Invocation by Councilman Raymond Spear
Review of Emergency Evacuation Plan

President's Comments

President Cote thanked all of those who ran for public office in the Town of Coventry. The town will continue to receive very good representation. The new council will be sworn in at the November 19, 2012 meeting with a small reception following.

Approval of Town Council minutes from October 15, 2012

Councilman Spear made motion seconded by Vice President McGee to approve minutes from October 15, 2012. All voted aye.

CONSENT AGENDA

1. Renewal of Private Detective license for Robert Conover

Motion by Councilman Jendzejec seconded by Councilman Spear to approve consent agenda as presented. All voted aye.

PUBLIC HEARINGS

Renewal of Class A liquor licenses (package stores)

1. COVENTRY DISCOUNT WINE & LIQUOR, INC., dba Coventry Liquor, (Corp. 69225)
600 Washington St
2. CRESTWOOD WINE & SPIRITS, INC., (Corp. 91352), 725 Tiogue Ave

3. BILL'S LIQUORS, LLC, dba Bill's Package Store (Corp. 98699), 672 Main St
4. ANTHONY'S WINE & SPIRITS LTD (Corp. 73622), 895 Tiogue Ave
5. SHOPPERS LIQUORS, INC. (Corp. 11089), 1142 Main St

Motion made by Councilman Jendzejec seconded by Councilman Spear to open public hearing. Roll call vote. All voted aye.

Manager Hoover advised Council that there have been no violations in the past year and recommended approval subject to meeting all requirements of state and local authorities.

There were no further questions and a motion was made by Councilman Spear seconded by Councilman Jendzejec to close public hearing. All voted aye.

Motion made by Vice President McGee seconded by Councilman Spear to approve Class A renewals subject to compliance with state and town requirements. All voted aye.

Renewal of Class B liquor licenses (full liquor licenses, including those establishments with live show entertainment and dance licenses)

1. ARRO LLC, dba Come Along Inn, 402 Washington St
2. ZAROKOSTAS REALTY LLC, dba Old Theater Diner (Liveshow Entertainment & Additional Hours), 33 Sandy Bottom Rd
3. H & N ENTERPRISES, INC., dba Village Pub, 1128 Main St
4. JAGUAR TAP, INC., dba Nicky's Lounge, (Liveshow Entertainment), 354 Tiogue Ave
5. SUN LEE ENT. INC., dba Mai Tai Restaurant, 856 Tiogue Ave
6. CHATERMIKE RESTAURANT CORP., dba Nino's on Lake Tiogue, (Dance & Liveshow Entertainment), 446 Tiogue Ave
7. REKAS, RUSSELL E. & KYLE, dba Reko's Pitcher's Mound, (Liveshow Entertainment) 620 Tiogue Ave
8. VENUS PIZZA (Liveshow Entertainment), 2080 Nooseneck Hill Rd
9. BELLA'S SPORTS PUB, INC., Bella's Sports Pub (Dance & Liveshow Entertainment) 1152 Main St
10. HARRIS BAR & GRILLE INC., (Dance & Liveshow Entertainment), 666 Main St
11. APPLE NEW ENGLAND, LLC, 830 Centre of New England Blvd.
12. TCG, INC., dba The Cozy Grill Family Restaurant, (Liveshow Entertainment, guitar or piano) 473 Tiogue Ave
13. CMG, SOUTH, LLC, dba Cilantro Mexican Grill, 712 Centre of New England Blvd
14. ANDIAMO RESTAURANT INC., 1650 Nooseneck Hill Rd
15. TIN CUP GOLF & DRIVING RANGE LLC, 2 Fairway Drive

16. INDIGO REALTY LLC, dba Indigo Lounge (Liveshow Entertainment), 599 Tiogue Ave
17. FB COVENTRY, LLC, dba Fat Belly's (Liveshow Entertainment), 760 Tiogue Ave
18. XONG RITTIPA CORPORATION, dba Luk Thai Cuisine, 433 Washington St
19. MANISH, MICHAEL, dba Patriot Bar & Pizza to Patriot Bar & Pizza, LLC,
2260 Flat River Road LLC, 2260 Flat River Rd (Transferred to LLC)

Motion made by Councilman Spear seconded by Councilman McGee to open public hearing. Roll Call Vote. All voted aye.

Motion made by Councilman McGee to suspend reading of the liquor license lists, seconded by Councilman Jendzejec. All voted aye.

Manager Hoover advised Council that there have been no violations in the past year and recommended approval contingent upon meeting all requirements of state and local authorities.

There were no further questions and a motion was made by Councilman Jendzejec seconded by Councilman Mattson to close public hearing. All voted aye.

Motion made by Councilman Mattson seconded by Councilman McGee to approve Class B renewals subject to compliance with state and town requirements. All voted aye.

Renewal of Class B Ltd. Liquor licenses (beer and wine only)

1. THE ORIGINAL GENTLEMAN FARMER RESTAURANT, INC., dba The Original Gentleman Farmer Restaurant, 2405 Nooseneck Hill Rd
2. XENOPOULOS, PETER, dba Pete's Pizza Plus, 21 Phillips Hill Rd
3. A. PAGLIARINI'S FAMILY RESTAURANT, INC., dba A. Pagliarini's Family Restaurant
637 Washington St
4. ANDERSON, RICHARD, dba Coventry Pines Golf Course, 1065 Harkney Hill Rd
5. RICCOTTI'S SUBS INC., dba Riccotti's Subs, 718 Centre of New England Blvd
6. HUNAN BALCONY, INC., 687 Washington St (Stock transfer)

Motion made by Councilman Jendzejec seconded by Councilman Spear to open public hearing. Roll call vote. All voted aye.

Manager Hoover advised Council that there have been no violations in the past year and recommended approval contingent upon meeting all requirements of state and local authorities.

There were no further questions and a motion was made by Councilman Jendzejec seconded by Councilman Spear to close public hearing. All voted aye.

Motion made by Councilman Jendzejec seconded by Councilman Mattson to approve Class B Ltd. renewals subject to compliance with state and town requirements. All voted aye.

Renewal of Class D liquor licenses (club license including those with live show and dance)

1. CLUB JOGUES, (Victualling & Dance), 184 Boston St
2. COVENTRY MEMORIAL POST #9404 VETERANS OF FOREIGN WARS, INC. (Victualling & Dance), 29 South Main St (Mailing address Box 702)
3. COVENTRY MEN'S CLUB INC. (Victualling & Dance), 30 Phillips Hill Rd
4. POLISH NATIONAL ALLIANCE, GROUP NO. 1001, INC., dba PNA #1001 (Victualling & Dance), 15 Meeting St

Renewal of Class E liquor license (pharmacy)

1. APOTHACA, INC, dba Phusion Pharmacy, 17 Coventry Shoppers Park

Motion made by Councilman Spear seconded by Councilman Mattson to open public hearing for Renewal of Class D and Class E liquor licenses . All voted aye.

Manager Hoover advised Council that there have been no violations in the past year and recommended approval contingent upon meeting all requirements of state and local authorities.

There were no further questions and a motion was made by Councilman Mattson seconded by Councilman Spear to close public hearing. All voted aye.

Motion made by Councilman Spear seconded by Councilman Jendzejec to approve Class D and Class E liquor license renewals subject to compliance with state and town requirements. All voted aye.

LICENSES

Renewal of victualling licenses (food only, no alcoholic beverages)

1. YASHODHAR INC., dba Coventry Mart, 1100 Main St
2. BJ'S WHOLESALE CLUB, INC., dba BJ's Wholesale Club
790 Centre of New England Blvd (Use corporate mailing address)
3. A&J BORRELLI BAKERY & PASTRIES, INC., 765 Tiogue Ave
4. CAPTAIN NEMO'S SUB SHOP, 15 Sandy Bottom Rd
5. CCF, LLC, dba Wendy's, FSV#18754 (Additional Hours), 2311 New London Turnpike
6. CHINA STAR, 1028 Tiogue Ave
7. COVENTRY DONUTS, INC., dba Dunkin Donuts (Additional Hours)
800 Tiogue Ave (mailing address: PO Box 1487, Coventry)
8. CUMBERLAND FARMS, INC., Cumberland Farms # 1247 (Additional Hours)
785 Tiogue Ave
9. CUMBERLAND FARMS, INC., Cumberland Farms # 1250
436 Knotty Oak Rd (mailing address: Tax Dept., 100 Crossing Blvd, Framingham, MA 01702)
10. HESS CORPORATION, dba Hess 39210 (Additional Hours)
764 Tiogue Ave

11. DELOPS, INC., dba D'Angelo Sandwich Shop, FSV# 06301, 795 Tiogue Ave
12. DEPETRILLO'S PIZZA AND BAKERY, INC., 797 Tiogue Ave
13. DOUBLE A REFRESHMENT'S CO., INC., dba Del's Lemonade of Coventry
465 Tiogue Ave
14. FIDAS, ELENI, dba Silver Lake Pizza (Additional Hours), 1146 Main St
15. SARAG, LLC, dba Subway
47 Sandy Bottom Rd (mailing address: 64 Rocky Hollow Rd, Stonington, CT 06359)
16. JAN CO. CENTRAL, INC., dba Burger King #3133,,1145 Tiogue Ave
17. DRAKE PETROLEUM COMPANY, INC., dba Coventry Xtra Mart (Additional Hours)
851 Tiogue Ave
18. LABRAKIS, JOHN N., dba Santoro's Pizza & Restaurant, 687 Tiogue Ave
19. L/M TACORI, INC., dba Taco Bell, FSV# 18849 (Additional Hours), 784 Tiogue Ave
20. D J PROVIDENCE CO LLC, dba McDonald's (Additional Hours), 1100 Tiogue Ave
21. MEALWORKS, LLC, 1606 Nooseneck Hill Rd
22. GELINA'S ICE CREAM, L.L.C., 975 Tiogue Ave
23. NERARD, INC., dba Kentucky Fried Chicken of Coventry, 830 Tiogue Ave
24. NEWPORT CREAMERY, LLC, 781 Tiogue Ave
25. PJ'S DINER, INC., 608 Tiogue Ave
26. RICK & DEES INC., 17 Knotty Oak Rd
27. SUMMIT GENERAL STORE, LTD., 25 Old Summit Rd, Greene, 02827
28. THE STOP & SHOP SUPERMARKET COMPANY LLC, dba Stop & Shop #720 MRK04522
900 Tiogue Ave
29. TOM'S FRUIT AND DELI, INC., 821 Tiogue Ave
30. COVENTRY LODGING ASSOCIATES, LLC, dba Hampton Inn, 850 Centre of New England
Blvd
31. CHOCOLATE DREAMS CANDY LLC, dba Chocolate Dreams, 577 Tiogue Ave #B
32. WAL-MART STORES EAST L.L.P., dba Wal-Mart Supercenter #2283 (Additional Hours)
650 Centre of New England Blvd
33. MCS DONUTS, INC., dba Dunkin Donuts (Additional Hours), 851 Tiogue Ave
34. CS FOOD, LLC, dba Subway
650 Centre of New England Blvd, located in Wal-Mart, (mailing address: 64 Rocky Hollow
Rd, Stonington, CT 06359)

35. PAPA GINO'S, INC., dba Papa Gino's, 1080 Tiogue Ave
36. GTECH CORPORATION, dba Gtech Café, 1372 Main St
37. MURPHY'S MOBIL INC., 2291 Flat River Rd
38. RAC ENTERPRISES INC., dba Wicked Good Pizza, 674 Centre of New England Blvd
39. TURNPIKE DONUTS, LLC, dba Dunkin Donuts, 2276 New London Tpke UNITED LLC, dba Coventry Shell, 642 Washington St
40. MANIBEN LLC, dba Subway #42061
2405 Nooseneck Hill Rd (mailing address: 64 Rocky Hollow Rd, Stonington, CT 06359)
41. BALAJI LAXMI INC., dba Veterans Market, 182 Arnold Rd
42. DAVE'S MARKETPLACE OF COVENTRY, INC., dba Dave's Marketplace
23 Coventry Shoppers Park
43. MAIN STREET DONUTS INC., dba Dunkin Donuts, 24 Coventry Shoppers Park
44. SIMCO WASHINGTON ST. LLC, dba Café Creamery, 435 Washington St
45. XONGRITTIPA CORPORATION, dba Luk Thai Cuisine, 433 Washington St
46. CUMBERLAND FARMS, INC., Cumberland Farms #1219, 1600 Nooseneck Hill Rd
(Additional Hours)
47. MADELINE'S LLC, 915 Tiogue Ave

Motion made by Councilman Mattson seconded by Council Spear to approve renewals contingent upon compliance with all state and town requirements. All voted aye.

RESOLUTIONS

1. Approval of the Suorsa family establishing a permanent granite memorial marker at the base of the tree on the Town Hall/Library grounds in memory of their son, Peter Suorsa

On behalf of the Suorsa family, Dave Jervis requested permission to install a 16 x 18 granite marker in front of the tree on the Town Hall/Library grounds which was planted and dedicated to the memory of their son, Peter Suorsa.

Motion made by Councilman Mattson seconded by Councilman Spear to approve resolution. All voted aye.

2. Adopting the Pension Funding Improvement Plans

Town Manager Hoover gave an overview of the Pension Overhaul Act. This law made certain stipulations for local independent pension funds and required that all cities and towns who are deemed to be in critical status submit a financial improvement plan. Milliman, Inc. was hired as our actuary to prepare the plans for both the municipal employees and the police pension systems. This plan meets all the requirements of the state locally administered study commission.

Through evaluations performed by our actuary Milliman, Inc. the municipal employees system was only 25.3 % funded and the police system was only 11.3 % funded. Milliman, Inc. believes formulating a plan for the municipal employees could bring it out of critical status at least 60% funded within 19 years through increased funding and negotiating pension benefit reductions with members of the retirement system.

The town provided four plans for the municipal employee's pension fund to the state Commission and seven scenarios for the police pension funding plan. These proposals are subject to collective bargaining and are subject to change. We are recommending one of the proposals that will increase the ARC every year by 20% points until 100% of the ARC is paid on an annual basis.

Again it is only a recommended plan, and will be subject to change. All that I'm asking is that we get approval of this plan so it can be submitted no matter how much it has to change in the future. The plan is being submitted subject to those stipulations.

President Cote stated that the Governor indicated if we do not come up with a formula that clearly indicates that we will meet our ARC payment within five years of the time this process started, then we may be penalized. Councilman McGee agreed with submitting these plans by law.

Councilman Jendzejec asked how long this took to come to fruition. Manager Hoover responded that they have been working on this during the last several months. Both the Finance Director Ted Przybyla and/or the Town Manager Hoover attended all of the state commission meetings. The state listed exactly what had to be in the plan. We didn't have a lot of flexibility

Councilman Jendzejc wanted to know if any consideration had been given to the SRP. If in fact a court finds that the town of Coventry is responsible.

Manager Hoover answered that the town has not officially but has indicated that we would recommend the town not be responsible for that particular pension system. A resolution will be forwarded to the Town Council in a couple weeks confirming that position. The school department will be bringing us a resolution also to the school committee to take similar action. Our position is that the control and responsibility lies with the trustees of the plan. The state required the trustees to provide a pension plan also. That plan has been formulated and submitted to the state. It does indicate that the town and/or the school department should have responsibility, at least in the trustees mind. President Cote stated a lot of this plan depends on negotiations. What we are voting on tonight is to meet a deadline to submit a plan. The plan projects no impact on taxes and it is just a plan.

Councilman Jendzejec asked what effect this will have on the taxpayer.

Manager Hoover replied for next year in the short term it does not require an increase in taxes as one solution. However, in subsequent years there are several options. We would have to reduce costs, meaning services, or we have to increase revenue. If in fact the choice of increasing taxes is one thing, we are capped at 4% as a maximum. However, it's going to be tough not to consider an increase in taxes in order to provide the revenue to pay for the ARC on an annual basis. We should achieve 100% of that ARC within four years after which time then we can maintain that payment. Worst case scenario would be a 4% increase just to cover pension cost.

Councilman Jendzejec is not comfortable voting on this plan. He believes there should have been public hearings before making a decision on this plan and the new council should have been involved. He also asked how much funding the town receives from the state in aid.

Manager Hoover responded that the only thing the state gives us is the 50% payment on our actuarial study. Over and above that it is clearly an unfunded mandate. The town receives nothing. It is all on the schools side.

Councilman Jendzejec added that the state passed down many costs to this town. They cut our aide, they cut everything to the cities and towns and then they expect us to make up the difference through a plan and through the taxpayers pocket. This needs to be looked at a little harder by all parties involving the taxpayers, collective bargaining units, the town council and management. I cannot vote for something I had no input in.

Manager Hoover stated the collective bargaining units will have all of the input that they can get through negotiations. This plan cannot become a reality without collective bargaining and the results of negotiating. That is on the union side. On the citizens side we have to go through the entire budget process culminated in the financial town meeting and it is up to the citizens to see everything we proposed here as part of each annual budget and then to determine whether if they agree with it or not. This plan is only as strong as the approval of the negotiating with the unions and the approval of the citizens of this community. It is a plan and an important plan that needs to be submitted to the state.

Motion by Council Mattson seconded by Councilman Spear to pass resolution. Roll call vote taken. 4 (Aye), Councilman Jendzejec votes (Nay). Motion passes.

PUBLIC COMMENT

Ron Gizarelli, 50 Harrington Road suggested the town council should have considered public hearings before voting and approving the pension study approval plan to be submitted to the state. He felt the plan could have been modified and more practical

Denise Gibbons, 193 Pinehaven Rd. has been a school employee for 25 years. Ms. Gibbons said they are trying to do what they can for our unfunded pension liability. She suggested that the council should have included employees and the school before submitting and passing this plan. The schools are talked about as a separate entity.

Gary Moore, 65 Clarke Rd. questioned if this plan is going to be available online. Manager Hoover confirmed that he would have it put on the website the next day.

Motion made by Councilman Spear seconded by Councilman Mattson to adjourn. All voted Aye.

Deputy Town Clerk