

TOWN COUNCIL MEETING  
Coventry Town Hall Council Chambers  
1670 Flat River Road, Coventry, RI  
December 10, 2007

EXECUTIVE SESSION

Per R.I.G.L. 42-46-5 (a) (1)

Motion made by Anthony Colaluca seconded by Kenneth Cloutier to go into executive session. Roll call vote. All voted Aye. So voted.

- Boards and Commissions

Motion made by Bruce Thompson seconded by Anthony Colaluca to emerge from executive session. All voted Aye. So voted.

Motion made by Anthony Colaluca seconded by Frank Hyde to seal minutes of executive session. All voted Aye. So voted.

WORK SESSION

- With School Committee regarding Bond Referendum

President Pomfret updated the public. The Town Council met with the School Committee and the School Superintendent. School Committee Chairman Spear states that plans to educate the public include attending PTA meetings with a plan to schedule an opportunity at every PTA in the district between now and elections. Presently working on publications to be sent home with the students to inform parents of what is being asked for. Also, our superintendent will be working with the newspaper to see if we can get publicity from time to time. Extremely important to get the message out in such a way that it endears the support of the people in the community to fulfill the needs that are incorporated in the bond issue.

Mr. Spear and President Pomfret will be responsible for the western end of town.

Mr. Thompson – Thanks to Town Manager, Jacob Peabody and Maren Luciano for presentations on the bond referendum. Also, the Town Council had the chance to tour all through areas that the public didn't get a chance to see. The public did see the pictures and it was eye opening to the people we met with last week.

President Pomfret noted that it is a shame that we don't have something better for the police department. Also, some of these things are mandated. The public has to understand that if this bond does pass, that we will be receiving 25% of the money in reimbursements. The library is running out of room. People deserve better than this.

Mr. Spear – For the school portion of the bond, it will be close to 50%.

Ms. Patenaude – Saw the schematics as far as the high school athletic complex. We will have a meeting tomorrow night at 7:00 p.m. across the street from the Town hall, and the plans will be on display.

Mr. Cloutier – Have spoken to people, they want feedback. They want to see more of a breakdown of the \$ 19.8 million and want assurances that what we say we are going to spend it on is what we are going to spend it on. But, if we have an overrun on one project, we can't stop and not finish it. We are working on something where we can show the citizens that we plan to spend a certain amount on a project. Also, public has some questions on specific information on the bond, such as the interest rate and what it will cost taxpayers. If we don't spend all the money in one year, then what will it cost?

President Pomfret – Need to stop putting band aids on the town and need to get it in good shape. We have taken the amount of this bond from \$32 million to \$19.8 million. I ask the public to please come out and attend one of the informational meetings.

## TOWN COUNCIL MEETING

Present: Kenneth Cloutier, Anthony Colaluca, Justin Pomfret, Bruce Thompson, Frank Hyde

Town Solicitor Patrick Sullivan

Pledge of Allegiance led by Anthony Colaluca  
Invocation by Kenneth Cloutier  
President Pomfret explained evacuation plan

### Police Swearing-In Ceremony

Chief O'Rourke swore the following police officers into office. Paul Pacheco, Nicholas DeRobbio and Thomas Snow, Jr.

### Architect's Presentation of Bond Items

Crystal Harris, architect, gave presentation of upgrades and cost estimates for new Town Hall, library. Town Hall will gain 3,000 square feet, government center will all be in one building, human services will move into that building also and there will be improvements to the athletic field at the high school.

- Motion made by Bruce Thompson seconded by Kenneth Cloutier to approve Town Council minutes from November 19, 2007. All voted Aye. So voted.

### CONSENT AGENDA

1. Tax abatements for the month of November 2007 in the amount of \$32,384.25
2. Resolution reappointing Lysa Teal and Kevin Prest to the Coventry Land Trust

Motion made by Frank Hyde seconded by Anthony Colaluca to approve Consent Agenda. All voted Aye. So voted.

### RESOLUTIONS

1. Resolution authorizing Town Manager to apply to R.I.D.E.M. for Passive Historic Development Grant

Motion made by Bruce Thompson seconded by Frank Hyde to adopt resolution. All voted Aye.

2. Resolution appointing member to Coventry Land Trust

Motion made by Frank Hyde seconded by Kenneth Cloutier to appoint Jennifer O'Kleasky for a term of office expiring 2011.

3. Resolution regarding hotel room tax allocation

Kevin McGee – On November 19<sup>th</sup>, we requested that the Town Council reinstate the hotel room tax. We are looking to promote tourism in the Town of Coventry, advertising, tourism racks with brochures, tours of Coventry, trips maybe to Newport, apple picking, providing transportation from the hotels. The money would be to promote the Town of Coventry.

President Pomfret – Asked for the impact of losing this money previously.

Mr. McGee – Had to close one of our two offices.

Mr. Thompson – This resolution is looking for 20%. Is this something that would be acceptable if we reinstated maybe on a graduated type scale, because in my mind this is a large dollar amount.

Mr. McGee – Due to the closing of Clariant and moving of G Tech and also Amgen, it has decimated the hotels according to the Hampton Inn and Wingate. If the Town Council feels they would like to do something different, like a graduated amount, we are open to it.

President Pomfret – I think this is important to the town. Chamber does a great job, need to bring in business and tourism. This money is not coming from the taxpayers, it will come from the hotel room tax.

Motion made by Frank Hyde to approve resolution.

Mr. Hyde - Do you want to put a dollar figure on this like \$10,000 or \$12,000 or stick with a percentage?

Mr. Cloutier – Why did they get rid of this in the first place?

Mr. Hyde – There were a lot of grants that the Town was giving out. We were tightening our belts. We probably went a little bit overboard.

Mr. Pomfret – Why don't we take this one step at a time, maybe try \$10,000 at a time, come back next year.

Mr. Hyde – Motion to withdraw original motion and to approve up to 20%, capped at \$12,000 coming out of the hotel room tax and then revisit next year, seconded by Kenneth Cloutier. All voted Aye. So voted.

- PUBLIC HEARINGS

1. Amending Ordinance 2-04-0239, Article XI, Assessments

Currently the ordinance provides for use charge of \$1.24 per 100 cubic feet based on 80% of the water meter reading for residential and non residential use. About a year ago the Town Council commissioned a rate study to determine whether the assessments and sewer use charges were adequate. Woodcock and Associates has recommended an increase to 1.55 per 100 cubic feet based on 80% of the water meter reading in order to adequately fund operations and maintenance of the sewer works. It is predicted that this number would be adequate for the next five years. It was also the recommendation of the Sewer Subcommittee also to adopt the recommendations of the independent rate study experts.

Motion made by Frank Hyde seconded by Anthony Colaluca to open public hearing. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Anthony Colaluca to close public hearing. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Bruce Thompson to adopt ordinance. All voted Aye. So voted.

2. Ordinance Prohibiting Signs on Utility Poles

Motion made by Anthony Colaluca seconded by Bruce Thompson to open public hearing. All voted Aye. So voted.

Charles Vacca  
124 Fairway Drive  
Coventry, RI

Mr. Vacca – Good idea, but ordinance is not clear enough. At what point do you fine people? Who will monitor this? Town has been littered with signs, think you have to send a message that we don't want these in our community. Need to take a strict stance on this. If you don't take a strict stance and hit people in the wallets, then the following week you will see signs back up.

Also believe that ordinances should be advertised informing people that a vote may be taken at the time of public hearing.

Solicitor Sullivan – The Charter provides for the allowance of a vote on the same evening.

Guy Lefebvre  
79 Indian Trail  
Coventry, RI

Mr. Lefebvre – I'm just wondering if there is a loophole, just by the title. What about signs on fences? Signs other than utility poles?

Solicitor Sullivan – Actually, further down in the ordinance it states “no personal signs shall be placed or cause to be placed on any utility pole, light pole, traffic control device, or tree within the right of way of any public way.”

Dorothy Berube  
Colvintown Road  
Coventry, RI

Ms. Berube – State law provides for a \$250.00 fine for any signs attached to an electric pole. Who will enforce this ordinance? Need to have the personnel to go out and do this. Ordinance without teeth is a waste of everyone's time. This is a good idea, the signs in town are terrible. Not sure this will cure the problem though.

President Pomfret – Enforcement will be by the code enforcement official, building inspector.

Motion made by Anthony Colaluca seconded by Bruce Thompson to close public hearing. All voted Aye. So voted.

Mr. Thompson – This is a good start, not sure what Mr. Vacca was reading, but regarding enforcement, this gives the town the “teeth” to let the zoning enforcement officer take care of this, the police have enough to do. Have to start somewhere, start cleaning up the mess in the town.

President Pomfret – Good idea, something to build on.

Mr. Hyde – Want to point out one thing. Don't want to do something that will adversely effect people holding yard sales. Is there a way to allow yard sale signs to stay up a little longer, if not gone in two days, then they will be fined.

Solicitor Sullivan – You could give yard sale signs a grace period of 72 hours before ordinance takes effect.

Motion made by Anthony Colaluca seconded by Bruce Thompson to approve ordinance as amended. All voted aye. So voted.

### 3. Ordinance Regulating Vehicle Towing Services within the Town of Coventry

Motion made by Frank Hyde seconded by Kenneth Cloutier to open public hearing. All voted Aye. So voted.

James Andrade  
Arnold Road  
Owner/operator of Astro Wrecker  
West Warwick, RI

Mr. Andrade – Would like to be called directly rather than from regional or main headquarters. Faster response time, worried about time limit of 20 minutes. Saves time by calling directly.

In the future I wanted to lease property in Coventry so that I could get on the tow list. Now you want to cut this down to four. Would like to have the opportunity to get on Coventry's list.

Pat Raimondo  
Pat's Towing Service

Mr. Raimondo – The main reason we wanted to go down to four was to control that business stays in the Town of Coventry. The more people on it, the harder it is to stay in business.

Philip Casacalenda  
Twin City Towing  
Tiogue Avenue  
Coventry, RI

Mr. Casacalenda – When Chevalier retired, the Chief and Major said they would agree to keep this list to four if we could make it work that way.

Motion made by Frank Hyde seconded by Anthony Colaluca to close public hearing. All voted Aye. So voted.

Motion made by Frank Hyde seconded by Kenneth Cloutier to adopt ordinance. All voted Aye. So voted.

4. Ordinance Regarding Tax Exemption for Elderly/Disabled

Motion made by Bruce Thompson seconded by Frank Hyde to open public hearing. All voted Aye. So voted.

Robert DiPadua  
62 Laurel Avenue

Mr. DiPadua thanked the Town Council, manager and solicitor for finally getting this before the Town Council, as it had become a dead issue.

Motion made by Bruce Thompson seconded by Kenneth Cloutier to close public hearing. All voted Aye. So voted.

Manager Sprague – This ordinance is an amendment to the existing ordinance. It increases the period of time required for an applicant to be a resident in order to be eligible, from 1 to 3 years. Also addresses income in the family and people residing in the home. If someone needs a caregiver in the house, this provides for the determination of that eligibility or ineligibility, takes into consideration the gross income in the household, but not that of a caregiver. A medical doctor has to give written proof that the person seeking an exemption needs someone to live in the house on a regular basis.

It also states that you have to live in town at least nine months out of the year. It excludes the income of someone who is totally disabled.

Mr. Hyde – Do we address veterans income in this ordinance?

Mr. DiPadua – if it is non-taxable on your 1040, then the town can't tax you for something. Town can't just say I want to tax you if you don't record it on your income tax.

Mr. Hyde – I think that while we have the opportunity, that Coventry needs to recognize that this is exempt.

Mr. Thompson – Any federal money that is tax free, the town should also be tax free.

Mr. Hyde – That's correct, but Coventry is the only town out of 39 cities and towns that doesn't recognize it.

President Pomfret – So how would we do that?

Solicitor Sullivan – Don't know if that would be for tonight, need to research.

President Pomfret – Could we pass on that and bring it to the next meeting?

Mr. Hyde - I'm okay with that, or if you just want to change one sentence on this one.

Solicitor Sullivan – Not sure, need time to study it. There are issues regarding disability pensions.

Mr. Hyde – Ok, I'll go along with that.

President Pomfret – Study and we'll bring it back as soon as possible.

Mr.Cloutier – Just want to make sure that the whole issue of caregiver income not being included only involves a totally disabled person in the household. Just want to make sure that we are not opening up a loophole.

Solicitor Sullivan – Up to the physician, if someone is not totally disabled and needs a caregiver, that is up to the physician. Need certification, show proof to tax assessor from physician with other supporting documentation.

Mr. Thompson – Previously we had discussed residency of five years, would like to make that change.

Mr. Colaluca – Would also like to see changed to five years.

Motion made by Bruce Thompson seconded by Frank Hyde to amend 16-47 (1c) to five (5) years and adopt ordinance. All voted Aye. So voted.

#### INTRODUCTION OF ORDINANCES

1. Ordinance Adopting Harris District Redevelopment Plan and Project Plan/TIF District
2. Ordinance Adopting Brookside Center Redevelopment Plan and Project Plan/TIF District

Motion made by Frank Hyde seconded by Kenneth Cloutier to advertise for public hearing on December 27, 2007 at 11:00 a.m. All voted Aye. So voted.

#### PUBLIC FORUM

President Pomfret announced public forum for anyone who wishes to discuss any issues

Motion made by Anthony Colaluca seconded by Kenneth Cloutier to adjourn in memory of Kevin O'Loughlin, brother of a town employee who passed away recently. Would like to dedicate a page in the Town Council records. All voted Aye. So voted.

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Town Clerk