

**TOWN OF WEST GREENWICH
TOWN COUNCIL
REGULAR MEETING
JANUARY 8, 2008**

A regular meeting of the West Greenwich Town Council was held on January 8, 2008. Present were Thaylen Waltonen, Robert Butler, Mark Tourgee and Susan Woloohojian. Robert Andrews was absent. Also present was Town Administrator Kevin Breene and Town Solicitor Michael Ursillo. Waltonen called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

MOMENT OF SILENCE – GILBERT RATHBUN, SR.

A moment of silence was observed for Gilbert Rathbun, Sr.

On December 26th West Greenwich lost one of its respected elders. Gilbert "Gib" Rathbun Sr., who was born in West Greenwich center and lived his entire life in the town he loved, passed away at the age of 82. Gib, as he was known by his friends, was a perfect example of an old time country resident. He grew up on the west end of town in a large family and attended a one room school house, learning early on rural values, hard work and civic duty. He served his country during World War II as a decorated member of the Navy Armed Guard escorting supply ships through hostile waters. Gib was an outdoorsman at heart, working in the woods and farming part time for most of his life. He ran Rathbun's Store on Nooseneck Hill for many years and was always ready to help those less fortunate.....often at his own expense. He cut logs, worked on sawmill's, owned his own sawmill and ran Rathbun Lumber with his late son Dick for many years. Gibby was also a strong supporter of his town and served in many different capacities. He was a founding member of the Hianloland Volunteer Fire Company and a former highway supervisor, police constable and corder of wood. He was always known for his strong opinions, common sense and sincere honesty. In his later years, he was always ready to lend advice or tell stories of the past times and places around West Greenwich. Our town was a better place because of Gib. His smile and gentle laugh will be missed by all who had the pleasure to know him.

Gilbert W. Rathbun Sr.

RATHBUN, GILBERT W. SR., 82, of Plain Mtg. Hse. Rd., died Wednesday at Kent Hospital. Born in W. Greenwich he was the husband of the late Ann (Garrison) Rathbun, son of the late Leonard and Grace (Barber) Rathbun

Mr. Rathbun was the co-owner of the Rathbun Store and Rathbun Saw Mill for many years before retiring in 1990. He was a navy veteran of WWII. He is survived by a son Gilbert Rathbun Jr., four grandchildren and one great grand daughter. He was predeceased by a son Richard Rathbun, four brothers and two sisters. His funeral service will be held on Monday at 10:00 am from the Gorton Funeral Home, 721 Washington St., Coventry. Calling hours are Sunday from 4-7 pm. In lieu of flowers donations can be made to the Hianloland Fire and Rescue, 244 Plain Rd., W. Greenwich, RI 02817



Published in The Providence Journal on 12/29/2007.

Butler moved to have a page set aside in the minute book in his memory. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

CONSENT AGENDA

Tourgee moved to approve the Consent Agenda with Correspondence Items 1 and 4 removed for further consideration. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

I. MINUTES

1. MINUTES OF MEETING OF DECEMBER 12, 2007

II. REPORTS

1. POLICE REPORT – DECEMBER, 2007
2. TOWN CLERK'S RECEIPTS –DECEMBER, 2007
3. TOWN TREASURER'S REPORT – NOVEMBER, 2007

III. CORRESPONDENCE

1. LAKE MISHNOCK FIRE DEPARTMENT
DECEMBER 5, 2007
RE: PLANS REVIEW FEES
2. BOARD OF ENGINEERS – MINUTES – NOVEMBER 19, 2007
3. DEATH NOTICE OF FORMER WEST GREENWICH RESIDENT WILLIAM
REGNAIERE
4. COPY OF LETTER FROM DISPATCHER DENNIS ETCHELLS, JR.
TO CHIEF RONALD P. LEPRE
DECEMBER 14, 2007
RE: COMMENDATION OF DANIEL AND PAIGE VOGEL FOR THEIR ACTIONS
IN AN EMERGENCY SITUATION
5. MEMO TO COLLEEN DERJUE TOWN TREASURER
FROM JEFFREY WADOVICK
NOVEMBER 27, 2007
RE: FUND BALANCE
AND MEMO TO CHARLENE RANDALL, TAX ASSESSOR
FROM COLLEEN DERJUE
NOVEMBER 30, 2007
RE: FUND BALANCE
6. RI LEAGUE OF CITIES AND TOWNS
RE: UNFUNDED LEGISLATIVE MANDATES
7. WILDLIFE REHABILITATORS ASSOCIATION OF RHODE ISLAND
DECEMBER 20, 2007
RE: REQUEST FOR COMPENSATION FOR CARE OF ANIMALS

IV. ADDITIONS, ABATEMENTS & REBATES

1. REQUEST OF TAX ASSESSOR – JANUARY 4, 2008

December

<u>Acct #</u>	<u>Name</u>	<u>Amount</u>	<u>Reason</u>
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TANGIBLE ADDITIONS 2007 - 2008

03-0213-16	Children's Centre of New England, LLC	\$126.78	Late Filing
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V. CHECK SUMMARY REPORT

1. DECEMBER, 2007

OLD BUSINESS

APPOINTMENT – BOARD OF CANVASSERS

Butler moved to appoint Helen Wilmot to the Board of Canvassers to fill the unexpired term of Kevin Richard (term expires March, 2008). Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

NEW BUSINESS

PUBLIC HEARINGS

REQUEST OF COMMERCE PARK ASSOCIATES 12, LLC TO AMEND THE ZONING MAP, COMPREHENSIVE PLAN FUTURE LAND USE MAP, ZONING ORDINANCE TEXT AND COMPREHENSIVE PLAN TEXT SUCH THAT AP 1, LOTS 10-1 & 10-3, 13 & 15 ARE DESIGNATED AS “VILLAGE SPECIAL MANAGEMENT DISTRICT” (CONTINUED FROM OCTOBER 10, 2007, NOVEMBER 14, 2007, DECEMBER 12, 2007)

Waltonen opened the following public hearing which had been continued from October 10, 2007, November 14, 2007 and December 12, 2007:

TOWN OF WEST GREENWICH RHODE ISLAND NOTICE OF PUBLIC HEARING

Notice is hereby given pursuant to Rhode Island General Laws 45-24-53, that a public hearing will be held on Wednesday, October 10, 2007, at 7:30 P.M. in the Town Council Chambers, 280 Victory Highway, West Greenwich, Rhode Island to consider an ordinance amending the Zoning Ordinance, Map, Zoning Use Categories and Future Land Use Map of the Comprehensive Plan of the Town of West Greenwich.

The Town Council of the Town of West Greenwich ordains that the Zoning Map, Zoning Ordinance Text, Map, Comprehensive Plan Future Land Use Map and Comprehensive Plan Text of the Town of West Greenwich as amended as follows relative to the petition of **Commerce Park Associates 12, LLC** as applicant of those certain tracts of land located on New London Turnpike and Division Road in the Town of West Greenwich and described as Tax Assessor's Plat 1, Lots 10-1 and 10-3, 13 & 15 as shown on Schedule A which is made part of this notice. The parcels are currently zoned Highway Business.

Proposed by the applicant are amendments to the Zoning Map, Zoning Ordinance Text, Map, Comprehensive Plan Future Land Use Map and Comprehensive Plan Text to include the aforementioned parcels in a “Village Special Management District”.

All interested parties may review and examine a copy of the proposed ordinance amendment at the West Greenwich Town Clerk's Office between the hours of 9:00 a.m. to 4:00 p.m. and at the Louttitt Library during Library hours. Copies of the ordinance amendment can be obtained at the Town Clerk's Office.

The proposal may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any such alteration or amendment must be presented for comment in the course of said hearing.

Individuals requesting interpreter services for the hearing impaired must notify the Town Clerk's Office at 392-3800, 48 hours in advance of the hearing date.

Per order of the West Greenwich Town Council
Janet E. Olsson, CMC
Town Clerk

Mr. John Pagliarini., Esq. was present.

Mr. Pagliarini reported that the Planning Board was to review this project at its next meeting. He noted that they were having trouble placing commercial projects on the Lawson property. He noted that it would be a 6 to 9 month process to get the sewer line over route 95 to service this area. He noted that the parcel was already zoned Highway Business. Mr. Pagliarini noted that the plan was to transfer the residential units off of the Centre of New England Boulevard to the Lawson parcel. He noted that there was an issue with density. He noted that this would count towards the town's affordable housing goal.

Mr. Paul Kaltschnee questioned the type of units proposed.

Tourgee questioned the effect on fire and rescue by this project.

Tourgee moved to continue the hearing to February 13, 2008. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

RENEWAL CAMPGROUND LICENSES

OAK EMBERS CAMPGROUND

Mr. Anthony Brochu was present and reported on the work on the electrical systems.

Town Administrator Breene reported that Building Zoning Official Tacey had done an inspection and all was quiet.

Butler moved to renew the Campground License of Oak Embers Campground with period of required shutdown December 1, 2007 to March 1, 2008. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

REQUEST FOR LIQUOR LICENSE – SET DATE FOR HEARING

JLC, INC. D/B/A PEPINO'S PIZZA – JARED COONS

Discussion was held on increasing the number of Class BV Limited Liquor Licenses allowed. The ordinance was to be amended to allow for one additional license. First reading on the amendment was to be February 13, 2008.

Tourgee moved to set a hearing date for the request of JLC, Inc. d/b/a Pepino's Pizza (corporate name to be finalized prior to hearing) for March 12, 2008.

Waltonen seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

**SECOND READING - AMENDMENT TO ORDINANCE NO. 59 – TRUCKS,
COMMERCIAL VEHICLES THROUGH OPERATION PROHIBITED ON CERTAIN
PUBLIC WAYS – ADDITION OF FALLS RIVER ROAD**

**THE TOWN OF WEST GREENWICH
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
AMENDMENT TO ORDINANCE NO. 59
RELATING TO
TRUCKS, COMMERCIAL VEHICLES
THROUGH OPERATION PROHIBITED ON CERTAIN PUBLIC WAYS**

Notice is hereby given that the Town Council of the Town of West Greenwich will hold a public hearing on Tuesday, January 8, 2008 at 7:30 p.m. in the Council Chambers at the West Greenwich Town Hall, 280 Victory Highway, on the amendment of the following town ordinance:

IT IS HEREBY ORDAINED by the Town Council of the Town of West Greenwich, Rhode Island, that Ordinance #59 be amended as follows:

**TRUCKS, COMMERCIAL VEHICLES
THROUGH OPERATION PROHIBITED ON CERTAIN PUBLIC WAYS**

- A. The through operation of trucks or other commercial vehicles with gross weight over 5 tons is hereby prohibited on the following named public highways situated in the Town of West Greenwich:

* * *

FALLS RIVER ROAD in its entirety.

* * *

This ordinance shall take effect upon its passage.

The proposed ordinance may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. All such alterations or amendments will be presented for comment in the course of the public hearing.

All persons interested are invited to be present at said time and place to be heard thereon.

The West Greenwich Town Hall is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired must call the West Greenwich Town Hall at 392-3800, not less than seventy-two hours in advance of the meeting date.

By order of the West Greenwich Town Council
Janet E. Olsson, CMC
Town Clerk

Butler moved the above amendment to Ordinance No. 59. Tourgee seconded.
VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

APPOINTMENT OF TREE WARDEN

This matter was deferred until February 13, 2008.

SET DATE FOR FINANCIAL TOWN MEETING (JUNE 2, 9 OR 16, 2008)

Butler moved to set the date of the Financial Town Meeting for June 9, 2008.
Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

HISTORICAL CEMETERY UPDATE / COUNCILMAN ROBERT BUTLER

Councilman Robert Butler and Charlene Butler made the following report:

WEST GREENWICH HISTORIC CEMETERIES

There are approximately 155 historic cemeteries in West Greenwich, including 6 cemeteries recorded for the first time in 2007. Several cemeteries have been destroyed in the past 30 years or so. We have recorded the GPS coordinates for 136 of the cemeteries to date and hope to locate the remaining cemeteries to do the same. The locations will then be recorded on the town's plat maps so locations will be known and the cemeteries can be preserved.

Most of the cemeteries have been neglected for decades and have become completely overgrown with brush and even large trees; in addition many of the gravestones have moved out of position and need to be repositioned; many other gravestones have been broken and are in need of repair.

The West Greenwich Land Trust has recently initiated an Adopt-A-Cemetery program; such programs have been successfully implemented in other towns throughout the U. S. In a short period of time, the WGLT has had approximately 25 people volunteer to help maintain the cemeteries. Once the cemeteries have been cleaned up, the WGLT hopes to also reposition and repair the gravestones.

The Veterans Administration provides signs free of charge for historic cemeteries; we have ordered approximately 125 signs for those cemeteries that have no signs and have Received approximately 35 to date. We hope to have volunteers install the signs at each of the historic cemeteries. We will need to purchase sign posts for the signs and would like the town to provide the funds for them.

The town has funds held in trust for the repair and maintenance of some of the historic cemeteries located in West Greenwich. Some of those cemeteries need trees removed and other work done that should be done by professionals. We would like the town to appoint an employee to coordinate the work to be done.

REQUEST FOR POST OFFICE FOR WEST GREENWICH

Butler moved to have a letter sent to the Congressional delegation requesting that a post office be considered fro West Greenwich. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

CHARTER REVIEW COMMISSION

This matter was deferred until February 13, 2008.

REPORT BY AUDITOR

The Town’s auditor, Mr. Jeffrey Wadovick, reviewed the recently completed audit for the fiscal year ending June 30, 2007.

The following Correspondence that was removed from the Consent Agenda was considered:

1. LAKE MISHNOCK FIRE DEPARTMENT
DECEMBER 5, 2007
RE: PLANS REVIEW FEES

Butler moved that a letter be sent to Lake Mishnock Fire Dept. requesting in the future that one check made payable to the Town which will be run through the town records and then divided amongst the 4 fire/rescue companies and the town. Tourgee seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

4. COPY OF LETTER FROM DISPATCHER DENNIS ETCHELLS, JR.
TO CHIEF RONALD P. LEPRE
DECEMBER 14, 2007
RE: COMMENDATION OF DANIEL AND PAIGE VOGEL FOR THEIR ACTIONS
IN AN EMERGENCY SITUATION

Butler moved to invite Daniel and Paige Vogel to the February Council meeting to receive a commendation. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

EXECUTIVE SESSION – PURSUANT TO RIGL 42-46-5,A, 1, 2 - PERSONNEL & LITIGATION & COLLECTIVE BARGAINING

Woloohojian moved to go into Executive Session for matters of Personnel and Litigation and Collective Bargaining pursuant to RIGL 42-46-5,a, 1 & 2 at 9:51 p.m. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

Butler moved to come out of Executive Session and seal the minutes at 10:49 p.m. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

Tourgee moved to adjourn at 10:49 p.m. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Woloohojian – aye.

Janet E. Olsson, CMC
Town Clerk