

**TOWN OF WEST GREENWICH  
TOWN COUNCIL  
REGULAR MEETING  
APRIL 7, 2010**

A regular meeting of the West Greenwich Town Council was held on April 7, 2010. 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 7:33 with the Pledge of Allegiance.

**MOMENT OF SILENCE – C. JEAN SIMPSON**

A moment of silence was observed for C. Jean Simpson, Deputy Town Treasurer.

**MOMENT OF SILENCE – THOMAS K. OLSSON**

A moment of silence was observed for Thomas K. Olsson, former Chief of Hianloland Fire Co., former Civil Defense Director, former member of the Conservation Commission, Communications Officer and husband of Town Clerk Janet Olsson.

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



## **CONSENT AGENDA**

Stewart moved to approve the Consent Agenda with Correspondence Items 1 & 12 removed for further consideration. Woloohojian seconded.

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

### **I. MINUTES**

1. MINUTES OF MEETING OF MARCH 10, 2010
2. MINUTES OF MEETING OF MARCH 16, 2010

### **II. REPORTS**

1. TOWN CLERK RECEIPTS –MARCH, 2010
2. PLANNING DEPT. MONTHLY REPORT – MARCH, 2010
3. TREASURER’S REPORT – MARCH, 2010
4. POLICE DEPT. MONTHLY REPORT – MARCH, 2010
5. TAX ASSESSOR’S OFFICE MONTHLY REPORT – MARCH, 2010
6. BUILDING INSPECTORS OFFICE MONTHLY REPORT – MARCH, 2010
7. PAYROLL & TIME REMAINING REPORT  
PAY PERIODS MARCH 5, 2010 – MARCH 26, 2010
8. POLICE DEPT.  
TIME REMAINING AS OF MARCH 31, 2010

### **III. CORRESPONDENCE**

1. COPY OF LETTER FROM T. P. SWARTZ  
TO MICHAEL LEWIS, DIRECTOR, RIDOT  
MARCH 1, 2010  
RE: CARDI CONSTRUCTION ON THE I-95 / WEAVER HILL ROAD OVERPASS
2. CONSERVATION COMMISSION – MINUTES OF MARCH 4, 2010 MEETING

3. BROWN UNIVERSITY  
MARCH 24, 2010  
RE: RECIPIENTS OF THE JUDGE ELMER J. RATHBUN SCHOLARSHIP
4. NEIL BOMBERG, NLC  
MARCH 29, 2010  
RE: THE NEW HEALTH CARE REFORM LAW
5. AMERICAN ARBITRATION ASSOCIATION  
MARCH 16, 2010  
RE: RAYMOND TARBOX – INVOLUNTARY RESIGNATION
6. RHODE ISLAND LABORER’S DISTRICT COUNCIL  
MARCH 11, 2010  
RE: ULP-5972 TOWN OF WEST GREENWICH AND THE RHODE ISLAND  
LABORER’S DISTRICT COUNCIL, ON BEHALF OF LOCAL UNION 1322  
CANCELLATION OF HEARING –ACO UNFAIR LABOR PRACTICES
7. RIDOT  
CONSTRUCTION/OPERATIONS  
MARCH 19, 2010  
RE: NOTICE OF PROJECT CONSTRUCTION
8. COPY OF LETTER FROM MICHAEL A. URSILLO, TOWN SOLICITOR  
TO ARTHUR J. JORDAN, BUSINESS MANAGER  
BUILDING MAINTENANCE, SERVICE AND INDUSTRIAL WORKER’S LOCAL  
UNION 1322  
RE: RAYMOND TARBOX
9. TOM AND SHARON ROMEO  
MARCH 31, 2010  
RE: LETTER OF APPRECIATION OF HIGHWAY DEPT. IN RECENT FLOOD
10. MEMO FROM RONALD P. LEPRE, CHIEF OF POLICE  
APRIL 1, 2010  
RE: FEMA FLOOD REIMBURSEMENTS
11. LINDA HEANUE  
RE: VARIOUS COMPLAINTS

12. INFORMATION POSTED ON TOWN'S WEBSITE  
REGARDING RECENT FLOOD
13. COPY OF LETTER TO WEST GREENWICH ZONING BOARD  
FROM JENNIFER PAQUET, TOWN PLANNER  
MARCH 11, 2010  
RE: WALTONEN ZONE CHANGE APPLICATION

#### **IV. CHECK SUMMARY REPORT**

1. MARCH, 2010

#### **(OLD) UNFINISHED BUSINESS**

#### **APPOINTMENT – BOARD OF CANVASSERS**

Woloohojian moved to reappoint Faye V. Edwards to the Board of Canvassers for a 6 year time. Waltonen seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

It was noted that a resignation had been received from Helen Wilmot which is to be acted on at a subsequent meeting.

#### **REQUEST OF THOMAS H. CLARKE FOR ZONING MAP CHANGE AND COMPREHENSIVE PLAN FUTURE LAND USE MAP PLAT 3, LOT 21 FROM RFR-2 TO HIGHWAY BUSINESS (continued from February 17, 2010)**

Butler opened the public hearing.

Mr. Thomas Clarke was present.

Mr. Clark noted that Mr. Curt Wilcox was to operate a nursery on the property.

Waltonen questioned work already being done on the property. Mr. Clarke noted that there were permits for the work that was done.

He noted the requested use was more compatible than a residential dwelling.

Butler noted that both the Planning Board and the Conservation Commission had submitted the following recommendations for approval.

March 26, 2010

To: The Honorable Town Council  
Robert Butler, President

From: Jennifer Paquet  
Town Planner

Re: Proposed Zoning Map Change and Amendment to Comprehensive Plan  
AP 3, Lot 21  
Hopkins Hill Road  
Owner/ Applicant: Lewis & Clarke Enterprises, Inc. (Thomas Clarke)

At their meeting on March 15, 2010, the Planning Board voted (3-0) on the following two motions:

Motion 1

Motion to amend the West Greenwich Comprehensive Plan, Future Land Use Map, as requested in the application of Lewis & Clarke Enterprises, Inc., to reclassify the area of AP 3, Lot 21 from 'Low Density Residential' to 'Highway Commercial' based on the following findings of fact and conditions of approval:

*Findings of Fact:*

1. The parcel is currently zoned for Residential use, which is inconsistent with the goals of the Comprehensive Plan, and is surrounded by Industrial A zoned property.
2. The parcel fronts on Hopkins Hill road, a major arterial, and is in close proximity to the interchange of I-95.
3. The parcel is a 1.8 acre lot with 300 feet of frontage and contains one vacant dwelling unit.
4. The minimum lot size for the Industrial A zoning district is 2 acres, which is not met by the subject parcel.
5. The Comprehensive Plan supports rezoning parcels in this general area to Industrial A, however the subject lot is undersized to meet the minimum needs for an industrial use, which would create a hardship. Rather, the lot can support Highway Business uses, which are otherwise consistent with the Comprehensive Plan and the purpose of the Highway Business zoning district.
6. Any development proposal for the site will be required to go before the Planning Board for Site Plan Review.

*Conditions Approval (required by State Law):*

1. This plan element shall not become effective for the purpose of guiding the State of Rhode Island or any of its agencies until it has been approved by the State of Rhode Island, in accordance with the manner prescribed in the Comprehensive Community planning and Land Use Regulation Act, or pursuant to any rules and regulations as adopted pursuant thereto; and,
2. The plan amendment shall become effective for the purpose of conforming municipal land use decisions upon adoption by both the Planning Board and the Town Council.

O'Loughlin-Berry (3-0)

Motion 2

Motion to recommend to the Town Council the approval of the requested Zoning Map amendment for the application of Lewis & Clarke Enterprises, Inc., dated 12/7/09, for the property of AP 3, Lot 21, to change the zone from Rural Farming Residential 2-acre to Highway Business, based on the following findings of fact, findings of consistency with the Comprehensive Plan, and findings of consistency with the purposes of zoning:

*Findings of Fact:*

1. The parcel is currently zoned for Residential use, which is inconsistent with the goals of the Comprehensive Plan, and is surrounded by Industrial A zoned property.
2. The parcel fronts on Hopkins Hill road, a major arterial, and is in close proximity to the interchange of I-95.
3. The parcel is a 1.8 acre lot with 300 feet of frontage and contains one vacant dwelling unit.
4. The minimum lot size for the Industrial A zoning district is 2 acres, which is not met by the subject parcel.
5. The Comprehensive Plan supports rezoning parcels in this general area to Industrial A, however the subject lot is undersized to meet the minimum needs for an industrial use, which would create a hardship. Rather, the lot can support Highway Business uses, which are otherwise consistent with the Comprehensive Plan and the purpose of the Highway Business zoning district.
6. Any development proposal for the site will be required to go before the Planning Board for Site Plan Review.

*Consistency with Comprehensive Plan:*

The amendment is found to be consistent with the Comprehensive Plan as follows:

Recent amendment to the Comprehensive Plan Future Land Use Map to designate this lot to Highway Commercial based on the following goals and policies in conjunction with the above findings of fact:

Economic Development chapter

Goal #3- Encourage compatible economic activities that compliments the rural character of the Town based on the independent principle of self-reliance

Goal #6- Encourage expansion of Industrial activities at or near the Technology Park (same as Land Use Goal #7)

Goal #7- Promote varied economic base and diversity of employment opportunities, recognizing utility limitations where applicable.

Policy 10.- Residential land on the west side of Hopkins Hill Road, north of I-95, shall be analyzed as potential Industrial A area for future use.

Policy 15.- Encourage restricted Industrial/ Commercial development appropriate to a site in consideration of environmental factors, accessibility, and adjacent land uses

*Findings of Consistency with the Purposes of Zoning:*

The Planning Board finds that the proposed amendment is consistent with the following purposes of zoning as contained in RIGL 45-24-30, the Rhode Island Zoning Enabling Act of 1991, as amended.

1. Providing for a range of uses and intensities of use appropriate to the character of the town and reflecting current and expected future needs.
2. Providing for orderly growth and development which recognizes the goals and patterns of land use contained in the Comprehensive Plan adopted by the Town of West Greenwich

O'Loughlin-Berry (3-0)

TO: THE HONORABLE WEST GREENWICH TOWN COUNCIL

FROM: WEST GREENWICH CONSERVATION COMMISSION

DATE: MARCH 19, 2010

SUBJECT: REQUEST OF THOMAS H. CLARKE FOR ZONING MAP CHANGE AND COMPREHENSIVE PLAN FUTURE LAND USE MAP PLAT 3, LOT 21 FROM RFR-2 TO HIGHWAY BUSINESS

The Commission reviewed this Application at its regularly scheduled meeting on March 4, 2010. Mr. Clarke and Kurt Wilcox were in attendance.

Applicant proposes to have a garden center with retail sales on the premises. He currently has greenhouses and a nursery at 630 Hopkins Hill Road and plans on supplying the new location from there. The plants will be in pots for the most part. The existing house would be used for an office.

There is a wetland area on the property, so there is a concern that fertilizer and/or pesticides used could impact the wetland and/or the groundwater. Mr. Clarke stated that RIDEM had been out and had flagged the wetland.

It was noted that work had already been done on the property. Mr. Clarke stated that it was necessary to be ready for the Spring season.

This proposal seems to be the sort of business that fits with the rural nature of the Town and should be encouraged. It conforms with the Comprehensive Plan. Although there is concern for the wetlands, the Applicant appears to be taking steps to protect them.

Based on the above, the Commission voted unanimously (7—0) to recommend to the Council that it Approve the Applicant's request.

Respectfully submitted,

Sandra S. Bockes, Secretary WGCC

Woloohojian moved to amend the West Greenwich Comprehensive Plan, Future Land Use Map, as requested in the application of Lewis & Clarke Enterprises, Inc., to reclassify the area of AP 3, Lot 21 from 'Low Density Residential' to 'Highway Commercial' and adopt the findings of fact, conditions of approval as set forth in the Planning Board Recommendation dated March 26, 2010 along with the March 19, 2010 recommendation of the Conservation Commission. Tourgee seconded.

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

Woloohojian moved to approve the requested Zoning Map amendment for the application of Lewis & Clarke Enterprises, Inc., dated 12/7/09, for the property of AP 3, Lot 21, to change the zone from Rural Farming Residential 2-acre to Highway Business, adopt the findings of fact, conditions of approval as set forth in the Planning Board Recommendation dated March 26, 2010 along with the March 19, 2010 recommendation of the Conservation Commission. Tourgee seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

**REQUEST OF BEST NEW ENGLAND, INC. FOR ZONING MAP CHANGE PLAT 48,  
LOT 2-3 AND PLAT 49, LOT 3 FROM RFR-2 TO HIGHWAY BUSINESS (continued  
from February 17, 2010)**

Butler opened the public hearing.

Mr. Thomas Gotauco was present.

Mr. Robert Boyer, Professional Land Surveyor, #1573 was present.

Mr. Boyer noted there were 3 lots involved and indicated the area on a map. He noted that 400 trees had been planted by Mr. Gotauco as required by a consent order from DEM. He indicated an area of wetlands.

Butler noted that both the Planning Board and the Conservation Commission had submitted the following recommendations for approval.

Mr. Boyer indicated noted that the conditions of the Conservation Commission and Planning Board were accepted.

March 26, 2010

To: The Honorable Town Council

Robert Butler, President

From: Jennifer Paquet

Town Planner

Re: Proposed Zoning Map Change  
AP 48, Lot 2-3 and AP 49, Lot 3

Corner of Victory Highway and Breakheart Hill Road

Owner/Applicant: Best New England, Inc. (Thomas Gotauco)

At their meeting on March 15, 2010, the Planning Board voted (3-0) on the following motion:

Motion to recommend that the Town Council approves the Zoning Map Change amendment to the Zoning Ordinance for the application of Best New England, Inc. for the properties of AP 48, Lot 2-3 and AP 49, Lot 3, to change a portion of that area zoned Rural Farming Residential 2-acre to Highway Business, as indicated on the amended site plan; and to change the zoning on AP 48, Lot 2-5 to RFR-2 in its entirety, with the condition that access for commercial purposes to AP 48, Lot 2-3, be derived solely from Victory Highway through AP 49 Lots 3 and 2, and based on the following findings of fact, findings of consistency with the Comprehensive Plan, and findings of consistency with the purposes of zoning:

*Findings of Fact:*

1. The parcels are currently 35 – 40 percent zoned Highway Business and are contiguous with a Highway Business zoning district.
2. The parcels are under single ownership by a truck stop business, and are partially occupied by such existing business.
3. The parcels are in close proximity to the interchange of I-95.
4. The parcels are isolated from abutting residentially zoned land to the south and southwest by a natural stream feature.
5. Any development proposal for the site will be required to go before the Planning Board for Development Plan Review.
6. That AP 48, Lot 2-5 is also under the ownership of the applicant, and that the existing zoning of Highway Business on the corner of this parcel amounting to approximately 4,400 square feet out of a 100,000 square foot parcel serves no purpose and shall be made consistent with the predominant zoning designation on the parcel in order to clearly define the boundary between the Highway Business zoning district and the RFR-2 zoning district.

*Consistency with Comprehensive Plan:*

The amendment, with restrictions, is found to be consistent with the Comprehensive Plan as follows:

Economic Development Goals 2 and 5, and Policies 2, 8, 15, and 20

Land Use Goal 6, and Policy 16

*Findings of Consistency with the Purposes of Zoning:*

The Planning Board finds that the proposed amendment is consistent with the following purposes of zoning as contained in RIGL 45-24-30, the Rhode Island Zoning Enabling Act of 1991, as amended.

1. Promoting the public health, safety and welfare.

2. Providing for a range of uses and intensities of use appropriate to the character of the town and reflecting current and expected future needs.
3. Providing for orderly growth and development which recognizes the goals and patterns of land use contained in the Comprehensive Plan adopted by the Town of West Greenwich, and which recognizes the natural characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution

Berry-O'Loughlin (3-0)

TO: WEST GREENWICH TOWN COUNCIL

FROM: WEST GREENWICH CONSERVATION COMMISSION

DATE: FEBRUARY 4, 2010

RE: REQUEST FROM BEST NEW ENGLAND, INC. FOR ZONING MAP CHANGE

The Commission reviewed a request presented by Robert Boyer, representative of Best New England,

Inc. at its regularly scheduled meeting on February 4, 2010. Applicant was present. Best New England,

Inc. is requesting an RFR-2 zoning map change to HIGHWAY BUSINESS for Plat 48, Lot 2-3 and Plat

49, Lot 3.

Mr. Boyer presented a map of subject area delineating Plat 48/Lot 2-3 and Plat 49/Lot 3, as well as surrounding land parcels currently zoned RFR-2 and HIGHWAY BUSINESS. Mr. Boyer is requesting the zoning map change in order to expand the existing parking area of the Rt. 95/Victory Highway truck stop/restaurant, which is currently zoned as HIGHWAY BUSINESS, and also stated that his client would be willing to square off the triangular shape of the currently RFR-2 section.

The RFR-2 land that is the subject of this request is 8.2 acres of undeveloped land owned by Best New England, Inc. Several of these acres are designated wetlands, with a wetland buffer of trees previously planted by Best New England, Inc. Mr. Boyer explained that the parking area would be approximately 3 acres in size and would be left unpaved. Mr. Boyer claims there is no future plan for development other than the expanded parking lot and squaring off of the triangle shape RFR-2 segment of property.

The site assessment criteria concerns that the Commission members discussed included the following items:

1. Appropriateness of proposed land use and its proximity to Wright's Farm as an unofficial town treasure. The Commission accepted the described vegetative buffering as adequate.
2. Concern about possible run-off (paved lot) or ground absorption (unpaved) of contaminants to the nearby well that services a large number of truck stop users. A concern was also expressed regarding protection of the groundwater. There was some discussion of existing underground fuel storage tanks. Commission accepted applicant's claim of frequent state testing of the well as adequate protection.

Paul Kaltschnee made a motion to approve the request with the stipulation that the unbuildable triangular wedge piece would remain RFR-2, and the resultant parcel be squared off (the western triangular portion of AP 49/Lot 3 will be kept as RFR-2 from a line drawn southward from the western edge of AP 48 lot 2-3 to the southern edge of AP, 49/Lot 3), both following Mr. Boyer's offered suggestions. The Conservation Commission's advisory opinion is to approve the Best of New England, Inc. application inclusive of the stipulations mentioned above.

Respectfully submitted,

Karen O'Neil

WG Conservation Commission

Cc: Janet Olsson, Town Clerk, jeolssonwgtownri.org

Waltonen noted the hydrology of the area had not changed during the recent storms. He noted it was somewhat unusual to have a lot line go through a change of zone. He questioned if the zone change could be restricted to the current use of as a truck stop.

Butler noted a change of use would have to come back for development plan review by the Planning Board.

Solicitor Ursillo noted that what Waltonen was asking for would require approval by the Town Council.

Waltonen noted the conditions set forth in the King Fastener zone change which only allowed specific items to be manufactured which required a new zone change for the subsequent owner.

Kevin Brill, Esq. counsel for Best New England noted that this suggestion was problematic and was not brought up at the Planning Board.

Waltonen noted that people felt intimidated.

Joni Waltonen questioned if any restrictions were being placed on this. Butler noted anything that could be done under Highway Business would be allowed.

Tourgee moved to approve the Zoning Map Change amendment to the Zoning Ordinance for the application of Best New England, Inc. for the properties of AP 48, Lot 2-3 and AP 49, Lot 3, to change a portion of that area zoned Rural Farming Residential 2-acre to Highway Business, as indicated on the amended site plan; and to change the zoning on AP 48, Lot 2-5 to RFR-2 in its entirety, with the condition that access for commercial purposes to AP 48, Lot 2-3, be derived solely from Victory Highway through AP 49 Lots 3 and 2, adopt the findings of fact, conditions of approval as set forth in the Planning Board Recommendation dated March 26, 2010 along with the March 19, 2010 recommendation of the Conservation Commission. Woloohojian seconded.

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

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

1. COPY OF LETTER FROM T. P. SWARTZ  
TO MICHAEL LEWIS, DIRECTOR, RIDOT  
MARCH 1, 2010  
RE: CARDI CONSTRUCTION ON THE I-95 / WEAVER HILL ROAD OVERPASS

Butler noted that Mr. Lewis had responded to Mr. Swartz regarding complaints about the work at the overpass.

12. INFORMATION POSTED ON TOWN'S WEBSITE  
REGARDING RECENT FLOOD

Information regarding the recent flood had been posted on the website. Discussion was held assistance available from FEMA.

Woloohojian moved to approve the items removed from the Consent Agenda.  
Tourgee seconded.

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

## NEW BUSINESS

### **APPOINTMENTS – CONSERVATION COMMISSION**

Stewart moved to reappoint moved to reappoint Sandra S. Bockes, Robert E. Zuleger and Clifton M. Sundelin for 3 year terms and Karen L. O’Neil and Jon J. Sawyer for 1 year terms. Waltonen seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

Paul Kaltschnee gave an update on the upcoming Earth Day. Stewart noted an offer from a business for a dumpster for the Route 3 end of Robin Hollow Road.

### **CDBG FY 10**

#### **2ND PUBLIC HEARING**

#### **PRIORITIZATION OF PROPOSED ACTIVITIES**

#### **AUTHORIZATION OF APPLICATION FOR SUBMITTAL**

Town Planner Jennifer Paquet reported on the application and had provided the Council with the following memo:

March 26, 2010

To: The Honorable Town Council

Robert Butler, President

From: Planning Board

Jennifer Paquet, Town Planner

**Re: Community Development Block Grants 2010**

April 7, 2010 Public Hearing (second of two required public hearings)

Attached, please find a summary of this year’s requested amounts and programs.

At their regular meeting on March 15, 2010, the Planning Board voted unanimously (3-0) on the following motion:

**Motion to** make a finding that the following proposed projects in the 2010 CDBG request are not inconsistent with the Comprehensive Community Plan and that the Planning Board recommends to the Town Council the following priority order:

1. Housing Rehabilitation Program

2. Westerly Area Rest Meals shelter Employment/Job Readiness Program
3. Westerly Area Rest Meals Emergency Shelter renovations
4. Westerly Area Rest Meals walk-in refrigerator and freezer unit
5. Housing Information Program
6. Wood River Health Services' Diabetes, Obesity, and Cardiovascular Disease Education and Outreach Program
7. South County Community Action facility renovations
8. Washington County Community Development Corporation operating costs
9. Community Housing Land Trust technical assistance to communities and foreclosure prevention outreach

O'Loughlin-Regan (3-0)

Since the Planning Board meeting, I have developed a proposal for the Town to consider in order to facilitate the creation of affordable housing in Town. West Greenwich is eligible to apply for up to \$250,000 in CDBG funds, however the applications listed above total \$130,229. I have attached a proposal to apply for the other \$119,771 in CDBG funds to convert existing for-sale housing stock in Town to affordable housing which would count towards the Town's ten percent goal.

Please consider including this proposal, with a high priority ranking, in our CDBG application this year. This proposal is still eligible for inclusion in this year's application even though it was not reviewed by the Planning Board, however it was included in the public notice. I will be available at your meeting to discuss this.

The following display advertisement for this hearing ran in the March 23, 2010 edition of the Kent County Daily Times:

PUBLIC NOTICE

WEST GREENWICH

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)

On or about April 13, 2010, the Town of West Greenwich will be submitting an application to the Rhode Island Dept of Administration, Office of Housing and Community Development, for funding under the federal Small Cities Community Development Block Grant Program. The following activities are being considered for inclusion in that application:

Housing Rehab, townwide	\$12,500
Housing Information Program.	\$3,000
Washington County CDC	\$3,000
Community Housing Land Trust	\$3,000
South County Community Action	\$20,000
Westerly Area Rest Meals	
Job readiness	\$8,000
Walk-in freezer	\$3,456
Emergency Shelter renovations	\$57,273
Wood River Heath Services	\$10,000
Acquisition	\$119,771
Administration	\$10,000
TOTAL FY '2010	\$250,000

A Public Hearing will be held on **April 7, 2009** during the Council meeting starting at 7:30 PM in the Council Chambers at West Greenwich Town Hall, 280 Victory Highway, RI 02817, in order to obtain the views of the public on the proposed application, after which the Council will act to finalize the application for submission. A copy of the proposed application is available for review in the Office of the Town Planner. Comments on the proposed activities may be submitted in writing to the Town Planner or may be made during the Public Hearing. The Town of West Greenwich will provide interpreters for the hearing impaired provided three (3) days notice is provided.

Marge Gartelman, Human Services Director, spoke on behalf of South County Community Action, noting many residents utilized their services.

Discussion was held on revising the order of priority.

Waltonen moved to accept the revised order which follows. Woloohojian

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

1. Town initiated Housing Rehabilitation Program
2. Housing Rehabilitation Program
3. Wood River Health Services' Diabetes, Obesity, and Cardiovascular Disease Education and Outreach Program
4. Housing Information Program
5. South County Community Action facility renovations
6. Community Housing Land Trust technical assistance to communities and foreclosure prevention outreach
7. Washington County Community Development Corporation operating costs
8. Westerly Area Rest Meals shelter Employment/Job Readiness Program
9. Westerly Area Rest Meals Emergency Shelter renovations
10. Westerly Area Rest Meals walk-in refrigerator and freezer unit

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

## **RESOLUTION**

WHEREAS, funds are available under the Rhode Island Community Development Block Grant Program, administered by the Department of Administration, Division of Planning, Office of Housing and Community Development; and,

WHEREAS, the Governor of the State of Rhode Island has authorized the Director of said department to disburse such funds, and,

WHEREAS, it is in the interest of the citizens of the Town of West Greenwich that application be made to undertake a local Community Development Program.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEST GREENWICH:

That the filing of this application for the amount of \$250,000 to implement the activities proposed herein hereby authorized and that Kevin A. Breene, Town Administrator is hereby authorized and directed to file this application with the Community Development office, to provide any additional information or documents required by said office, to make any assurances

required in connection with this program, to execute and agreement with the State of Rhode Island and to otherwise act as the Representative of the Town of West Greenwich in all matters relating to this application and any award which may be based upon this application.

**PRESENTATION BY KEVIN ESSINGTON OF THE NATURE CONSERVANCY  
REGARDING WOOD-PAWCATUCK  
WATERSHED WILD AND SCENIC RIVERS DESIGNATION**

Kevin Essington and Laura Bottaro made a presentation regarding the Wood-Pawcatuck Watershed Wild and Scenic Rivers Designation.

Mr. Essington explained that the designation as a Wild and Scenic River could provide additional resources. He asked for a letter of support for a study by the Dept. of the Interior.

Stewart moved to provide a letter of support for the study.

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

**PERCENTAGE FOR AFFORDABLE HOUSING**

Town Planner Jennifer Paquet reported on the Town's percentage for affordable housing which was supposed to be 10 percent. She noted the Town was at 1.9 percent.

Waltonen questioned if there was a way around the required percentage. Solicitor Ursillo reported that the criteria had been upheld in court.

**REQUEST OF FRANK VOLLUCCI REGARDING INTEREST ON OSTER PROPERTY**

Mr. Frank Vollucci was present.

Town Administrator Breene provided the following memo explaining the request.

TO: Honorable Town Council Members

FROM: Kevin A. Breene, Town Administrator

DATE: April 7, 2010

RE: Volucci Request — Plat 58 Lot 15

Frank Volucci has owned and resided at a 52 acre parcel on Bates Trail since 1975. His property abuts Plat 58 Lot 15, an 11.96 acre parcel also on Bates Trail. The 11.96 acre parcel had unknown owners for many years. Unable to find an address for the last known owner, former assessor Henry Wright removed it from the tax rolls in 1980. It remained listed as owner unknown and not taxed through the tenure of Henry as well as assessor Mary Smith. When Charlene Randall became assessor in 2003 she began researching the title and it seemed to be owned by Richard and Stephen Oster of Cranston. She was advised by solicitor Mike Ursillo to put it back on the tax roll and attempt to send a bill to Mr. Oster. She sent supplemental bills back to 2000 in an attempt to collect the taxes. The Osters never paid any of the taxes. Mr. Volucci hired an attorney and bought the property from the Osters' estate in November 2009. He purchased it to prevent further development next to his land. The uncollected taxes are \$27,005 of which Mr. Volucci is asking if the town would be willing to wave a portion of given they had been uncollectable or off the tax roll for so many years.

Solicitor Ursillo explained that interest could not be waived but tax years could be abated.

Waltonen noted that removing the burden of development of the land was rationale for the Council's action.

Woloohojian moved to abate tax years 2006 backwards and leave 2007 forward.

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

## **SCHOOL DISTRICT FINANCIAL MEETING**

Butler commented on concern of the School Budget. He noted that an amendment would be put forth by Ted Natale of Exeter to level fund the budget. He noted that the Exeter Town Council had passed a resolution not to support the school budget.

Town Administrator Breene noted the first meeting that the School District would be having with the teachers regarding possible concessions would be this coming Friday. He noted salaries for the coaches would be cut.

Stewart noted areas that were threatened to be cut.

Tammy Andrea questioned if the salaries of the school and town employees that were posted on the website were base salaries. Town Administrator Breene noted they were for the Town employees and the figures for the school came from them.

Lee Kissinger noted the higher taxes affected property values. He noted EWG was the 2nd highest paid teachers in the State and 13 or 14th in performance.

Waltonen moved not to support the school budget as drawn but would support level funding. There was no second.

Woloohojian moved to support the proposed budget if there is a salary freeze at the 09-10 level (steps could not be touched) and student programs were level funded.

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

### **RESOLUTION ON LOCAL SPENDING**

Waltonen moved to adopt the following resolution.

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

### **RESOLUTION ON LOCAL SPENDING**

WHEREAS, the Governor's budget projection between the enacted Fiscal Year 2009 budget and the projected 2011 budget indicates a revenue reduction of \$420 million or 13%; and

WREREAS, in view of State Budget Office projected budget deficits ranging from \$362 million in FY 2012 to over \$535 million in FY 2015, it is imperative that both State and local administrations continue to focus on immediate budget reduction solutions leading to long-term stability and structural reform; and

WHEREAS, in view of these current, short-term and long-term state projected revenue losses, the economic pressures being experienced at the municipal level, and the undesirability of increasing taxes, and related governmental fees, immediate action is required to meet these revenue losses by appropriate reductions in expenditures; and

WhEREAS, there has never been a more critical moment for the Rhode Island General Assembly leadership and members to take strong, honest, determined and appropriate action to reverse the destructive economic course that body has fostered and abetted in recent years; and

WhEREAS, if the State and all of its citizens are to survive and prosper, the members of the General Assembly must renounce any and all loyalty, bias, or the appearance thereof to special interests, in favor of a re-commitment to the welfare of all citizens of Rhode Island, followed by the principled action essential to restore the honesty, integrity and sound financial management required to return the State and its people to a course leading to economic progress and prosperity; and

WHEREAS, a significant part of the Governor's lower budget revenue projection concerned significant reductions in financial aid to local communities, including recommended program changes regarding:

pensions, particularly Cost of Living Adjustments (COLAs); health insurance cost-sharing; and, public school employee health care benefits; the implementation of which reductions would require that present state mandates be vacated and certain budget articles be implemented; and

WHEREAS, the release from these mandates and reduced local spending would result in a savings to local municipalities of approximately \$140 million dollars in the first year, and that these savings would be realized without the loss of a single employee job;

NOW, THEREFORE, BE IT

RESOLVED the Town of West Greenwich hereby requests the General Assembly of the State of Rhode Island to vacate the financial mandates to the Towns and Cites within Rhode Island pertaining to municipal and school employee pensions, health insurance cost-sharing, and public school employee health care benefits

AIND BE IT FURTHER

RESOLVED that Towns and Cities will implement the budget articles, known as "municipal tools", calling for a pay reduction at the local level equal to what state workers have agreed to;

AND BE IT FURTHER

RESOLVED that copies of this Resolution be conveyed to Governor Donald L. Carcieri, the leadership of the Rhode Island General Assembly, West Greenwich Legislative Delegation, and to all other cities and towns throughout Rhode Island.

IN COUNCIL PASSED

Dated: April 7, 2010

## **SILVER STAR BANNER DAY PROCLAMATION**

Stewart moved the following proclamation for Silver Star Banner Day. Tourgee seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

### **Silver Star Banner Day City Proclamation**

WHEREAS, the Town of West Greenwich has always honored the sacrifice of the men and women in the Armed Forces and

WHEREAS, The Silver Star Families of America was formed to make sure we remember the blood sacrifice of our wounded and ill by designing and manufacturing a Silver Star Banner and Flag and

WHEREAS, to date The Silver Star Families of America has freely given thousands of Silver Star Banners to the wounded and their families, and

WHEREAS, the members of The Silver Star Families of America have worked tirelessly to provide the wounded of this City and Country with Silver Star Banners, Flags and care packages, and

WHEREAS, The Silver Star Families of America's sole mission is that every time someone sees a Silver Star Banner in a window or a Silver Star Flag flying, that people remember the sacrifices for this City, State and Nation and

WHEREAS, the people and Town Council of West Greenwich, Rhode Island wish that the sacrifice of so many in our Armed Forces never be forgotten

NOW THEREFORE, I, Robert S. Butler, Council President do hereby proclaim My appreciation of The Silver Star Families of America and honor their commitment to our wounded Armed Forces members. I hereby declare May 1st "SILVER STAR BANNER DAY" the permanent and official day to honor the wounded and ill Soldiers of the Town of West Greenwich.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the Town of West Greenwich in the State of Rhode Island this 7<sup>th</sup> day of April, 2010.

/s/ Robert S. Butler

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Robert S. Butler, President  
West Greenwich Town Council

ATTEST: /s/ Janet E. Olsson

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Janet E. Olsson, CMC  
Town Clerk

## **PUBLIC FORUM**

Robert Smith , Victory Highway, questioned putting a stop sign at Barnett Lane at Route 102.

Adrian Knott, Browns Corner Road, commended the Town on its storm response. He also noted that land on Barnett Lane had been confiscated by the State.

Charlene Randall - questioned distribution of resolution regarding the school budget.

Sandra Bockes, Hazard Road noted that she had not received her Census Form.

Town Solicitor Michael Ursillo requested that the date of the May meeting be changed.

Waltonen moved to change the date of the May 5, 2010 Council Meeting to May 6, 2010.

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

Stewart requested that salaries of the school employees and the town employees be compared on the same basis.

Tammy Andrea questioned why the salaries be posted.

Paul Kaltschnee requested the resolution regarding the schools be sent out in the same manner a resolution from the school was sent out.

Stewart stressed the importance of a paper ballot at the school district meeting.

Woloohojian moved to adjourn at 10:14 p.m. Tourgee seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

Janet E. Olsson, CMC  
Town Clerk