

**TOWN OF WEST GREENWICH  
TOWN COUNCIL  
REGULAR MEETING  
OCTOBER 14, 2009**

A regular meeting of the West Greenwich Town Council was held on October 14, 2009. Present were Robert Butler, Mark Tourgee, Thaylen Waltonen, Susan Woloohojian and Kelly Stewart. Also present were Town Administrator Kevin Breene and Town Solicitor Michael Ursillo. Butler called the meeting to order at 7:34 p.m. with the Pledge of Allegiance.

**CONSENT AGENDA**

Tourgee moved to approve the Consent Agenda with Correspondence items 15, 17, 24 & 25 removed for further consideration. Woloohojian seconded.

VOTED: Butler – aye, Tourgee – aye, Waltonen – abstain, Woloohojian – aye, Stewart – aye.

**I. MINUTES**

1. MINUTES OF MEETING OF SEPTEMBER 9, 2009

**II. REPORTS**

1. TOWN CLERK RECEIPTS –SEPTEMBER, 2009
2. PLANNING DEPT. MONTHLY REPORT – SEPTEMBER, 2009
3. TREASURER’S REPORT – AUGUST, 2009
4. TREASURER’S REPORT – SEPTEMBER, 2009
5. POLICE DEPT. MONTHLY REPORT – SEPTEMBER, 2009
6. TAX ASSESSOR’S OFFICE MONTHLY REPORT – SEPTEMBER, 2009
7. BUILDING INSPECTOR’S OFFICE MONTHLY REPORT – SEPTEMBER, 2009
8. HIGHWAY SUPERVISOR’S MONTHLY REPORT – SEPTEMBER, 2009
9. MONTHLY/QUARTERLY REPORT – PERIOD ENDING JUNE 30, 2009
10. MONTHLY/QUARTERLY REPORT – PERIOD ENDING SEPTEMBER 30, 2009
11. PAYROLL REPORT  
PAY PERIODS SEPTEMBER 4, 2009 – OCTOBER 2, 2009

### **III. CORRESPONDENCE**

1. SANTANA ROBERTS  
RE: THANK YOU FOR ALLOWING HER TO SPEAK AT COUNCIL MEETING
2. LITERACY VOLUNTEERS OF KENT COUNTY  
SEPTEMBER 29, 2009  
RE: THANK YOU FOR DONATION
3. RI DEM  
OFFICE OF WASTE MANAGEMENT  
SEPTEMBER 10, 2009  
RE: TRANSFER STATION FIELD INSPECTION REPORT
4. GARY HOUSTON  
SEPTEMBER 21, 2009  
RE: DAYNA DRIVE RESURFACING
5. KEVIN A. BREENE TOWN ADMINISTRATOR  
SEPTEMBER 29, 2009  
RE: RESPONSE TO GARY HOUSTON  
DAYNA DRIVE RESURFACING
6. CLAUDE WRIGHT, HIGHWAY SUPERVISOR  
RE: LETTER TO DAYNA DRIVE RESIDENTS ADVISING THEM OF  
RESURFACING
7. RI CLEAN WATER FINANCING  
RE: STATEMENT MONTH ENDING 9/30/2009
8. WEST GREENWICH POLICE DEPT.  
REPORT OF VACATION AND SICK TIME REMAINING AS OF  
SEPTEMBER 30, 2009
9. COLLEEN DERJUE, TOWN TREASURER  
SEPTEMBER 28, 2009  
RE: UBA SURVEY
10. COPY OF LETTER TO  
W. MICHAEL SULLIVAN, DIRECTOR  
RI DEM  
SEPTEMBER 3, 2009  
RE: USE OF QUARRY STONES FROM STEPSTONE FALLS FOR PLAIN  
MEETING HOUSE

11. RI DEM  
SEPTEMBER 15, 2009  
RE: ACKNOWLEDGEMENT AND FORWARDING OF ABOVE LETTER  
REGARDING USE OF QUARRY STONES FROM STEPSTONE FALLS FOR PLAIN  
MEETING HOUSE
12. COPY OF LETTER TO  
JOHN AND HOLLY HOWARD  
SEPTEMBER 17, 2009  
RE: THANK YOU FOR DONATION OF FILE CABINETS
13. COLLEEN J. DERJUE, TOWN TREASURER  
SEPTEMBER 4, 2009  
RE: RETIREMENT BENEFITS FOR RETIRED CHIEF GARY MALIKOWSKI
14. COLLEEN J. DERJUE, TOWN TREASURER  
OCTOBER 1, 2009  
RE: RETIREMENT BENEFITS FOR RETIRED CHIEF GARY MALIKOWSKI
15. 2008-09 NECAP PRELIMINARY RESULTS (GRADE11)  
PERCENT OF STUDENTS AT/ABOVE PROFICIENT BY DISTRICT
16. RI DEPT. OF HEALTH  
SEPTEMBER 25, 2009  
RE: MEDICAL EMERGENCY SYSTEM (MEDS) PROGRAM  
CONTRACT FOR 2009-2010 GRANT YEAR WHICH INCLUDES  
H1N1 RESPONSE FUNDING
17. BROOKE LAWRENCE, EMA DIRECTOR  
SEPTEMBER 28, 2009  
RE: UPDATE WG EMA
18. KENT HOSPITAL  
KENT HEALTH SERVICE REGION H1N1 UPDATE #1  
SEPTEMBER 28, 2009
19. HOMELAND SECURITY  
NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) FACT SHEET
20. CONSERVATION COMMISSION – MINUTES OF SEPTEMBER 2, 2009  
MEETING
21. WEST GREENWICH POLICE DEPARTMENT / IBPO LOCAL 517  
RE: OKTOBERFEST – OCTOBER 11, 2009

22. KAREN E. SWEET  
SEPTEMBER 17, 2009  
RE: NOTICE OF RETIREMENT AS OF OCTOBER 30, 2009
23. CHARLENE RANDALL  
OCTOBER 6, 2009  
RE: WEBSITE UPDATES
24. EWG SPORTS 4 KIDS  
RE: INVITATION TO RESCHEDULED DEDICATION OF FIELD
25. KEVIN A. BREENE, TOWN ADMINISTRATOR  
OCTOBER 9, 2009  
RE: TEMPORARY HOLDING FACILITY FOR ACO
26. DONALD L. CARCIERI, GOVERNOR  
SEPTEMBER 14, 2009  
RE: NOTICE OF AWARD OF RI COMMUNITY BLACK GRANT, RECOVERY  
(CDBG-R) PROGRAM  
\$281,000  
BLUEBERRY HEIGHTS MOBILE HOME PARK

**IV. ABATEMENTS, ADDITIONS & REBATES**

1. REQUEST OF TAX ASSESSOR – OCTOBER 8, 2009

September			
ACCT #	NAME	AMOUNT	REASON
<b><u>MV Abatements 2009-2010</u></b>			
02-0085-80	Barrett, Thomas J	\$527.19	Days of Ownership Corrected
18-0279-37	Rosa, Jeremy	\$224.00	Military Exempt
<b><u>MV Additions 2009-2010</u></b>			
02-0085-80	Barrett, Thomas J	\$472.07	Days of Ownership Corrected
<b><u>Real Estate Abatements 2009-2010</u></b>			
06-0021-48	Fascio, Donald R & Andrea M	\$1,898.18	Appeal Approved
19-0207-10	Smith, Robert J Jr & Ercilia M	\$4,174.72	Appeal Approved
19-0245-23	Speciale, Gary S & Christine H	\$6,547.05	Appeal Approved

**Real Estate Additions 2009-2010**

06-0021-48	Fascio, Donald R & Andrea M	\$1,408.07	Appeal Approved
19-0207-10	Smith, Robert J Jr & Ercilia M	\$4,106.07	Appeal Approved
19-0245-23	Speciale, Gary S & Christine H	\$6,288.42	Appeal Approved

**V. CHECK SUMMARY REPORT**

1. SEPTEMBER 2009

**OLD BUSINESS**

**PUBLIC HEARING AMENDMENTS TO ZONING ORDINANCE REGARDING RESIDENTIAL COMPOUNDS**

Butler opened the Public Hearing on the amendments to the Zoning Ordinance regarding residential compounds.

Butler noted that the amendments had been before the Council for some time having been previously amended in 2006.

Tourgee questioned if he could participate in the vote and discussion as he had property that this could pertain to. Solicitor Ursillo advised that this was an ordinance of general application town-wide and affected dozens of parcels he did not believe that Tourgee had a conflict.

Butler noted a memo from Town Planner Jennifer Paquet to Stewart clarifying the proposed amendments.

Town Planner Jennifer Paquet noted that the main issue was to address private right-of-ways.

Town Administrator Breene noted that the original ordinance called for 50 ft. right-of-ways which had been reduced to 30 ft. to prevent further development as a full-blown subdivision which required a 50 ft. right-of-way.

Stewart noted that she had posed a question at the joint meeting concerning the number of lots that could be created if there were a private right-of-way. She also questioned how many lots could be created if more than one existing lot was off of the right-of-way. Town Planner Jennifer Paquet noted it was a complicated situation. She noted that there was a legal distinction between a right-of-way and an access or easement. Solicitor Ursillo noted that his office would recommend that it be restricted to private right-of-way. He noted that the term “any other legal access” was open to a lot of interpretation. Butler noted in the case of more than one property off of right-of-way all of the owners would have to be in agreement. Stewart noted that the Town of Coventry was putting on hold its residential compounds. She noted that she did not think that they were a good idea.

Waltonen noted that he had great reservations in 2006 and had been assured by the Town Administrator that it was the right thing to do. He noted he felt that these changes would be a nightmare for the town. He stated that this was not good for the town.

Town Administrator Breene noted that the Planning Board had recommended the changes.

Planning Board Chairman Mark Boyer addressed Stewart's question regarding the number of lots that would be allowed off a private right-of-way. He noted that there were no definite answers. He noted that there was no such thing as a parcel that could not be developed as they could be combined with other parcels.

Town Planner Jennifer Paquet noted that they were trying to get all of the owners along a right-of-way to sign a maintenance agreement and they would not be allowed to do a residential compound if they don't get it. Stewart noted that this was causing a problem in Coventry even though it was contained in Coventry's ordinance.

Dr. Clyde Fish, II, Fish Hill Road, noted that just because there was a residential compound didn't mean it would be fully developed. He noted that he had the first one in town. He noted that he had the right to put in 35 homes on his property and that he put in 5.

Tourgee remarked that you couldn't compare Coventry to West Greenwich. He noted that in practice it didn't work to get everyone along a road to agree to something. He stated that he felt that this was a good thing.

Woloochian remarked she trusted the people that were on the various town boards and that this ordinance gave people an option.

Solicitor Ursillo noted that the requirement that there be agreement among the neighbors only applied if there were more than 5 lots. Town Planner Jennifer Paquet noted it was addressed in her memo dated June 11, 2009.

Marilyn Graf, Fry Pond Road, questioned the width of the right-of-way. Town Planner Jennifer Paquet noted that they had to be 30 ft. wide or they would have to obtain it from the other owners. It could not just be taken.

Sandy Bockes, Hazard Road, stated she felt that there was a misunderstanding of the width of the right-of-way and the actual driving surface which would be much narrower. She questioned the number of lots that could be created and it was noted that the first one to create one should go for the maximum number of lots.

Marilyn Graf questioned if all of the people that had such a right-of-way had been notified of the proposed changes to the ordinance. It was noted that the hearing was published. Solicitor Ursillo noted that in instances of town-wide application notice did not have to be given individually. Stewart noted she felt there should be separate notification.

Stewart questioned again the number of lots allowed prior to the amendment and it was up to 5. Mark Boyer indicated the he had answered her question of 1 lot based on there not being an application filed.

Town Planner Jennifer Paquet noted the improvement standards as contained in the proposed amendments. She noted the term public was to be removed.

Joni Waltonen, Weaver Hill Road, questioned the individual notice issue and felt it was a moral issue.

Dr. Fish noted the changes were making it stronger.

Joan Tourgee, Cheyenne Trail, noted the minutes and the tapes were available.

Woloohojian moved to close the public hearing. Tourgee seconded.

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

Tourgee moved to adopt the proposed amendments to the ordinance with the following amendments:

Consistent with section 6c of the June 11, 2009 memo from the Town Planner.

The term “legal access” be changed to “private right – of – way”.

Eliminate references to public.

The amendments are consistent with the Town’s Comprehensive Plan and relying on the advisory opinion of the Planning Board from November, 2008 recommending adoption of this ordinance. VOTED: Butler – aye, Tourgee – aye, Waltonen – nay, Woloohojian – aye, Stewart – nay.

**Following is the ordinance as amended:**

***Article VII: Special Regulations.***

**SECTION 18. Residential Compounds**

1. Definition and Purpose
  - a. A residential compound is a parcel of land containing lots for single family residential units and having an average density of no greater than one dwelling unit per 4 acres of land.
  - b. Residential compounds are intended to preserve the rural character of the town by permitting low-density residential development on large parcels of land while relieving the applicant from compliance with the design and improvement standards applicable to other subdivisions.

- c. The purpose of the residential compound is to provide qualified subdividers an option to develop a parcel of land under less stringent requirements, where, and only where, the Planning Board determines that such alternative improvement standards will promote development of the parcel in the best interests of the Town, considering the factors specified in Section 3, below. Denial by the Planning Board of a request to submit an application for a Residential Compound, or denial of a Residential Compound, shall not be construed as denial of the right to subdivide the property. The applicant shall retain all rights to appeal a decision to the Planning Board of Appeal and/or to submit a plan which complies with the improvement standards for conventional subdivision as set forth in this ordinance.

## 2. Applicability.

Residential Compounds may be considered for any subdivision of land accessed off of a Town or State owned public road, or a private right of way existing on or before May 11, 2005 (date of enactment). An applicant may petition the Planning Board for consideration of a Residential Compound, or the Planning Board may suggest that a proposed subdivision be developed as a Residential Compound. To qualify for consideration as a Residential Compound, the property and proposed subdivision must satisfy all of the following conditions; however, satisfaction of all of the following conditions shall only result in rendering the plan eligible for further consideration as a Residential Compound and shall not be construed as approval.

- a. The subdivision must create at least two, but shall not result in the creation of more than four lots in addition to an existing two acre lot with a house thereon and be located entirely in a RFR-2 zoning district.\* If no home existed on the proposed parcel on or before May 11, 2005 , only five lots may be created.
- b. The permitted uses, minimum lot sizes, and dimensional regulations applicable to Residential Compounds shall be those provided in the Zoning Ordinance for the RFR-2 zoning district.
- c. A parcel proposed for development as a Residential Compound shall have a minimum of thirty (30) feet of continuous legal access to one State owned or town-accepted street.
- d. Not more than one Residential Compound, nor a combination of a conventional subdivision and a Residential Compound, shall be created from any one property existing as of on or after May 11, 2005.

\* An owner of an RFR-1 parcel may petition the Board for consideration of a Residential Compound.

- e. No more than five (5) lots may derive access from, or have frontage on a Residential Compound road.
- f. The applicant proposing a residential compound off of an existing private right-of-way shall demonstrate to the Planning Board that they have the legal ability to use the access for a subdivision/development.

3. General Requirements and Design Standards

a. All lots created as part of a Residential Compound shall have frontage on a private right-of-way with adequate physical access to a public street. All private rights-of-way within a Residential Compound or subdivision shall remain private in perpetuity. No private Residential Compound right-of-way may be extended or connect to another private right-of-way within another Residential Compound. At the time of Final Approval, Town Legal Counsel shall approve the form and content of a legal document, to be recorded simultaneously with the Final Plat, which includes a covenant by the owner of the parcel, binding on his successors and assigns, that the Town of West Greenwich shall not be asked or required to accept or maintain the private streets within the parcel, for a minimum of ninety-nine (99) years from the date of recording; or, if only a lesser period is legally enforceable, for that period with as many automatic renewals as are necessary to total ninety-nine (99) years. Such restrictions shall state that any and all future expenses for improvements to private streets (including drainage) to meet town requirements shall be borne by the owners of the property within the Residential Compound

b. No lot or parcel which has been developed as part of a Residential Compound shall be further subdivided or reduced in size, with the exception of an administrative subdivision. Administrative Subdivisions shall be for the purpose of lot line adjustments only, and shall not be intended to contribute developable area for an abutting Residential Compound.

Land gained by an Administrative Subdivision shall not count towards the land area required for a Residential Compound.

Administrative subdivisions may be permitted among residential lots within the Residential Compound in accord with these regulations, provided, however, that such transfers or lot line amendments maintain conformity with the minimum dimensional standards contained in this section of the Zoning Ordinance for each lot or lots so affected and the average density within the approved Residential Compound remains at one dwelling per four (4) acres. This provision shall not prevent the development of a Residential Compound in phases as long as future phases are clearly designated as part of the initial preliminary plan submission.

\* An owner of an RFR-1 parcel may petition the Board for consideration of a Residential Compound.

Administrative subdivisions that propose the transfer of excess land or open space to a parcel or parcels situated outside the Residential Compound shall not be permitted.

c. Land unsuitable for development, as that term is defined in Article III, Section B. of the Subdivision\_Regulations, may be included as part of any residential building lot, and provided, however, that such land shall not be counted toward the minimum lot area required by the Zoning Ordinance for the RFR-2 zoning district. Each lot within a Residential Compound must contain a minimum of 1.4 acres of contiguous suitable land.

d. The Private right-of-way shall be contained within defined (metes and bounds) easements over the proposed lots, not as a separate lot, and shall not count towards the minimum suitable land requirement.

e. All land area within the Residential Compound in excess of that necessary to meet the minimum lot area requirements of the Zoning Ordinance shall be designated as extra area within one or more residential house lots.

f. In approving a Residential Compound, the Planning Board must determine that all of the General Requirements contained in Article III of the subdivision regulations have been met and in addition that one or more of the following design objectives are met in the proposed development plan:

- 1) the number of lots having direct egress onto existing public streets is less than through conventional subdivision, and the number of lots having frontage on existing public ways has been less than through conventional subdivision;
- 2) dwelling units and infrastructure will be constructed in a manner which will have the least visual impact on the parcel of land in question as viewed from the public way providing access to the compound, or from adjacent residentially zoned properties;
- 3) lots will be configured in a manner that preserves primary and secondary resource areas on the tract or adjacent to the tract, such as wetlands, water courses or bodies, open fields, meadows, wildlife habitat, steep slope, or other significant areas.

#### 4. Application.

For the purpose of review and approval, Residential Compounds shall be considered Minor Subdivisions, and are subject to the same review and approval by the Planning Board under the provisions of the Town of West Greenwich Land Development and Subdivision Regulations. Any proposed Residential Compound shall require a Pre-application meeting with the Planning Board, and a Public Hearing in accordance with the public hearing and notice requirements section of the West Greenwich subdivision regulations. In addition to the submission requirements at Preliminary Plan stage of review contained in the Minor Subdivision checklist, an application must contain the following information:

- a. Conventional yield plan.
- b. Scale and area of vegetative screening separating the private right-of-way and Residential Compound lots from adjacent residentially zoned property.

For additional requirements of Final plan, see sub-section 8. below.

#### 5. Ownership of Common Areas and Improvements

All common areas, drainage and other improvements within the Residential Compound shall be privately owned and maintained in common by the Homeowner's Association (HOA) for the Residential Compound. At the time of Final Approval, the Planning Board shall approve the form and content of a document or documents establishing the method of ownership, and providing for maintenance of common areas, drainage and other improvements.

#### 6. Improvement Standards

- a. Streets and appropriate drainage facilities within a residential compound shall be designed and constructed in compliance with this section. The Planning Board shall have the authority to require additional improvements in order to protect the public health, safety and welfare, if warranted by the characteristics of the parcel, or if the street will be used by persons other than residents of the compound.
- b. Private right-of-ways within a Residential Compound shall meet the following design standards:

- 1) a right-of-way intercept width at the existing public road or private right of way of at least (30) feet, for a distance of 50 feet;
  - 2) a paved staging area of at least 50 feet in length from the edge of pavement of the street it intersects with, with a minimum width of (20) feet of pavement, and sloped not more than 4% grade for the 50 feet it extends from the street line;
  - 3) where possible, a compound street centerline angle intersection with the street centerline of 90 degrees (perpendicular with the existing road);
  - 4) Pavement for the staging area, and any proposed or existing grading beyond the staging area of greater than 6%, shall be paved in accordance with road construction standards in Article XIV Section D;
  - 5) a wear surface, on that portion of the private right-of-way extending beyond the staging area, of a minimum of 12 inches of graded gravel, placed over a properly prepared base, graded and compacted to drain from the crown at a 2% slope;
  - 6) proper drainage appurtenances, where required, to prevent washout and excessive erosion, with particular attention to the staging area, so that water draining onto the street surface from the staging area is eliminated to the maximum extent feasible;
  - 7) a wear surface, on that portion of the private right-of-way extending beyond the staging area, with a minimum width of 16 feet for its entire length;
  - 8) a cul-de-sac, or other teardrop or loop, of not less than 60 feet in radius provided at the end of each terminus, or alternatively, a hammerhead design may be employed with dimensions as approved by the Fire Chief and Director of Public Works.
- c. For Residential Compounds proposed off of an existing private right-of-way, the Planning Board shall require that the applicant improve the existing road to meet or exceed the minimum standard for the Residential Compound (6. a. and b. above), and if the existing private road will service a total of more than 5 lots, the Planning Board shall require improvements to exceed the minimum standards contained in 6.a. and b. above, including but not limited to paving and drainage improvements. The applicant shall secure the permission and agreement of all parties with legal access to the private right-of-way to perform such upgrades and to be included in a maintenance agreement.

**REQUEST FOR ZONING MAP CHANGE – THAYDEN & LINDA WALTONEN, PLAT 6, LOT 13-1, 389 MISHNOCK ROAD – CONTINUE TO DECEMBER 9, 2009 (OR LATER)**

Waltonen recused himself from the Council for this matter.

Tourgee moved to continue the hearing on this matter until February 10, 2010. Stewart seconded. VOTED: Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

**NEW BUSINESS**

**RESOLUTION IN OPPOSITION TO BINDING ARBITRATION FOR TEACHER CONTRACTS**

Senator Frank Maher was present.

Woloohojian moved to adopt the following resolution: Waltonen seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

**RESOLUTION-BINDING ARBITRATION**

WHEREAS, the Town Council of the Town of West Greenwich is in Opposition to Binding Arbitration for Teacher Contracts; and

WHEREAS, mandatory binding arbitration on all issues, which is presently in force for local police and fire, has led Rhode Island, according to RIPEC, to having the 5<sup>th</sup> highest police costs in the nation and the highest paid firefighters nationally; and

WHEREAS, Rhode Island cities and towns have to comply with statutory and decreasing property tax caps; and

WHEREAS, binding arbitration may create a disincentive for teacher unions to settle the unresolved issues by negotiations as they perceive that they will gain more through arbitration should they win rather than a negotiated labor agreement. Arbitration can make the process long and expensive; and

WHEREAS, the proposed mandatory binding arbitration legislation being advanced by the teacher unions does not take student welfare into account, does not conform to the existing property tax caps (Senate Bill 3050), does not recognize management rights that our courts have established nor does it prevent strikes or work to rule; and

NOW, THEREFORE, BE IT RESOLVED that the West Greenwich Town Council respectfully requests the Rhode Island General Assembly reject any and all binding arbitration legislation currently is considered for teacher contracts.

BE IT FURTHER RESOLVED that the Town Clerk is hereby instructed to submit a copy of this resolution to our neighboring cities and towns, State Senators and State

Representatives in the Rhode Island General Assembly seeking their consideration and support.

ADOPTED this 14<sup>th</sup> day of October, 2009.

Robert S. Butler, President  
West Greenwich Town Council

### **EXETER-WEST SCHOOL DISTRICT CHARTER REVIEW**

Butler noted a report from Lee Kissinger which recommended a full charter review.

Lee Kissinger reported on the Chariho District in which each town had more of say in the school budget.

Woloohojian moved to send a letter expressing support for a full charter review of the school district charter. Tourgee seconded.

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

### **REQUEST TO GO OUT TO BID FOR POLICE VEHICLE**

Chief Lepre explained a Massachusetts bid program the Police Dept. was part of for the purchase of police vehicles.

Tourgee moved to grant the request to go out to bid for a police vehicle.

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

### **CLOTHING ALLOWANCE – PUBLIC WORKS DEPT.**

Highway Supervisor Claude Wright reported that the contract with the uniform Company was not up until 2011, however, he had got them to reduce the cost.

### **RESIGNATION – JOHN PRATT - TAX BOARD OF REVIEW**

Waltonen moved to accept with regret the resignation of John Pratt from the Tax Board of Review and to send him a letter of thanks for his service.

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

### **APPOINTMENT – TAX BOARD OF REVIEW – MEMBER AND ALTERNATE**

Tourgee moved to appoint John Howard to the Tax Board of Review.

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

The alternate position was to be posted.

### **APPOINTMENT – ASSISTANT ANIMAL CONTROL OFFICER**

A letter was received from Chief of Police Lepre requesting that Kenny Andrews be appointed as Assistant Animal Control Officer.

Waltonen questioned insurance liability.

Woloohojian moved to appoint Kenny Andrews as Assistant Animal Control Officer. Tourgee seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – abstain, Woloohojian – aye, Stewart – aye.

### **GRIEVANCE/ARBITRATION ON HEALTH CARE WITH WEST GREENWICH IBPO LOCAL 517**

Solicitor Ursillo reported on the grievance regarding deductible on health insurance being changed from \$250 to \$500.

Tourgee noted his objections to the arbitrator.

### **REQUEST FOR JOINT MEETING WITH PLANNING BOARD REGARDING CONSERVATION DEVELOPMENT**

A meeting date of November 16, 2009 at 7:30 p.m. was set.

The following items that were removed from the Consent Agenda were considered:

15. 2008-09 NECAP PRELIMINARY RESULTS (GRADE11)  
PERCENT OF STUDENTS AT/ABOVE PROFICIENT BY DISTRICT

Discussion was held on this report.

17. BROOKE LAWRENCE, EMA DIRECTOR  
SEPTEMBER 28, 2009  
RE: UPDATE WG EMA

Butler reported EMA Director Brooke Lawrence was working on a program to receive monies from the State.

24. EWG SPORTS 4 KIDS  
RE: INVITATION TO RESCHEDULED DEDICATION OF FIELD

Butler noted the new date was October 17, 2009.

Discussion was held on the water on the field.

25. KEVIN A. BREENE, TOWN ADMINISTRATOR  
OCTOBER 9, 2009  
RE: TEMPORARY HOLDING FACILITY FOR ACO

Butler reported on new temporary holding facility for animal control.

26. DONALD L. CARCIERI, GOVERNOR  
SEPTEMBER 14, 2009  
RE: NOTICE OF AWARD OF RI COMMUNITY BLACK GRANT, RECOVERY  
(CDBG-R) PROGRAM  
\$281,000  
BLUEBERRY HEIGHTS MOBILE HOME PARK

Butler noted that Blueberry Heights was awarded a CDBG-R grant.

### **PUBLIC FORUM**

Adrien Knott, Browns Corner Road commented on timing of traffic light on Centre of New England Blvd. Chief Lepre noted as it was a private road and light he could only make a recommendation.

Sandy Bockes, Hazard Road commented on the Celebrate West Greenwich event.

Chief Wayne Andrews commented on trade-in of fire truck.

Waltonen questioned if Dayna Drive was done with stimulus monies. Breene noted that it was.

Waltonen noted curb damage to Mr. Fields.

Stewart requested that the Charter Review Commission be on next month's agenda and posted on the website.

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

Tourgee moved to go into Executive Session pursuant to RIGL 42-46-5,a, 1 & 2 for matters of personnel and litigation and collective bargaining at 10:06 p.m. Woloohojian seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

Waltonen moved to come out of Executive Session and seal the minutes at 11:35 p.m. Stewart seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

\*Solicitor Ursillo was not present for the remainder of the meeting.

Waltonen moved to approve the retirement package for Karen Sweet as presented. Stewart seconded. Stewart VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

Waltonen moved to appoint Karen Y. Blackwell as Deputy Tax Collector with a probationary period of one year, with an hourly increase of \$1.50 per hour and work week of 37.5 hours effective November 1, 2009.

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

Tourgee moved to appoint Charlene Randall as Tax Collector with no increase in pay.

Stewart seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye. \*\*

Woloohojian moved to adjourn at 11:40 p.m. Stewart seconded.

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

Janet E. Olsson, CMC  
Town Clerk

\*Amended at November 18, 2009 meeting.

\*\*Vote reconsidered at November 18, 2009 meeting to:

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