

Town Council Meeting  
November 24, 2014

TOWN COUNCIL MEETING

Present: President Gary Cote, Vice-President Kerry McGee, Councilwoman Karen Carlson, Councilman Gregory Laboissonniere, Councilwoman Tammy Duxbury, Town Manager Thomas Hoover, Town Solicitor Nicholas Gorham

ROTC Color Guard  
National Anthem by Coventry High School student Jenna Larson  
Invocation by Reverend Auld  
Review of Emergency Evacuation Plan

President's Comments

President Cote stated that tonight is the last Town Council meeting that he will have the privilege to preside over as President of the Town Council. He wished to publicly thank his family for their four years of sacrifice and the voters of District 4 who elected him on two separate occasions. He hopes that they feel he has served them successfully. Thanks also to the members of the two Town Councils that he has served with, noting that Democrats and Republicans have worked alongside each other and over the last four years, better than 85% of the votes taken were unanimous, and that says a lot. No matter what our affiliation is, we sit up here and represent every taxpayer in the Town of Coventry. He thanked the newly elected current Town Council for allowing Vice-President McGee and himself to remain in their leadership positions until the new, majority party took control after the election. The employees of the Town of Coventry deserve thanks for their service to the taxpayers of the town, as everyone does their job well and professionally. Lastly, a thank you to Town Manager Hoover, who serves the people of this town in a professional and tireless fashion.

Approval of Town Council minutes November 10, 2014

Councilwoman Duxbury asked for a correction on Page 5, where the name of "Ms. Gorman" of 31 Elton Street should be amended to read "Ms. O'Gorman".

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

SWEARING IN TOWN COUNCIL MEMBERS

Councilwoman Karen M. Carlson, District 1, was administered the oath of office by Senator Nick Kettle.

Newly elected Councilman Glenford J. Shibley, District 4, was administered the oath of office by Cranston Mayor Allan Fung.

## ELECTION OF TOWN COUNCIL OFFICERS

A motion was made by Councilman Laboissonniere seconded by Councilwoman Duxbury to nominate Glenford Shibley as President of the Town Council. There were no further nominations. All voted Aye.

A motion was made by Councilwoman Duxbury seconded by Councilman Laboissonniere to nominate Karen Carlson as Vice President of the Town Council. There were no further nominations. All voted Aye.

## NEW PRESIDENT'S REMARKS

President Shibley thanked his family, supporters, friends and the voters of District 4. He was approached in the spring to consider running for office. He was a councilman previously in 1984 and 2008, and now looks forward to working with this Council. He agrees that Town Manager Hoover is a professional and feels fortunate that he was a member of a former Town Council back in 2009 that brought Mr. Hoover to the Town of Coventry. We are not politicians, we run non-partisan, our issues are not political issues, they are town issues. The Town Manager is hired to run the town and the Town Council is the eyes and ears out to the community. President Shibley has lived in the Oak Haven area for 35 years, had four children go through the Coventry School System and now has four grandchildren. He invited the citizens of the Town of Coventry to please come forward and let the Council know how we can help you.

## SWEARING IN TOWN SCHOOL COMMITTEE MEMBERS

School Committee member Katherine Patenaude, District 2 and newly elected committee member Donna Kalunian, District 3 were administered the oath of office by Representative Lisa Tomasso.

Newly elected School Committee member James Pierson was administered the oath of office by Senator Nicholas Kettle.

## PROCLAMATIONS

Councilman Kerry McGee presented proclamation to outgoing Town Council President Gary Cote, noting his dedicated service to the Town of Coventry. He ruled with honesty, integrity and all of his decisions were made in the best interest of the citizens of the Town of Coventry.

In addition, Representative Lisa Tomasso and Senators Lou Raptakis and Nick Kettle presented citations to outgoing President Cote, congratulating him for his sincere and outstanding service for four years on the Town Council.

Lastly, outgoing President Cote wanted to say that four years ago he came through the door with his self respect and integrity intact, and tonight, four years later, will go out the door the

same way as came in, with his self respect and integrity intact.

## SCHOOL DEPARTMENT REPORT

School Committee member Ann Dickson updated the Town Council on a number of items, but first commented that the Superintendent and School Committee extend their sincere congratulations to the newly elected and continuing Town Council members. This is a new start for all of us to work together to create a vision and plan for Coventry's future.

### Technology

- The Superintendent is in the process of accessing grants to extend the Wireless Classroom Initiative to expand internet access in our auditoriums, gymnasiums, cafeterias and offices. As a result, our schools will be 100% wireless Internet.
- The Superintendent and School Committee will extend a detailed invitation to the Council and Town Manager to attend the Google Summit on February 28<sup>th</sup> and March 1<sup>st</sup>, where you will see the teaching and learning opportunities our recent technology initiatives have provided for students.

### Engineering & Coding

- Coventry Public Schools will participate in the Hour of Code during the week of December 8-12. The Hour of Code is the largest educational event in history to engage students around the world in engineering, specifically computer programming. The goal is to have over 10,000,000 students participate. This is an opportunity to expose and engage students in Science, Technology, Engineering, and Mathematics education.
- Additionally, to support our efforts in improving our science and technology curriculum, Coventry has been chosen as one of only five districts in New England to host the NAO Humanoid Robots, which are used in classes to teach programming in a fun and practical way. Engineers will work with students at Feinstein Middle School on December 15<sup>th</sup>. Students will program the robots and be engaged in applying science, technology, engineering and math skills. Members of the Council are welcome to stop in and see our students at work.
- We highly expect that our newly elected Governor Raimondo will place job creation and business development high on her agenda. RI needs higher paying jobs and the workforce to support businesses that offer higher paying jobs.

### Common Core

- Coventry received \$50,000 in grants to continue our efforts to develop Common Core curriculum and Next Generation Science curriculum. The grants will allow us to engage teachers in curriculum discussions and professional development in which the district would not otherwise have had the resources to do.

### Athletic Complex

- The first game at the newly designed Walter L. Clarke Athletic Complex at Coventry

High School will be played at 10 a.m. on Thanksgiving Day.

#### Focus Groups

- The School Committee and the Superintendent are in the process of developing a communication plan by which we may strengthen the relationship between the school department leaders, school committee, and the community. The first step in the process is to conduct focus groups to obtain feedback from key stakeholders in the community concerning their Coventry Public Schools. We will use the feedback to develop a plan to present to an Advisory Council. Each of you on the council has received an invitation to participate in the process and we also encourage any members of the public to participate also. People can contact me with their contact information.

#### CONSENT AGENDA

1. Discussion and resulting action regarding approval of an application for a sewer tie-in located at 25-27 Boston Street as recommended by the Coventry Sewer Subcommittee

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

#### RESOLUTIONS

1. Discussion and resulting action requesting the Rhode Island General Assembly to amend RIGL Chapter 44-5, Section 44-5-11.8, with regards to Tax Classification

Councilwoman Duxbury previously asked in September that this issue be tabled in order to give residents in District 5, along with other areas of town, an opportunity to reach out and ask questions. That has taken place and there were a number of communications, mostly from people in favor of this resolution.

A motion was made by Councilwoman Duxbury seconded by Vice-President Carlson to approve resolution and send to General Assembly. All voted Aye.

2. Discussion and resulting action on Affirming the Award of a (1) one year contract to Direct Energy for the purchase of electricity under the League of Cities and Towns' Rhode Island Energy Aggregation Program REAP Program at a cost not to exceed 11.48 cents per kWh

Manager Hoover asked for correction to resolution to state that the cost is not to exceed 11.5 cents per kWh. He advised that we entered a power purchase agreement to purchase through Wind Energy Development once the turbines are installed on the Picillo property, and that was initially scheduled to begin July of 2014. There has been a delay due to issues with National Grid, and the last report from Wind Energy is that they hope to get electricity up and running with the construction of the turbines by late summer or into the fall of next 2015. I can't count on that particular time line. Currently we are paying slightly less than 10 cents per kWh to National Grid for electricity, but they have put us on notice that as of December 1, 2014 the

price will rise up to 13.5 cents per kWh. There is a program through the RI League of Cities and Towns, where a contractor has been hired through bidding to provide reduced cost power to all cities and towns that engage in this program, with a contract anywhere from 6 months to 3 years.

I am suggesting we enter into a contract with Direct Energy to provide power from December 1, 2014 to December 1, 2015. As of last Friday their cost was 10.94 cents per kWh; however, even though the resolution will state "not to exceed 11.5 cents per kWh", I feel it will be closer to 11 cents. If the Council would consider and pass the resolution this evening, I am in a position to sign the contract tonight and give it to Direct Energy in the morning. We would save an immense amount of money over the next year and I strongly recommend approval so that we can move forward with this one year contract with Direct Energy. In addition it would lock us in at the lower price, not to exceed 11.5 cents.

President Shibley asked if many of the cities and towns are going along with this program and Manager Hoover replied that the majority are, with some entering into three year contracts.

Councilman McGee remarked that although he is all for saving money, we should have power from Wind Energy Development by now. I know they have issues with National Grid, but this is not our problem. We signed an agreement with them and are supposed to have power by now.

Councilwoman Duxbury asked if there is a performance date in the contract that we have with them and Manager Hoover said there is not, however, he would like to achieve that in an amendment.

A motion was made by Councilwoman Carlson seconded by Councilwoman Duxbury to approve resolution as amended, adding the words "not to exceed 11.5 cents". All voted Aye.

3. Discussion and resulting action authorizing the Town of Coventry to finance the purchase of equipment and facilities for the automated Town-wide collection, storage and handling of refuse and recyclables by the issuance of not more than \$5,500,000 of bonds, notes and/or other evidences of indebtedness

This bond issue item was approved by the electorate on November 4, 2014. We are very anxious to order the equipment so that we can expand the program throughout the entire town. As you know we have a pilot program in both Wood Estates North and the Harris section of town and have had a great deal of success. However, it will take up to six months to receive the new trucks. The program will be financed with this bond, and I will remind you that over a 20 year period the debt retirement on the program will be entirely paid through savings.

Councilwoman Carlson asked if we are changing the style of the claw arm and whether we are going to keep the trucks we have now or send them back and get new ones. DPW Director McGee responded that we will not keep the trucks that we are currently renting as we

have found that it is not the best body to suit our needs. We are looking at other bodies and will finalize that decision within the next couple of days. The trucks will take between 4-6 months to be manufactured, and then another 45-60 days to install the bodies on the trucks, so we are looking at about an August – September start to begin the program. We will start earlier if we get the trucks earlier. We are ordering nine trucks, as we initially proposed and once we begin our program, Rambone will be gone. We will haul our own materials from the drop off center.

Mr. McGee explained further that when he stated that the truck body didn't work well, it is because the arm that we had on this body gave us a problem with the crushing factor and didn't allow the operators to maneuver it up and down. It would come up above the truck body and we were sometimes affected by some of the trees and wires. We are now leaning toward the drop frame body, so that the container will empty directly into the truck and will not go above the body itself, but is still an automated arm. After further discussion, Mr. McGee explained that the town will provide the bins and there were different sizes; 96 or 64 gallon recycle bins and 64 or 45 gallon trash bins, where a family of four or five may need the larger bins. Three or four feet will still be required between the bins, even with the different newer arm on the truck, in order not to knock barrels over. Councilwoman Carlson wanted to be sure that all these issues would be worked out and Manager Hoover remarked that people on the pilot program who had an issue were "trained" by Mr. McGee, who actually went out, separated their trash from recycling and "trained" individual residents.

Councilman McGee reported that part of his district participates in the pilot program. In the beginning there were complaints, but in the last few months he has heard nothing but positive comments about the program, the bins, how it works and is thrilled the taxpayers voted for this, especially since it will be of no cost to us. Councilwoman Carlson asked if yard waste will still be picked up; Mr. McGee replied that it will.

Councilwoman Duxbury asked that a wide net be cast with the bidding process as she would like to see more than two bids. Mr. McGee replied that he is advertising as well as sending out 12 invitations to bid, but can't tell you how many will get submitted in return.

Councilman Laboissonniere asked about feedback on the program and DPW Director McGee replied that 90% of the responses he has received are favorable. It is a clean program, the bins have lids, there are no bags, the containers are easy to handle.

Finance Director Bob Thibeault also advised that the proposed resolution was prepared by Attorney Karen Grande, our bond counsel, who is very experienced and has been in the business for over 20 years.

A motion was made by Councilman McGee seconded by Councilwoman Duxbury to approve resolution. All voted Aye.

4. Discussion and resulting action supporting passage by the Rhode Island General Assembly during the upcoming 2015 legislative session repealing the tax on Social Security

## benefits

Manager Hoover explained that several communities in the state have come forward with a resolution supporting the repeal of the tax on Social Security benefits and have asked for our support. That is what is before you this evening.

President Shibley agrees, stating that he realizes that it would cost the state over \$22 million, however, over the last couple of decades seniors are leaving Rhode Island as we are one of 14 states that taxes social security. He recognizes that seniors are on a pretty much fixed income and is in favor of this resolution.

Councilman McGee noted that Coventry has a good tax exemption program for seniors and we do what we can on the town level. It's a great idea if the state pitches in and does something to keep people in Rhode Island.

A motion was made by Councilwoman Carlson seconded by Councilman Laboissonniere to approve resolution. All voted aye.

## 5. Discussion and resulting action regarding presenting the voter approved Town Charter changes to the Rhode Island General Assembly for ratification by an Act relative to these changes

Solicitor Gorham explained that these are items which were approved on the November 4th ballot, amending the Town Charter. It is procedure that they are ratified by the General Assembly. Councilwoman Duxbury asked for clarification on the question pertaining to filling vacancies on the Town Council, that it is only the underlined section which is the amendment to the Charter, where the vacancy occurring for Town Council is different in terms of months from that of the School Committee. That is the way it is supposed to be, correct? Solicitor Gorham agreed, stating that the Town Council stays at six months and the School Committee at twelve months.

In addition, two typos were pointed out in the proposed resolution: On page 3, #4, the word "question" has a separation and should be combined; then in #15 the words "toreadvertise" need to be separated to "to readvertise".

A motion was made by Councilwoman Carlson seconded by Councilwoman Duxbury to approve resolution with amendments. All voted Aye.

## ORDINANCES

### Amending Zoning Ordinance, Article 6, Table 6-1, Section B, Agricultural uses to include Compassion Centers and Cooperative Cultivation Facilities as defined in RIGL Title 21, Chapter 21 – 28.6 et seq., also known as "The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act"

Manager Hoover advised that the proper motion would be to refer this ordinance to the Planning Commission for recommendation. Solicitor Gorham explained that we have a moratorium on the co-op cultivation of medical marijuana and compassion centers, which are enabled by the General Assembly to distribute marijuana. This ordinance is an amendment to

our Zoning Ordinance, which would address where you can have those types of uses, and quite frankly it would be nowhere, prohibited in every zone in the town. The procedure is to send this to Planning for their review. Their opinion is only advisory and then it comes back to the Town Council for advertising, public hearing and a vote. However, the Town Council can further amend the ordinance.

President Shibley wanted to clarify that if this ordinance is adopted, it would not prohibit growing for personal use. Councilman McGee thinks the Town Council needs to be more educated on this subject before we promote just banning it all together. Maybe we just need a good set of rules and regulations, and he suggested bringing in some experts on the subject. By jumping too quickly it could just open us up to more lawsuits. Solicitor Gorham pointed out that in some situations, such as when prescribed by the General Assembly, the town cannot weigh in on where you put that use. One example would be a group home, where the town cannot pass a zoning ordinance to prohibit that use anywhere. However, they have not said that about marijuana use. I think they left it for the towns to deal with it. Councilwoman Duxbury added although we have started the process, she does not want to interfere with those who are growing for their own medical use, but doesn't want to see mass growing facilities all over town.

Councilman McGee doesn't think we are moving this issue along, but are stopping it. Feels it can be controlled with rules and regulations. President Shibley disagrees and is in favor of moving it to the Planning Commission for review. We can do better bringing business into Coventry, this business is against federal law and I am dead set against this.

A motion was made by Councilman Laboissonniere seconded by Councilwoman Duxbury to send to Planning for a recommendation. Vote taken: 4 Aye; Councilman McGee votes No. Motion passes.

## PUBLIC COMMENT

Ken Jackson, 2799 Harkney Hill Road, commented that we need to keep in mind that our local law enforcement has no power to go into the compassion centers and this could get out of hand. They have announced that they are going to be selling surplus to other centers. I think that as citizens, with our children in town in daycare and schools, we don't want to have something that is going to get out of control with the local authorities not able to do anything about it.

Mark Ward remarked that other towns and states have gained from this, there is no crime associated with personal growing and tax dollars have been brought into other towns.

Nichole Cambio stated that she is in favor of cultivation of cannabis. It can bring money and new opportunities into town. I'm not sure if it is even legal that you passed a moratorium at the last meeting. I appreciate those of you who are being open minded and let's just see how this pans out. Also want to bring up that fact that you all seem comfortable in your seats, but it only takes 31% of registered voters to recall your seats.

Deborah Bacon, 16 Catalpa Way, suggested an investigation into how the Home Rule

Charter was altered without voter approval and also an explanation why there was such a lengthy delay in calling for the special election in District 5. Clear evidence was presented that the Charter was changed without voter approval, yet the Board of Canvassers wasted \$16,000 of taxpayer money to pay our solicitors to oppose citizens' rights for the special election.

Nancy Sullivan, 6 White Oak, recently submitted an application for the Citizens Advisory Committee and received a communication that there was an insufficient number of applications for the Town Manager to make committee selections, however, he would continue to accept applications. Where do we stand on that process? She recommended that the committee be made up of Coventry residents who have never served on the Town Council, are not current town employees or officials as Coventry needs fresh eyes to review the charter.

A motion was made by Councilman Laboissonniere seconded by Councilwoman Duxbury to adjourn meeting. All voted aye.

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Town Clerk