

**TOWN OF WEST GREENWICH
TOWN COUNCIL
REGULAR MEETING
NOVEMBER 12, 2008**

A regular meeting of the West Greenwich Town Council was held on November 12, 2008. Present were Thaylen Waltonen, Mark Tourgee, Robert Butler, Robert Andrews and Susan Woloohojian. Also present was Town Administrator Kevin Breene and Town Solicitor Michael Ursillo. The meeting was called to order at 7:36 p.m.

CONSENT AGENDA

Andrews moved to approve the Consent Agenda with Correspondence Items 2, 6 and 8 removed for further consideration. Butler seconded. VOTED: Waltonen – abstain, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

I. MINUTES

1. MINUTES OF MEETING OF OCTOBER 8, 2008
2. MINUTES OF MEETING OF OCTOBER 14, 2008

II. REPORTS

1. TOWN CLERK RECEIPTS – OCTOBER, 2008
2. TOWN TREASURER’S REPORT – OCTOBER 31, 2008

III. CORRESPONDENCE

1. CONSERVATION COMMISSION – MINUTES OF OCTOBER 1, 2008 MEETING
2. COPY OF 2007- S 1144
AN ACT RELATING TO HEALTH AND SAFETY – RHODE ISLAND
CESSPOOL ACT OF 2007
3. WASHINGTON COUNTY COMMUNITY DEVELOPMENT CORP.
OCTOBER 28, 2008
RE: REQUEST FOR SUPPORT IN THE AMOUNT OF \$2000.00 IN 2010 BUDGET
4. NANCY SPOERKE
NOVEMBER 5, 2008
RE: SILVER STAR BANNER DAY – MAY, 2009
5. LITERACY VOLUNTEERS OF KENT COUNTY
OCTOBER 27, 2008
RE: THANK YOU FOR DONATION
6. COPY OF LETTER TO MR. STEPHEN CARDI,

A. CARDI REALTY ASSOCIATIONS
 NOVEMBER 3, 2008
 FROM TOWN PLANNER JENNIFER PAQUET
 RE: HOPKINS HILL SAND & STONE – ANNUAL REVIEW
 OF SETTLEMENT AGREEMENT AND EXCAVATION OPERATION

7. RONALD P. LEPRE, CHIEF OF POLICE
 OCTOBER 30, 2008
 RE: GASOLINE SURVEY
8. SANDRA S. BOCKES
 NOVEMBER 5, 2008
 RE: THANK YOU FOR PROVIDING MEALS TO POLL WORKERS ON ELECTION DAY
9. FIRE BOARD OF ENGINEERS – MINUTES OF SEPTEMBER 15, 2008 MEETING
10. COLLEEN J. DERJUE, TOWN TREASURER
 NOVEMBER 7, 2008
 RE: FINANCIAL REPORT – OCTOBER 31, 2008

IV. ABATEMENT, ADDITIONS & REBATES

1. REQUEST OF TAX ASSESSOR – NOVEMBER 7, 2008

October

ACCT #	NAME	AMOUNT	REASON
<u>Motor Vehicle Abatements 2008-2009</u>			
19-0337-05	Sutton, Steven C	\$279.80	Moved/Sold Property
<u>Motor Vehicle Additions 2008-2009</u>			
19-0337-05	Sutton, Steven C	\$62.84	Moved / Sold Property
<u>Real Estate Abatements 2008-2009</u>			
18-0130-50	Redmon, Jeffrey W & Mary E	\$7,995.75	Appeal Approved
19-0040-00	Savino, Joseph	\$4,719.53	Appeal Approved
19-0262-99	Stewart, Brent & Kelly A	\$6,208.86	Appeal Approved
<u>Real Estate Additions 2008-2009</u>			
18-0130-50	Redmon, Jeffrey W & Mary E	\$7,297.86	Appeal Approved
19-0040-00	Savino, Joseph	\$4,224.11	Appeal Approved
19-0262-99	Stewart, Brent & Kelly A	\$6,096.90	Appeal Approved

V. CHECK SUMMARY REPORT

1. OCTOBER, 2008

OLD BUSINESS

REQUEST FOR REVERSAL OF ZONE CHANGE FOR PROPERTY OWNED BY JEANNETTE LEPRE, PLAT 1 LOT 13, 49 DIVISION ST. AND THOMAS LEPRE, PLAT 1 LOT 15, 53 DIVISION ST.

A request was received to continue the hearing until January 14, 2009.

Butler moved to continue the hearing on this matter until January 14, 2009. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

APPOINTMENT OF TREE WARDEN

No action was taken on this matter.

NEW BUSINESS

REQUEST FOR \$20,000 FOR EWG KIDS

Mr. Tim Regan was present.

Town Administrator Kevin Breene commented on budget constraints.

Butler moved to approve payment of \$20,000 for EWG Kids. Woloohojian seconded.

VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – nay, Woloohojian – aye.

**REQUEST FOR NEW VICTUALING AND SUNDAY SALES LICENSE
CHEN'S BUFFET & GRILL, LLC, CHEN'S BAR & GRILL,
732 CENTRE OF NEW ENGLAND BLVD.**

Mark Krieger, Esq. was present representing Chen's Buffet & Grill LLC. Also present were the principals Wan Bin Lu a/k/a Allen Lu and Wen Ming Chen.

Butler moved to grant new Victualing and Sunday Sales Licenses to Chen's Buffet and Grill, LLC subject to pertinent municipal and state approvals. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

RENEWAL VICTUALING LICENSES

Butler moved to Grant the following renewal Victualing Licenses. Andrews seconded.

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

DCH1, INC.

West Greenwich Town Pizza
780 Victory Highway
West Greenwich, RI 02817

Lake Mishnock Grove, Inc.
200 Mishnock Road
West Greenwich, RI 02817

Big River Inn, LLC
809 Nooseneck Hill Road
West Greenwich, RI 02817

Stepping Stone Stables, Inc.
201 Escoheag Hill Road
West Greenwich, RI 02817

Trucker's Lounge, Inc.
849 Victory Highway
West Greenwich, RI 02817

Coventry-West Greenwich Elks Lodge #2285
42 Nooseneck Hill Road
West Greenwich, RI 02817

Board of Governor's for Higher Education
University of Rhode Island
W. Alton Jones Campus
401 Victory Highway
West Greenwich, RI 02817

J.C.'S Tavern, Inc.
J.C'S Tavern
45 Nooseneck Hill Road, Units 1, 2 & 3
West Greenwich, RI 02817

Demetrios Melanis / Europa
12 Nooseneck Hill Road
West Greenwich, RI 02817

Margaret Veskovic d/b/a Pier Pizza
45 Nooseneck Hill Road, Unit 10
West Greenwich, RI 02817

South County Rod & Gun Club
711 Escoheag Hill Road
West Greenwich, RI 02817

Dunkin' Donuts
49 Nooseneck Hill Road
West Greenwich, RI 02817

RI Heritage Inn of West Greenwich, LLC
West Greenwich Heritage Inn
755 Centre of New England Blvd.
West Greenwich, RI 02817

Chen's Buffet & Grill, LLC
Chen's Buffet & Grill
732 Centre of New England Blvd.
West Greenwich, RI 02817

PUBLIC HEARING
RENEWAL 24 HOUR VICTUALING LICENSES

Waltonen opened the following public hearing:

LEGAL NOTICE
TOWN OF WEST GREENWICH

Notice is hereby given that a public hearing will be held relative to the granting of a 24 Hr. VICTUALER'S LICENSE.

Applicant: Boo's Bean LLC
d/ba Tim Hortons
Location: 74 Nooseneck Hill Road
West Greenwich, RI 02817

Applicant: COLBEA Enterprises, LLC.
Location: Eastside FoodMart
95 Nooseneck Hill Road
West Greenwich, RI 02817

Applicant: RI's Only 24 Hour Truck & Auto Center, Inc.
Location: Restaurant & Convenience Store
849 Victory Highway
West Greenwich, RI 02817

Applicant: C&L Diners, LLC d/b/a C&L Rhode Island, LLC
Location: Denny's Classic Diner
795 Centre of New England Boulevard
West Greenwich, RI 02817

Applicant: James Lynch
Location: Dunkin' Donuts
111 Hopkins Hill Road
West Greenwich, RI 02817

Applicant: Victory Highway Donuts, Inc.
Location: Dunkin Donuts
780 Victory Highway, Unit 11
West Greenwich, RI 02817

The above applications will be in order for hearing at a meeting of the West Greenwich Town Council being the licensing board for said town on the 12th day of November, A.D., 2008 at 7:30 p.m. at the Town Hall, 280 Victory Highway, West Greenwich, RI, at which time and place all remonstrants may make their objections. Individuals requesting interpreter services for the hearing impaired must notify the Town Clerk's Office at 392-3800, ext. 100 72 hours in advance of the hearing date.

By Order of the West Greenwich Town Council

Janet E. Olsson, CMC
Town Clerk

Andrews moved to grant the above licenses. Butler seconded.
VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

LIQUOR LICENSING BOARD

Butler moved to adjourn as the Town Council and convene as the Liquor Licensing Board at 8:13 p.m. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

REQUEST FOR NEW CLASS BV LIQUOR LICENSE CHEN'S BUFFET & GRILL, LLC, CHEN'S BUFFET & GRILL, 732 CENTRE OF NEW ENGLAND BLVD.

Waltonen opened the following public hearing:

LEGAL NOTICE TOWN OF WEST GREENWICH

Notice is hereby given by the Town Council of the Town of West Greenwich, being the licensing board in said town, under Title 3 of the General Laws of Rhode Island, 1956 as amended, that the following have applied for a Class B-V Alcoholic Beverage License:

Chen's Buffet & Grill, LLC
Chen's Buffet & Grill
732 Centre of New England Blvd.
West Greenwich, RI 02817

The above application will be in order for hearing at a meeting of the West Greenwich Town Council being the licensing board for said town on the 12th day of November, A.D., 2008 at 7:30 p.m. at the Town Hall, 280 Victory Highway, West Greenwich, RI, at which time and place all remonstrants may make their objections. Said license if granted will be also renewed for the period December 1, 2008 – November 30, 2009. Individuals requesting interpreter services for the hearing impaired must notify the Town Clerk's Office at 392-3800, ext. 100 72 hours in advance of the hearing date.

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

Mark Krieger, Esq. was present representing Chen's Buffet & Grill LLC. Also present were the principals Wan Bin Lu a/k/a Allen Lu and Wen Ming Chen.

Questioned by Waltonen, Mr. Krieger noted that there was no bar area for patrons.

Butler moved to Grant a new Class BV Liquor License to Chen's Buffet & Grill, LLC, 732 Centre of New England Blvd. and also renew said license for the period December 1, 2008 – November 30, 2009, subject to completion of required documentation and with the stipulations of no bar area be only for service and not for patron; no entertainment and if plans change applicant must come back to town council for approval. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

RENEWAL LIQUOR LICENSES

Waltonen opened the following public hearing:

LEGAL NOTICE **TOWN OF WEST GREENWICH**

Notice is hereby given by the Town Council of the Town of West Greenwich, being the licensing board in said town, under Title 3 of the General Laws of Rhode Island, 1956 as amended, that the following has applied for Renewal Alcoholic Beverage License under said title, which precedes the name of the applicant:

Class A

Pond Beverage Corp.
Big River Spirits
6 Nooseneck Hill Road
West Greenwich, RI 02817

R. E. White, Inc.
West Greenwich Package Store
780 Victory Highway
West Greenwich, RI 02817

Class B-Victualer Limited

DCH1, INC.
West Greenwich Town Pizza
780 Victory Highway
West Greenwich, RI 02817

Class B-Victualer

Trucker's Lounge, Inc.
849 Victory Highway
West Greenwich, RI 02817

Lake Mishnock Grove, Inc.
200 Mishnock Road
West Greenwich, RI 02817

Big River Inn, LLC
809 Nooseneck Hill Road
West Greenwich, RI 02817

Board of Governor's for Higher Education
University of Rhode Island
W. Alton Jones Campus
401 Victory Highway
West Greenwich, RI 02817

J.C.'S Tavern, Inc.
J.C'S Tavern
45 Nooseneck Hill Road, Units 1, 2 & 3
West Greenwich, RI 02817

Stepping Stone Stables, Inc.
201 Escoheag Hill Road
West Greenwich, RI 02817

Class D - Club

Coventry-West Greenwich Elks Lodge #2285
42 Nooseneck Hill Road
West Greenwich, RI 02817

The above applications will be in order for hearing at a meeting of the West Greenwich Town Council being the licensing board for said town on the 12th day of November, A.D., 2008 at 7:30 p.m. at the Town Hall, 280 Victory Highway, West Greenwich, RI, at which time and place all remonstrants may make their objections. Individuals requesting interpreter services for the hearing impaired must notify the Town Clerk's Office at 392-3800, ext. 100 72 hours in advance of the hearing date.

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

Andrews questioned after hours drinking at Big River Inn.

Butler moved to grant the renewal of the above licenses subject to compliance with State or local health and life safety laws, codes, ordinances, rules and regulations. Andrews seconded.
VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

Butler moved to adjourn as the Liquor Licensing Board and reconvene as the Town Council at 8:30 p.m. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

RENEWAL HOLIDAY SUNDAY SALES LICENSES

Butler moved to grant the renewal of the following Holiday Sunday Sales Licenses
Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

Pond Beverage Corp.
Big River Spirits
6 Nooseneck Hill Road
West Greenwich, RI 02817

R. E. White, Inc.
West Greenwich Package Store
780 Victory Highway
West Greenwich, RI 02817

DCH1, INC.
West Greenwich Town Pizza
780 Victory Highway
West Greenwich, RI 02817

Lake Mishnock Grove, Inc.
200 Mishnock Road
West Greenwich, RI 02817

Big River Inn, LLC
809 Nooseneck Hill Road
West Greenwich, RI 02817

Stepping Stone Stables, Inc.
201 Escoheag Hill Road
West Greenwich, RI 02817

Trucker's Lounge, Inc.
849 Victory Highway
West Greenwich, RI 02817

Demetrios Melanis / Europa
12 Nooseneck Hill Road
West Greenwich, RI 02817

Margaret Veskovic d/b/a Pier Pizza
45 Nooseneck Hill Road, Unit 10
West Greenwich, RI 02817

Nooseneck Hill Greenhouse
795 Nooseneck Hill Road
West Greenwich, RI 02817

RI's Only 24 Hour Truck & Auto Center, Inc. - Convenience Store
849 Victory Highway
West Greenwich, RI 02817

RI's Only 24 Hour Truck & Auto Center, Inc. - Restaurant
849 Victory Highway
West Greenwich, RI 02817

Coventry-West Greenwich Elks Lodge #2285
42 Nooseneck Hill Road
West Greenwich, RI 02817

Board of Governor's for Higher Education
University of Rhode Island
W. Alton Jones Campus
401 Victory Highway
West Greenwich, RI 02817

J.C.'S Tavern, Inc.
J.C.'S Tavern
45 Nooseneck Hill Road, Units 1, 2 & 3
West Greenwich, RI 02817

Boo's Bean LLC
d/ba Tim Hortons
74 Nooseneck Hill Road
West Greenwich, RI 02817

Dunkin' Donuts
49 Nooseneck Hill Road
West Greenwich, RI 02817

COLBEA Enterprises, LLC.
Eastside FoodMart
95 Nooseneck Hill Road

West Greenwich, RI 02817

C&L Diners, LLC d/b/a C&L Rhode Island, LLC
Denny's Classic Diner
795 Centre of New England Boulevard
West Greenwich, RI 02817

James Lynch
Dunkin' Donuts
111 Hopkins Hill Road
West Greenwich, RI 02817

Oak Embers Owner's Association
219 Escoheag Hill Road
West Greenwich, RI 02817

Victory Highway Donuts, Inc.
780 Victory Highway, Unit 11
West Greenwich, RI 02817

Paula J. Tubman
d/b/a Klassy Kutz
780 Victory Highway
West Greenwich, RI 02817

RI Heritage Inn of West Greenwich, LLC
West Greenwich Heritage Inn
755 Centre of New England Blvd.
West Greenwich, RI 02817

Chen's Buffet & Grill, LLC
Chen's Buffet & Grill
732 Centre of New England Blvd.
West Greenwich, RI 02817

Butler moved to grant the renewal of the following Holiday Sunday Sales License.
Andrews seconded. VOTED: Waltonen – abstain, Tourgee – aye, Butler – aye, Andrews – aye,
Woloohojian – aye.

T&L Waltonen Enterprises, Inc.
389 Victory Highway
West Greenwich, RI 02817

RENEWAL GAMING LICENSES

Butler moved to grant the renewal of the following Gaming Licenses.
Tourgee seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye,
Woloohojian – aye.

RI's Only 24 Hr. Truck & Auto Plaza, Inc.
849 Victory Highway
West Greenwich, RI 02817

Coventry-West Greenwich Elks Lodge #2285
42 Nooseneck Hill Road
West Greenwich, RI 02817

APPOINTMENT OF HUMAN SERVICES DIRECTOR TO TAX STABILIZATION COMMITTEE

Woloohojian moved to add Human Services director Margaret Gartelman to the Tax Stabilization Committee. Tourgee seconded.

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

REAPPOINTMENTS - JUVENILE HEARING BOARD

Butler moved to reappoint Jeannette Cabral and Raymond Mann to the Juvenile Hearing Board for 3 year terms. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

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

2. COPY OF 2007- S 1144
AN ACT RELATING TO HEALTH AND SAFETY – RHODE ISLAND
CESSPOOL ACT OF 2007

Butler remarked on Rhode Island Cesspool Act of 2007. He noted a lot of properties in the Mishnock Area were near the wetlands.

Town Administrator was to talk to Dan Albro concerning this matter.

6. COPY OF LETTER TO MR. STEPHEN CARDI,
A. CARDI REALTY ASSOCIATIONS
NOVEMBER 3, 2008
FROM TOWN PLANNER JENNIFER PAQUET
RE: HOPKINS HILL SAND & STONE – ANNUAL REVIEW
OF SETTLEMENT AGREEMENT AND EXCAVATION OPERATION

New liaisons were selected consisting of the Town Planner Jennifer Paquet, Building/Zoning Official David Tacey, and Council Members Waltonen and Butler.

8. SANDRA S. BOCKES
NOVEMBER 5, 2008
RE: THANK YOU FOR PROVIDING MEALS TO POLL WORKERS ON ELECTION
DAY

It was noted that the poll workers were appreciative of the meals provided on election day.

AUDIT REPORT

The town's auditor, Jeff Wadavick of James N. Nadeau & Company, LLP presented the preliminary draft of the audit for fiscal year ended June 30, 2008.

PUBLIC FORUM

Paul Kaltschnee questioned the lack of the broadcast of the Town Council meetings on Verizon Fios.

It was noted that Silver Star Banner Day was to put on the March, 2009 agenda.

Sandra Bockes suggested that a notice be placed on the website regarding fisher cats, noting that there were a lot of missing cat posters.

Town Administrator requested that the Zoning Board provide an advisory opinion regarding the Thayden Waltonen zone change request.

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

Butler moved to go into Executive Session for matters of personnel pursuant to RIGL 42-46-5, a, 1 & 2 at 10:00 p.m. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

Woloohojian moved to come out of Executive Session and seal the minutes at 11:32 p.m. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye, Andrews– aye, Woloohojian – aye.

Butler moved to adjourn at 11:32 p.m. Tourgee seconded. VOTED: Waltonen – aye, Tourgee – aye, Andrews– aye, Woloohojian – aye.

Janet E. Olsson, CMC
Town Clerk