

Town Council Meeting
December 14, 2015

EXECUTIVE SESSION – 6:00 P.M.
PER RIGL 42-46-5 (a) (1) (2)

1. Interim Town Manager's Contract Extension
2. Extension of contract re Finance Director to act as the Interim Town Manager in the absence of the Interim Town Manager
3. Litigation - Miozzi Consent Judgment KC 2010-1574 per RIGL 42-46-5 (a) (2)

A motion was made by Vice-President Carlson seconded by Councilwoman Duxbury to come out of Executive Session. All voted aye.

A motion was made by Councilman Laboissonniere seconded by Vice-President Carlson to seal minutes of Executive Session. All voted aye.

WORK SESSION-6:30 p.m.
Annual Meeting with School Committee FY 17 Budget

School Committee Chairwoman Patenaude opened School Committee work session. Manager Kerbel explained that this is a yearly meeting for budget projections for the next fiscal year.

School Superintendent Convery distributed drafts of the school's three year budget projection based on facts known as of this evening. A power point presentation was given showing the actual costs going back to 2012; where the school stands with the FY 15 budget, and the current FY 16 budget.

He remarked that there are three areas of increase for next year with all day Kindergarten mandated by the State to begin by August 2016. The net increase this year is about \$551,000, the result of increased state aid through the funding formula. Coventry is an underfunded district and we have been receiving incremental increases. However, town taxes have not gone up, but just like in households, our expenses continue to go up each year.

There are three areas of increase in the next school year: All day Kindergarten, funding the third year of the teacher contract and an expected increase in health care, pension and purchased services. The exact figures are not available at this time, but we project an increase of \$1.8 million in salary and wages, \$508,000 in fringe benefits, approximately \$200,000 in purchased services, \$60,000 in supplies and materials and a onetime expense of \$90,000 for increased capital expenses, bringing the total projected budget increase to \$2.5 million. This is offset significantly by a state aid increase, as we expect to get \$480,000 on top of the usual \$650,000 toward kindergarten. That gives us \$1.1 million from the state and we would be asking the town for \$1.4 million, which would be part of maintenance of effort.

So for FY 2017 we have a projected increase in state aid of \$1,130,000; a projected request from the Town of \$1,438,000 and a onetime start up cost of \$90,000. In FY 2018 we project state aid at \$650,000 typically and a town request of \$139,397. That is also supposed to be the last year of the funding formula, and we are not anticipating any increase in state aid. So to the total costs the third year to the town would be \$815,684, with the total request through the town. This is a relatively short presentation and we are trying to be as frugal as possible. We are the 36th district to put in all day Kindergarten and there is a lot more detail to come.

Vice-President Carlson asked if all day K will be available at all schools and not just at one location. Superintendent Convery replied that there will be kindergarten in each neighborhood school. Where Hopkins Hill School is concerned, mobile classrooms will be added, but the kindergarten classes will be in the schools. There will be no increase in bussing; there will be no more mid day runs.

There was discussion with regard to the funding formula and the loss of it after 2018, with Mr. Convery stating that nobody knows yet what will happen the following year.

Councilwoman Duxbury asked that all this be laid out clearly for the Town Council with a lot of detail so the Council knows what needs to be done compared with the school's wishes. Mr. Convery agreed but noted again that tonight was just looking at the big picture projection.

Finance Director Mike D'Amico discussed out of district tuitions, noting that an additional \$600,000 was added. Out of district tuition has been climbing for years.

The presentation and all information discussed are filed in the Council folder for further review.

A motion was made by School Committee member Florio seconded by member Dickson to close work session. All voted aye.

7:00 p.m. Work Session on Wind Energy

Attorney Steven Brusini, representing WED, spoke on several items: 1. Shadow flicker, where the proposed ordinance calls for the turbine to be shut down during shadow flicker; however, there will be flicker any time the blades are spinning. After conferring with an engineer, to contain all the flicker any sight would have to be self contained with 1800 to 2600 acres. I don't think there are any properties in Coventry that could contain that. In addition the ordinance provides a definition of what an occupied building is, with not more than ten hours of flicker on an occupied building. I'm not sure why a definition was put in there, but to be clear a prohibition on flicker would make it impossible for any developer to put another turbine in Coventry.

In addition, improvement guarantees would make any project cost prohibitive. The town is protected by a decommissioning and restoration bond, providing the cost of dismantling and turning the site back to where it was if the developer doesn't finish the project. If the town is already protected, under what set of circumstances would the town step in to finish any project on private land. If the town doesn't own the property or the turbine, then the town has no insurable interest.

He addressed noise level requirements, decibels and ambient sound. The ordinance speaks of the latest technology; the costs of the latest technology can be prohibitive. There is proven technology available. And, this ordinance does not tell us who would determine what the latest technology is or whether the proven technology is enough to satisfy the ordinance. It is all too vague.

Why are road studies being required? Any type of heavy hauling requires a DOT permit. And when talking about disruption to wildlife or plants, turbines have a very small footprint, so why are they being treated differently. They only have a small footprint of about 400 square feet, so why treat them differently.

The Zoning Ordinance can be overturned if arbitrary or capricious. A distinction is being made for these projects without stated justification. Some parts of the wind ordinance place undue burdens on the developers, such as permits expiring after a year when it may take the utilities up to two years to do their interconnection. It will expire through no fault of their own, they will lose their permits and their investment, will not be able to complete their end of the project.

Typically land is leased on a long term basis, not owned. Also there is a proposed five mile radius requirement to other projects, which would be enormous requirement. There is also a requirement of stamped drawings early on, which is sometimes not possible until certain tests are taken. Fall zones listed at 200% of turbine height is burdensome and render most properties in Coventry unable to hold turbines. There are a number of terms that are not defined at all or vague and not clear.

One also has a concern about consistency with the comprehensive plan. Three important elements relate to preservation and conservation of farm land, open space and natural resources. Wind turbines are friendly to plants and wildlife, with a base of only about 20 x 20.

There is a resolution from January of 2015 to create a 12 month study moratorium. The Town Council was quoted that they want to stop, wait and see how we do with these ten turbines. The primary objective of your moratorium is to gather data and study it carefully, then craft an ordinance. Coventry has a unique opportunity. The turbines should commence operating in about 6 months in June of 2016. When speaking of Route 117, there is the construction site, 7.5 miles of underground conduit, the foundation has been poured for Coventry 1, and there is a cover letter from VENSYS Energy. The components are in manufacture and will be shipped over the next few months. The project is very plausible. The town is completely protected by the moratorium. There is no rush to put an ordinance in place, just wait six months, enough time for the turbines to be up and running so you can study them, the state will be out with new guidelines, and you will have more information to make the best possible ordinance for the town.

Mark DePasquale, CEO of WED, employs over 64 people working each day on that project. The town was given a good deal. We are building a beautiful facility in your town and we are looking to create revenue for the town. I am losing the ability to be able to negotiate certain benefits with the town the longer this goes on. It is important that we discuss the benefits that we can give the town and come up with a plan to share some of the revenue. This is a model project and important that it runs smoothly. These turbines are actually a couple of series newer than the one in North Kingstown.

He asked the town to extend the moratorium and look at some of the long term benefits that can be brought to the town. You need to give it some time to get up and running. We are currently negotiating with West Warwick along with some other entities. It is important that the project runs properly.

Councilman McGee talked about the host agreement and that the taxpayers need to know what is in it for them. Mr. Brusini made some good points about taxpayers having a turbine rather than have to sell or develop their land. I would rather see a turbine than a development. He asked Mr. DePasquale to give an overview of the host agreement and what it means for the town.

Mr. DePasquale explained that the value of the savings for all town buildings except for the school, is about \$200,000 a year and growing. That was one of the offers. The other was a payment to the fire districts. There are multiple ways we can cut it up. If National Grid never increases the electric bill, the proposal in front of the town will save over \$10,500 million over a 25 year period. The reality is that the electric bill is climbing, the town is saving but with no risk. West Warwick will spend \$18 million to save \$44 million. Coventry has the opportunity to save \$19,985 million with taking nothing out of their pocket. It is really the Council's decision, but the school department could get \$140,000. You could take the free power for the town (about \$200,000 this year) and the remainder of the \$80,000 to each fire district at \$20,000 each for the next four years. As we move forward I think we could sit down and find some other options. Right now we offered \$210,000 as a host, and that host can be used for permitting the additional turbines, whatever you want, school, fire, and \$10,000 for the western Coventry fire district.

Councilwoman Duxbury asked whether that offer was only good if we fast tracked six more turbines for them and Mr. DePasquale agreed. She then mentioned the fact that the first ten turbines did not go through planning. Mr. DePasquale remarked that he was given direction, told to go to zoning for a special use permit, then the Planning end was done administratively. Mrs. Duxbury commented that although he did not circumvent the system, the town actually did to expedite the first ten turbines.

Mr. DePasquale went on to explain the history of the turbines, beginning with two original turbines on town property. We offered a host program early on at \$10,000 per turbine per year for 8 out of the ten turbines. In between there were negotiations with National Grid. The town was looking for a way to generate more revenue. When the turbine project was approved there was a moratorium until they were up and running. Vice-President Carlson again stated that unless he was allowed six more turbines, without any ordinances, there would be no host agreement and no tax agreement. We were looking for a host agreement, you went down to \$10,000 per turbine. You also said you were waiting to see what happened with the court case in North Kingstown. Mr. DePasquale expects a judgment on the North Kingstown turbine within the next 60 days and he is confident that when that decision comes down, the turbines are tax exempt. The town can wait to see what that decision is, but I think it would serve the town a better benefit if the town would sit and negotiate.

Vice-President Carlson stated that the town has taken his letter along with some of his advice and incorporated it into the ordinance, but the bottom line is protecting the entire town. I understand where you are coming from, there is a moratorium in place, but we have been working on this ordinance for a year. Mr. DePasquale replied that many towns have ordinances not to allow turbines. You say you want to work with the comprehensive plan, but then there is not one piece of property in Coventry where you can build a turbine. I have spent a lot of money with engineers to help the Planning Commission build a technical ordinance. The state reached out to the town and said they were building citing guidelines, but they never adopted them. Manager Kerbel said the state asked us to delay the adoption of the ordinance and I said no; they gave us comments which were only delivered around 3:30 today. They never offered us new guidelines and said they weren't established yet. Mr. DePasquale responded that there is no risk in extending the moratorium.

Mrs. Carlson asked what it means for him if the moratorium is extended and Mr. DePasquale replied that it stops an ordinance from going in that makes no sense. He was under the impression that there would be some executive sessions and the Council would wait until the turbines are up so they could study them properly.

Mrs. Duxbury remembered that the Town Manager and Town Council specifically asked for some financial information, which we never received. I still do not see the turbines, but every time we speak the time line gets extended. Hopefully you understand things from my perspective. Agreements were signed for the turbines in 2012, and I really don't care what the delays are, but from my perspective the contract that was signed was a terrible contract for the town to enter into. It doesn't tell you when you are supposed to perform by and what the penalty is for not performing. I also have a problem with Mr. Brusini, I didn't hear one concern mentioned that was a concern for the residents of the town. The fact is that this did not go through the Planning Commission and avoided the opportunity for our Planning Commission to make sure that our comprehensive plan is abided by.

Residents' concerns are an afterthought. This ordinance protects the residents' right to know and speak up. Ordinances can be amended.

Mr. DePasquale added that Wind Energy conducted workshops, provided notification, and workshops were held at the Western Coventry Fire Department and the library to discuss the projects at the Picillo Farm. We had open meetings four or five times, talked with the neighbors every day and no one came to us with any complaints. Mr. DePasquale lives 221 feet from an existing turbine in North Kingstown, which is located in his yard. He stated there will be no flicker issues, no noise issues and no damage to town roads.

Mrs. Duxbury commented that he held informal meetings. For now, she just sees a Direct Energy contract that the town has to renew again, and still no turbines. As far as the ordinance, something is better than nothing, and if this ordinance prevents any turbines until the new guidelines come out, I would urge my colleagues to pass this ordinance. Mrs. Carlson added that she attended meetings at the fire district and the library, but when you have large parcels of land, you might have only three abutters as opposed to having everyone west of Route 102 know about it. My e-mails and phone calls are running anti-turbine expansion. This ordinance would be a protective measure for the entire town. At this time the Town Council closed the work session.

TOWN COUNCIL MEETING – 7:30 P.M.

Present: Vice-President Carlson, Councilman McGee, Councilwoman Duxbury, President Shibley, Councilman Laboissonniere, Interim Town Manager Rich Kerbel, Town Solicitor Nicholas Gorham.

Pledge of Allegiance
Invocation
Review of Emergency Evacuation Plan

President's Comments

President Shibley reported that both Central Coventry and Coventry Fire Districts appear to have straightened out their financial problems and seem to be headed in the right direction. The town has received back the \$300,000 reimbursement from Central Coventry Fire District.

COUNCIL DISTRICT UPDATES

Council members McGee, Duxbury, Carlson and Laboissonniere had nothing new to report as things seem to be going smoothly in their districts. President Shibley advised of a recent fire at the Summer Villa Nursing Home facility on Laurel Avenue. The Coventry Police are looking into the matter as it seemed suspicious in nature, but we were lucky that it wasn't more serious a fire than it was.

SCHOOL DEPARTMENT REPORT

School Committee member Ann Dickson reported on recent school events. She announced that Craig Levis has been appointed new Asst. Superintendent and joins the school department on November 30. School officials and the Coventry Police Department are planning to reconvene the District Safety Committee; notice has been received from the Marine Corps that they will not add Coventry High School as a JROTC program next year, however, our application to become a NAVY ROTC program has made it past the first step. The School Department continues to work on plans for all day kindergarten next year.

The superintendent's advisory council to Coventry Education is working on a communication plan to better inform community members of school goals. We are also working on posting all budget documentation on the website and plan to produce an annual report to residents. Lastly, congratulations to the CHS Girls Volleyball team for winning the state championship.

PUBLIC COMMENT

Ken Jackson, 2799 Harkney Hill Road, stated that the school's chromebook system was breached on June 5 of this year. It appears that the school violated the purchasing and bidding policy for most of that project. The bidding didn't follow the guidelines of the home rule charter or the purchasing ordinance. He has prepared a package both for Attorney Gorham and for the Attorney General's Office regarding violations against the Charter and town ordinances. .

Robert Lawrence, 26 Darton Street, requested that the illegal encroachment agreement at 83 East Shore Drive be put on the Town Council agenda.

Stacy O’Gorman, 31 Elton Street, wants the encroachment agreement at 83 East Shore Drive rescinded, the sprinkler system removed and the fence replaced on the Elton Street right of way.

CONSENT AGENDA

1. Tax abatements and additions for the month of November 2015

Manager Kerbel remarked that the abatement list has been amended from the list which was sent in the original Council packets due to an abatement of \$8,616.45 to RT Nunes, as it was verified that there had been a taxing error as the tangible personal property was not under the ownership of RT Nunes.

2. Renewal of Private Detective license for Robert Conover

A motion was made by Councilman McGee seconded by Councilman Laboissonniere that Consent Agenda is approved. All voted aye.

A. RESOLUTIONS

1. Authorizing easement agreement for National Grid

Manager Kerbel explained that this is an easement for National Grid’s transmission facility on this site. A representative from WED explained further that this is only for the last 15 feet, with the meter and transformer, which is located on town property for WED Coventry One.

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

2. Affirming the waiver of Anthony Mill Sewer Assessment

Manager Kerbel advised that the next two items both relate to sewer assessments. Sewer assessments were not charged with the Anthony Mill conversion from a mill property to a residential property. There are records from both the former town manager and the solicitor that this was part of an agreement. We also have the old sewer assessment ordinance, and they did pay for the mill as it was originally assessed, however that ordinance did not call for a reassessment if you change the use of the property. Staff is somewhat caught in a catch 22, as there are memos that indicate that the assessment fee should not be charged. We are looking for action from the Town Council.

A motion was made by Councilwoman Duxbury seconded by Vice-President Carlson to table this resolution in order to investigate further as there is no written documentation, only a letter from 2012 from the Director of the Planning Department and an e mail from a former town solicitor to the tax collector telling her not to collect the sewer assessment. Manager Kerbel added that the amount is between \$900,000 and a million dollars. Councilman McGee added that there was no betterment clause in the past ordinance. They were told by legal counsel at that time that the assessment. was already paid by the former mill owner. Additionally, this project never would have happened if things had been different. We were told that it was paid by the previous mill owner and the line was already in the ground. Mrs. Duxbury responded that there is nothing in writing between Brady Sullivan (mill owner) and the town, she is not willing to put her name on anything until we do more homework.

Solicitor Gorham said to his knowledge, there is no agreement. Former Town Manager Hoover had acknowledged that there was no agreement and nothing in writing. If what Councilmember McGee says is true, that they were advised that there was no legal mechanism to further assess after they paid the assessment when it was a mill, then Solicitor Gorham wants to see if there is something in the council minutes. Councilmember McGee added that they were advised by legal counsel that the town had no right to assess because it didn’t have a sewer betterment clause, which is significant. President Shibley asked what they did pay and Finance Director Thibeault replied that they paid \$34,327 for the line. Solicitor Gorham added that there is no question that that the betterment assessment became effective when we amended the enabling legislation through the General Assembly last year and then later last summer changed the ordinance to add that we have the right to assess betterment assessments. Just because they paid the \$34,000, it doesn’t answer the question at the core of this, which is whether that assessment was the end all and was there any basis whatsoever for the council to have assessed anything more, and were they advised that they could not? If that is a matter of record, you may not have to take a vote, but we need to put this all together.

A motion was made by Councilwoman Duxbury seconded by Councilman Laboissonniere to table resolution. Vote taken: 4 Aye; 1 No. (Councilmember McGee votes No) Motion passes.

Modifying the Assessment for Contract 7

Manager Kerbel advised that when the town changed the sewer assessment ordinance, it included that all properties where a sewer line goes will have to pay assessments, both commercial and residential properties. Manager Hoover sent a letter to those effected, saying that they would never have to pay an assessment unless they used the line, and that was written prior to the change in the assessment ordinance.

The assessment ordinance obligates the town to charge an assessment on residential properties. What the Sewer Subcommittee is recommending, of the 31 properties that received the letter, five have already hooked up. For the remaining 26 properties we are suggesting giving them a five year deferment before charging them. However, if they sell within 5 years we will charge right away.

Councilman McGee added that this resolution came with a with favorable recommendation from the Sewer Subcommittee.

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

Awarding bid for used Roll Off truck for DPW

Manager Kerbel explained that this is part of our recycling program; this truck will allow us some flexibility in case we have issues with one of our trucks, especially since we are traveling daily to the landfill.

DPW Director McGee added that we went out to bid, advertised, and there are no automatic roll offs in New England. We received one response from Florida. We have already had one instance with the truck we currently have, and this final piece of equipment for this program is \$89,000 plus shipping = \$91,700. Funding is from the automated bond fund. When asked if all the bond money has been spent, Mr. McGee replied that it has not.

With regard to the bond, Councilwoman Duxbury requested that when we begin budget discussions for the next fiscal year, she would like an accounting of how much we started out with and what we have spent year to date on the bonds. Somewhere down the road we need to check to see if our projections for the new trash program are coming true and whether it is paying for itself, maybe at the end of the fiscal year.

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

4. Extending Direct Energy contract

Manager Kerbel advised that he would like to see the energy contract extended to June of 2016, which is theoretically when WED will come on-line, and at that time we will be obligated to buy from them. Direct Energy is now quoting us a price of 7.95 cents. The good news is that with the WED project being delayed, we are seeing lower energy costs than anticipated. We are therefore asking you to approve an agreement with Direct Energy for all 28 town meters through June of 2016.

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

Extending the contract of the Interim Town Manager

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

Solicitor Gorham explained that because we have an interim town manager who is going to stay a little longer until we hire a town manager, the next resolution extends the contract of the Finance Director, Bob Thibeault, to act as interim town manager when the interim town manager is out of town. When someone is hired, the contract ends.

Extending the contract of the Finance Director to act as the Interim Town Manager in the absence of the Interim Town Manager

A motion was made by Councilman Laboissonniere seconded by Councilwoman Duxbury to approve contract extension. All voted aye.

PUBLIC HEARING

Amending Zoning Ordinance Article VI DISTRICT USE REGULATIONS, Section 4, "TRANSPORTATION, COMMUNICATIONS & UTILITIES" SECTION 4 ITEM 15 to clarify Item 15 and adding Article 20, Section 1, Wind Energy Facilities, in order to regulate the development of the Town's wind power resources

A motion was made by Vice-President Carlson seconded by Councilwoman Duxbury to remove public hearing from table (from September 15, 2015 meeting). All voted aye.

A motion was made by Vice-President Carlson seconded by Councilman Laboissonniere to reopen public hearing. All voted aye.

Attorney Bernstein went over history of this ordinance, as it was tabled because we wanted to gather further information. It was referred to the Planning Commission again for further input and we received a very thorough report. Additionally I have some recommendations for the Council to consider as well, which can be accomplished by way of amendment to the ordinance. After consideration by the Planning Commission, I suggest the following amendments:

- That this should also be extended to the industrial zones, I (1), I (2) and BP by special use permit,
- Section 1.5.2: After "Ordinance" replace with "nor shall any wind turbine be permitted where a historic structure is located in the proposed fall zone."
- Section 1.5.4: After "Zoning Board" insert: "and/or the Planning Commission..."
- Section 1.6.1: Page 7 add new subsection (e):
 - (e) All submissions required under this section shall be signed and stamped by the appropriate licensed professional who prepared the submission."
- Section 1.7.1: add "which said property interest has a duration of least twenty years after the installation of the turbine. Easements and other instruments evidencing property interests are subject to the approval of the Town Solicitor:
- Section 1.7.9: after "...testing" add the wording: that meet or exceed accepted industry standards."
- Insertion new Section 1.9.6 as follows:

Onsite inspection by a Rhode Island licensed architect and/or engineer for "as-built" features shall be conducted on the developer's behalf."

- Section 1.10.1: insert at the end: "At the time of submission of the application the applicant shall simultaneously file the application with all supporting documents to the Planning Commission"

Other concerns raised by the Planning Commission seem to have been addressed in the draft being considered by the Council. I recommend that the Council adopt these amendments when considering the adoption of the ordinance. What is before you now is the ordinance that was proposed at the last meeting with amendments from the Planning Commission along with anything else the Council may feel appropriate to add.

Councilwoman Duxbury has no issues with what the Planning Commission proposed, but would like to remind her colleagues that the industrial park at 75 Airport Road currently has two asphalt plants, which have been nothing but trouble for residents. She personally does not want to see turbines allowed in Industrial 1 and does not agree with amending the ordinance to include Industrial 1. If the industrial park wasn't in a residential area, then it wouldn't be a problem.

Councilman Laboissonniere feels that the Planning Commission would study that situation and make a determination. In addition, Mr. Crossman, Chairman of Planning Commission, indicated that you would never see a turbine on property at 75 Airport Road as there isn't enough land. They don't have the fall space.

Mr. Crossman indicated that it was important to the Planning Commission to be able to conduct an environmental assessment on the site and Planning Director Paul Sprague indicated that it was

already included in the ordinance as the Zoning and Planning Commissions already have the authority to have a study conducted and the ability to attach any conditions.

PUBLIC COMMENT:

Sean Doyle, 411 Carr's Trail, lives in Western Coventry and urges the Council to adopt this ordinance. The whole notion that this is about green energy is a romantic red herring; it is about profit. Please pass this ordinance tonight. If we feel restricted over time, then we can amend it.

Dottie Jackvony, 552 Carr's Trail, agrees with Mr. Doyle and also wants to know how they got permission for these turbines without going to Planning first.

Todd George built a garage in September. He had to get signatures from all the neighbors to get this approved. But now we have this 400+ foot wind turbine coming in, and if just one goes up, it will be catastrophic visually to western Coventry. Landowners are making profit at the expense of the neighbors. I can't believe these ten wind turbines are happening, when look what you have to go through to build a garage? He urged Town Council to approve ordinance.

Scott Guthrie, 31 Maplewood Drive commented that if the General Assembly rewrites the law after you write an ordinance, it will just undo what you did and will be another legal quagmire. It seems sensible to work with the state through your legislators. The Council might want to follow the Governor's lead on this, she signed a general executive order requiring the state to run on 100% renewable energy by 2025. Have you asked the state what they are going to propose?

Dean Talbot, 671 Carr's Trail, said that maybe this is a good idea, but I want to learn about it. This is being shoved down my throat and I understand that I have to accept ten windmills right now, but I am not happy about it. Now I am hearing about the possibility of six more being shoved down our throats. The thing is that if we have to have this, then study it first and pay attention. There is a moratorium on turbines and these ten are not even built. Extend the moratorium for another six months, you need to study this stuff.

Councilman McGee agrees, there are a lot of pros and cons. We do need an ordinance but I want to do it right. I don't think it will do any harm to extend the moratorium for a year, will give us time to can get more information and facts, find the impacts to people around it. That will do the town no harm, cost the town nothing and we will have more factual scientific info so we can have an ordinance that is correct. I get it that you don't want in your back yard. In the beginning I was in favor of getting two because of the free power. We had meetings at the Western Coventry Fire Department, the meetings were publicized and there was not a lot of objection. We had a good turnout at the meetings, but we are having ten turbines going up, 8 of them slipped right in; the Town Council didn't even know. But, these turbines should be up by now. I know the developer has had some issues with National Grid, but we want power. This is a good deal for the taxpayers of the town; we will save \$19 million. The state just passed a law that we have to be total renewable energy by 2025 I believe. We do have to have other forms of energy besides oil and this is a good deal for the town.

Vice-President Carlson added that we do not have free power. There is nothing in writing. This is free only if we give Mr. DePasquale six more turbines. I don't see any reason why we should not have an ordinance. I am in favor of green energy. Mr. DePasquale likes to blame National Grid for the delay, but he has only put up one turbine in his career and is going to put up our ten. He doesn't have the experience. It is important to protect the town. We have to consider what is best for everybody.

Paul Rollins, 662 Carr's Trail, stated that the town has an ordinance now on cell towers, so why not on wind energy? You are putting up turbines without an ordinance, common sense tells you that you need an ordinance. The discussion should be about language that should go in an ordinance. How can you put up a 400+ foot structure? Does it make noise? There are tons of them in the Netherlands, Germany, and Europe. They reduce the output of greenhouse gases, but a little research shows you that wind power does not live up to those claims. The impact on peoples' lives is far from benign. There is noise. Some turbines make people nauseous. They freak out horses and dogs. It is all unproven, just google it. Denmark has over 6,000 turbines. How does that affect property values?

Ken Jackson, 2799 Harkney Hill Road, I believe we cannot tax them. With regard to neighbors, you would be looking at it constantly, it just doesn't make sense. There is a video out there that shows what happens when a turbine gets out of control and "throws" a blade. What right did the zoning official have to bypass Zoning and Planning? This needs to be looked into.

John Shields, 376 Carr's Trail, believes the turbines do not belong in residential areas. As far

as what the town will save over 25 years, this is not going to break the bank. A seven foot fence is not allowed in RR5, a 36 foot house is not allowed in RR 5, but you can put a 400+ foot wind turbine. This is unbelievable. Property values will suffer. Envision that your house is for sale, a buyer comes in, sees the turbine, comes in your house and there is shadow flicker every second going through the kitchen. You can't hide it. What are other towns doing? This would never fly in West Greenwich. Has any other town gone with 10 windmills? How about using the Nike site? Oak Haven School? The middle of Johnson's Pond? That would never fly. This is because it is in the western end of town. He doesn't believe neighbors were properly notified.

Daniel Shields, 376 Carr's Trail, agrees that wind turbines have no place in Western Coventry and especially not an additional six more, since we are already stuck with ten. He is concerned about noise, sounds, flicker, and also believes that the first turbines should have not gone through without an ordinance. We need to protect our interest and hopes the next step the Council takes is a permanent ban.

Steve Brusini, Esq., respectfully disagrees that having something (an ordinance) is better than having nothing, if the something that you have is not a good ordinance. Why have an ordinance that is not that good and of questionable enforceability when you can have a moratorium that provides absolute protection. At no point did I say that we are unwilling to go before the Planning Commission and at no point did I say that WED is unwilling to have an ordinance. I think the town should have an ordinance but just want it to be a thoughtful ordinance and there will be data available shortly.

Councilwoman Duxbury remarked that she has been through this ordinance time and time again, attended work sessions, executive sessions, has been through stacks of information and the proposed ordinance has had a lot of thought and research that went into it. I have read it carefully and think it is a good ordinance. With regard to Mr. Guthrie's comments, I have reached out to state officials, invited them to meetings, and have received no responses. I am not going to sit and wait for the state to do something, I saw what the state did to our fire district. Would like to see an extensive analysis of savings, what the town will get, with regard to the 19 million dollars figure that has been thrown around.

Ken Jackson, 2799 Harkney Hill Road, would like to see an ordinance in place so at least we have a safeguard, and if you want to change it, fine, but will have to come in front of us.

Atty. Bernstein has familiarity with electrical rates and was brought on a year ago as special counsel to deal with this issue. He has spent countless hours, has met with the Town Council, Manager Kerbel, Manager Hoover, there have been studies, this has been talked about, changed and I think it is time to put this ordinance to a vote. He agrees an ordinance is better than what we have now. This may not be a perfect ordinance, but as we get info from the Office of Energy Resources, they plan to have more regulations in the spring, I would certainly urge the Town Council to look at their input.

A motion was made by Vice-President Carlson seconded by Councilwoman Duxbury to close public hearing. All voted aye.

Councilwoman Duxbury requested that turbines are removed from the Industrial 1 zone but is in full support of the ordinance.

A motion was made by Councilwoman Carlson seconded by Councilwoman Duxbury to approve the wind energy ordinance as amended by Attorney Bernstein, including the removal of the possibility of wind turbines from the Industrial 1 zone. All voted aye.

A motion was made by Vice-President Carlson seconded by Councilwoman Duxbury to accept ordinance as amended. All voted aye.

A motion was made by Vice-President Carlson seconded by Councilman Laboissonniere to adjourn meeting. All voted aye.

Town Clerk