

**TOWN OF WEST GREENWICH
TOWN COUNCIL
REGULAR MEETING
AUGUST 4, 2010**

A regular meeting of the West Greenwich Town Council was held on August 4, 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.

CONSENT AGENDA

Woloohojian moved to approve the Consent Agenda with the minutes of July 14, 2010, Reports 3 - Tax Office and Correspondence Item 1 removed for further consideration. Tourgee seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – abstain, Woloohojian – aye, Stewart – aye.

I. MINUTES

1. MINUTES OF MEETING OF JULY 14, 2010

II. REPORTS

1. TOWN CLERK RECEIPTS – JULY, 2010
2. PLANNING DEPT. MONTHLY REPORT – JULY, 2010
3. TAX OFFICE MONTHLY REPORT – JULY, 2010
4. BUILDING INSPECTORS OFFICE MONTHLY REPORT – JULY, 2010
5. PAYROLL & TIME REMAINING REPORT
PAY PERIODS JULY 2, 2010 – JULY 23, 2010

III. CORRESPONDENCE

1. CONSERVATION COMMISSION - MINUTES OF JULY 8, 2010 MEETING

IV. CHECK SUMMARY REPORT

1. JULY, 2010

UNFINISHED BUSINESS

PUBLIC HEARING - REQUEST FOR ZONING MAP CHANGE – THAYDEN & LINDA WALTONEN, PLAT 6, LOT 13-1, 389 MISHNOCK ROAD

Waltonen recused himself from the Council for this matter.

John A. Pagliarini, Esq. was present representing the applicant.
Mary Ann Bevins, Esq. of Petrarca and McNair was present representing Kent County Water Authority.

Mr. Pagliarini noted that this matter had been reviewed by the Zoning Board. He noted that there had been a wetlands violation from RI DEM in April, 2007 and a consent agreement with DEM had been made. He noted an affidavit of current uses of the property had been provided to the Zoning Board to be used as a baseline. He noted many of the conditions of the previous agreement had been met.

Mr. Pagliarini noted that they were seeking the requested zone change and authorization of existing conditions. He noted in the 1991 decision the hours of operation were limited to 7:30 a.m. to 5:00 p.m. and requested they be changed from 7:00 a.m. to 7:00 p.m.

Butler questioned if the affected neighbors were in agreement to the change of hours. Mr. Pagliarini noted that he did not know but that no one other than Kent County Water and one abutter that had been satisfied when an entrance got closed and a fence had been erected, had been to the Zoning Board meetings. Mr. Pagliarini noted that notice by first class mail to abutters and certified mail to one new abutter had been issued.

Town Solicitor Ursillo noted that he had been to all of the Zoning Board meetings and no one had complained about the hours of operation.

Mary Ann Bevins, Esq. noted that Kent County Water Authority had no objections to the petition contingent upon the stipulation of the 1991 decision that it have approval of the drainage plan.

Tourgee moved to approve the Petition of Thayden and Linda Waltonen for the expansion of Highway Business area of Plat 6, Lot 13-1, 389 Mishnock Road, subject to the original conditions of the West Greenwich Town Council dated 1991, modified by the six conditions in the letter dated July 30, 2010 from the West Greenwich Zoning Board with the attachments thereto, as well as the two conditions with regard to the structures already on the premises and the hours of operation as requested, and that the expansion

is consistent with the Town of West Greenwich's Comprehensive Plan. Stewart seconded. VOTED: Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

NEW BUSINESS

Waltonen rejoined the Council.

EWG SPORTS 4 KIDS

Sharon Pelzer, President of EWG Sports 4 Kids addressed the Council and thanked the Council for all of the help and support in the building of the track at the High School. She noted upcoming fundraisers including, Comedy night and the Steve Anderson Race on October 24, 2010.

Town Administrator Breene noted that a lot of credit was due Sharon Pelzer and Rob Correira for their efforts.

PARTICIPATION AGREEMENT BETWEEN THE WASHINGTON COUNTY REGIONAL PLANNING COUNCIL FOR AN ENERGY MANAGEMENT SERVICES AGREEMENT WITH AN ENERGY SERVICES COMPANY

Jeff Broadhead, Executive Director of the Washington Council Regional Planning Council addressed the Council regarding energy efficiency in public buildings.

He asked for a representative from the Council to sit on the Board.

He explained the efficiency program and noted it was a self-supporting program as costs to upgrade are offset by energy savings.

Waltonen moved to approve the Participation Agreement between the Washington County Regional Planning Council as Project Coordinator and the Town of West Greenwich, et al as Participants. Tourgee seconded.

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

REQUEST TO GO OUT TO BID FOR WHEEL LOADER

Highway Supervisor Claude Wright addressed the Council and explained that wheel loader had broken during the flood in March and it was costing more to lease one than to purchase one. He noted he was hoping to use FEMA monies for the purchase.

Woloohojian moved to authorize to go out to bid for a wheel loader. Waltonen seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

AUTHORIZATION FOR PUBLIC WORKS DIRECTOR AND TOWN ADMINISTRATOR TO HAVE ADVANCED AUTHORITY TO AWARD BIDS FOR BITUMINOUS PRODUCTS AND HIGHWAY TRUCK

Highway Supervisor Claude Wright addressed the Council regarding the need to expedite the bids for the bituminous products and a new highway truck.

Woloohojian moved to grant advanced authority to award the lowest responsible bid. Tourgee seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

REAPPOINTMENT OF BUILDING OFFICIAL - DAVID TACEY

Building Official David Tacey was present.

Town Administrator Breene noted the history as to how he came to be Building Official and noted that he had no complaints.

Tourgee moved to reappoint David Tacey as Building Official for 5 years. Woloohojian seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

The following items removed from the Consent Agenda were considered:

1. MINUTES OF MEETING OF JULY 14, 2010

Woloohojian requested that the following motion made at the July 14, 2010 meeting be clarified by changing there was no second to the motion to read there was no second from the prevailing side.

Butler moved to reconsider his vote of June 9, 2010 on the following motion from aye to nay.

Stewart noted she wished to Amend under Ethics -
No member of the Council shall vote on any proposition through which
the
member directly or indirectly, could financially benefit.
She noted that the Ethics Commission had classes of numbers affected by
an
action of the Council. Waltonen seconded the Amendment. Voted:

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

There was no second to the motion.

Stewart questioned the following item under Public Forum:

Waltonen questioned the investigation by the Police Dept. Butler noted it was being worked on by the Chief of Police.

She noted Butler and the Town Administrator should be added.

Waltonen questioned the use of the term "bid" as used in the following agenda item:

AWARD OF BID FOR SURVEY OF LAND FOR ADMINISTRATIVE
SUBDIVISION AND SALE OF LAND FROM AMERICAN BAPTIST
CHURCHES OF RHODE ISLAND TO TOWN OF WEST GREENWICH

Butler reported 3 telephone bids had been obtained and the bid was awarded to Boyer Associates for \$3,100.00. He noted that the other bids were Curran and Alpha Associates for \$5,000 and \$5,100.

Butler noted that telephone bids had been solicited.

Waltonen questioned the following item under Public Forum:

Waltonen requested copies of the cell phone bill of the Town Administrator for the last year.

He clarified that it should note that he requested that the prior month's bill be included in the packet for the remainder of the term.

Waltonen noted the following item under Public Forum:

Waltonen questioned if medical coverage was provided by the Town for the Town Administrator. Town Administrator Breene noted that he was an employee of the Town and entitled to such benefit.

He clarified that he was not challenging whether Mr. Breene was an employee of the town but was trying to ascertain when it started.

Town Administrator Breene noted that when he went to the General Assembly in 1996 he received health insurance. He noted when he went on the town's coverage in which was February, 2009. He noted an allowance had always been contained in the budget should there be a change in an employee's status.

Waltonen noted that Stewart's request for payroll records was to be provided to the employee's with their paychecks.

III. CORRESPONDENCE

1. CONSERVATION COMMISSION - MINUTES OF JULY 8, 2010 MEETING

Waltonen commented on evictions in the Big River area.

Town Administrator Breene reported on the proceedings noting that original owners were not being evicted.

Waltonen moved to send a letter to Water Resources Board. Woloohojian seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

3. TAX OFFICE MONTHLY REPORT – JULY, 2010

Stewart questioned where the value of motor vehicles was derived from.

Tax Assessor Charlene Randall explained that the values came from the State Motor Vehicle Value Commission, the NADA values and the number of days a vehicle was owned and the \$500 exemption, which previously had been \$3,000.

Waltonen moved to approve the items removed from the Consent Agenda. Woloohojian seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

PUBLIC FORUM

Mark Boyer asked if there were any questions of him regarding the survey work on the purchase of the land from the Church. He asked for a list of no bid purchases for the last 10 years.

Paul Kaltschnee addressed the Council and questioned Stewart and Waltonen on their voting against Charter Review questions regarding appointing the Town Clerk rather than elected and changing the requirement that the Public Works Director reside in Town.

Stewart responded that the Public Works Director could respond faster if he lived in town and she felt the Town Clerk should be elected.

Waltonen noted that the individuals in those positions were not close to retirement and there was plenty of time to review the matter in the future.

Waltonen asked for report on tax sale from Town Solicitor. Solicitor Ursillo was to provide a list. Of particular interest was the Centre of New England.

Waltonen questioned the notation on the video of the meetings that they were edited. The student videotaping the meeting explained that it was for change of batteries and/or tape.

He noted they had gone digital and now it was a longer period that could be taped uninterrupted.

Waltonen noted he had a question that would be dealt with in Executive Session.

Town Administrator Breene noted that the Tillinghast Pond Management Area Committee Report would be on the agenda for September 8, 2010.

It was noted that resident Lillian Carpenter would be 105 years old on August 12.

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

Tourgee moved to go into Executive Session for matters of personnel & litigation pursuant to RIGL 42-46-5, a, 1,2 at 9:29 p.m. Waltonen seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

Tourgee moved to come out of Executive Session and seal the minutes at 9:51 p.m. Waltonen seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

Waltonen moved to adjourn at 9:51 p.m. Woloohojian seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

Janet E. Olsson, CMC
Town Clerk