

**TOWN OF WEST GREENWICH
TOWN COUNCIL
REGULAR MEETING
JULY 14, 2010**

A regular meeting of the West Greenwich Town Council was held on July 14, 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 with the Pledge of Allegiance at 7:31 p.m.

MOMENT OF SILENCE

JOHN F. ELDRIDGE

A moment of silence was observed for John F. Eldridge former Exeter - West Greenwich Superintendent of Schools.

DIANE L. ANDREWS

A moment of silence was observed for Diane L. Andrews former Deputy Town Clerk, daughter of former Town Clerk Edna Morton and wife of former Highway Supervisor David P. Andrews.

Waltonen moved to set aside a blank page in memory of both John F. Eldridge and Diane L. Andrews. Tourgee seconded.

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

CONSENT AGENDA

Tourgee moved to approve the Consent Agenda with the Minutes of June 2 and June 9, Correspondence Items 6 & 12 and Reports 3 & 4 removed for further consideration. Woloohojian seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen –abstain, Woloohojian – aye, Stewart – aye.

I. MINUTES

1. MINUTES OF MEETING OF JUNE 2, 2010
2. MINUTES OF MEETING OF JUNE 9, 2010

II. REPORTS

1. TOWN CLERK RECEIPTS – JUNE, 2010
2. PLANNING DEPT. MONTHLY REPORT – JUNE, 2010
3. TREASURER’S REPORT – JUNE, 2010
4. TAX OFFICE MONTHLY REPORT – JUNE, 2010
5. BUILDING INSPECTORS OFFICE MONTHLY REPORT – JUNE, 2010
6. PAYROLL & TIME REMAINING REPORT
PAY PERIODS JUNE 4, 2010 – JUNE 25, 2010
7. POLICE DEPT. MONTHLY REPORT – JUNE, 2010
8. HIGHWAY DEPT. MONTHLY REPORT - JULY REPORT

III. CORRESPONDENCE

1. CONSERVATION COMMISSION - MINUTES OF JUNE 3, 2010 MEETING
2. SPLIT OF PERMIT FEE FROM AMGEN
JUNE 29, 2010
3. TOWN PLANNER JENNIFER PAQUET
JUNE 29, 2010
RE: CALCULATED QUOTA FOR ISSUANCE OF RESIDENTIAL BUILDING
PERMITS

4. DEBORAH A. GIST
COMMISSIONER OF ELEMENTARY AND SECONDARY EDUCATION
JUNE 16, 2010
RE: MAINTENANCE OF EFFORT
5. COPY OF LETTER TO
JOSEPH G. DIAS, RI DEM
JUNE 28, 2010
RE: INVOICES AND CANCELED CHECK FOR PHASE II CONSTRUCTION OF
THE EWG TRACK AND FIELD PROJECT
6. COPY OF MEMO FROM ADP
TO DANIELLE ANDREWS
JUNE 28, 2010
RE: CUSTOMIZED MANAGEMENT REPORTS
7. COPY OF LETTER TO MICHAEL URSILLO, ESQ.
FROM LAURA ANN MARASCO, SPECIAL ASSISTANT ATTORNEY GENERAL
JUNE 9, 2010
RE: OCEAN STATE POLICY RESEARCH INSTITUTE V. TOWN OF WEST
GREENWICH - WITHDRAWAL OF COMPLAINT
8. DONNA & BARRY DUNCAN
JUNE 15, 2010
RE: THANK YOU TO DAVID TACEY FOR INSPECTIONS
9. FEMA
HAZARD MITIGATION PROPOSAL
RE: PAYMENT FOR FLOOD DAMAGE TO LIBRARY BASEMENT
10. PROJO ARTICLE
JUNE 28, 2010
RE: ARTICLE NOTING NAMING OF CHRISTINE KNOTT AS VOLUNTEER OF
THE YEAR -- INDIVIDUAL CARE PROVIDER BY THE VISITING NURSE
ASSOCIATIONS OF AMERICA
11. COPY OF LETTER FROM LAKE MISHNOCK FIRE DEPT.
TO RESIDENCE INN - MARRIOTT
JUNE 7, 2010
RE: NOTICE OF CHARGE OF \$350.00 FOR RESPONSE TO BURNT FOOD IN
ROOMS
12. COPY OF EMAIL TO CHARLENE RANDALL
FROM ESME DEVAULT, RHODE ISLAND ETHICS COMMISSION
JUNE 11, 2010
RE: SIGNIFICANT AND DEFINABLE CLASS OF PERSONS

IV. POLE PLACEMENT

1. REQUEST OF NATIONAL GRID - PETITION 207024
WEAVER HILL ROAD

V. CHECK SUMMARY REPORT

1. JUNE, 2010

Butler noted Correspondence item 10 was an article in the Providence Journal noting that Christine Knott had been named as Volunteer of the Year - Individual Care Provider by the Visiting Nurse Associations of America.

Sen. Frank Maher presented Christine Knott with a citation from the Senate.

The Town Council presented Christine Knott with the following Certificate of Recognition:

TOWN OF WEST GREENWICH
CERTIFICATE OF RECOGNITION

Presented to:

CHRISTINE KNOTT

in recognition of her being named
Volunteer of the Year
Individual Care Provider by the Visiting Nurse Associations of America

Congratulations and best wishes for continued success.

IN TESTIMONY WHEREOF, we have set our hands and caused the seal of the
Town of West Greenwich
to be affixed this 14th day of July, 2010

/s/ Robert S. Butler
Robert S. Butler, President

/s/ Mark D. Tourgee
Mark D. Tourgee, Vice President

/s/ Thaylen H. Waltonen
Thaylen H. Waltonen

/s/ Susan G. Wolohojian
Susan G. Wolohojian

/s/ Kelly A. Stewart
Kelly A. Stewart

ATTEST: /s/ Janet E. Olsson
Janet E. Olsson
Town Clerk

NEW BUSINESS

REQUEST FOR VICTUALING AND HOLIDAY/SUNDAY SALES LICENSES MAIN STREET CAFÉ @ AMGEN

Mr. Chris Jessop, a representative from Amgen was present.
He noted he worked for Sodexo.

Waltonen moved to grant a Victualing and Holiday/Sunday Sales License to Main Street Café @ Amgen. Woloohojian seconded.

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

LIQUOR LICENSING BOARD

Waltonen moved to adjourn as the Town Council and convene as the Liquor Licensing Board at 7:43 p.m.
Stewart seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

REQUEST OF COVENTRY-WEST GREENWICH ELKS LODGE #2285 42 NOOSENECK HILL ROAD FOR ONE DAY CLASS F LICENSE FOR JULY 17, 2010 FOR OUTSIDE EVENT

No one was present from the Elks.

Waltonen moved to grant a Class F License to the Coventry-West Greenwich Elks Lodge #2285 for July 17, 2010 for an outside event. Stewart seconded.

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

REQUEST OF LAKE MISHNOCK VOL. FIRE COMPANY FOR ONE DAY CLASS F LICENSE FOR PIG ROAST FOR AUGUST 7, 2010

No one was present from Lake Mishnock Vol. Fire Company.

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

Waltonen moved to grant a Class F License to the Lake Mishnock Vol. Fire Co. for August 7, 2010 for a pig roast. Woloohojian seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

**REQUEST OF DCH-1, DAN'S PLACE
880 VICTORY HIGHWAY
FOR AMENDMENT OF LICENSE FOR
EXPANSION OF PREMISES TO INCLUDE OUTSIDE PATIO AREA
(MARCH 1 - NOV. 30)**

No one was present from Dan's Place.

It was noted that the area was totally fenced in, only accessible from the building, and was 82.4 ft. from Route 102.

Waltonen moved to grant permission to expand licensed premises of DCH-1, Dan's Place, 880 Victory Highway, to include outside fenced in patio area from March 1 - November 30. Woloohojian seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

Waltonen moved to adjourn as the Liquor Licensing Board and reconvene as the Town Council at 7:48 p.m. Woloohojian seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

**REQUEST FOR ENTERTAINMENT PERMIT
AUGUST 7, 2010
SENSI ORGANIC SOLUTIONS LLC (EXODUS-TO-ESCOHEAG)
AT STEPPING STONE RANCH**

Daryl Waldron and Heidi Waldron of Stepping Stone Ranch was present.

Mr. Ricardo Mclean and Mr. Kyle Capalbo of Sensi Organic Solutions, LLC were present.

Mr. Waldron noted camping would be held at their campground and liquor would be served under their liquor license. He noted port-a-johns would be provided. Police and Fire dept. had been contacted. Food vendors would be licensed through the Dept. of Health. He estimated up to 1,000 patrons.

Chief Lepre questioned if a bond was required to guarantee payment for police detail. It was noted that it was not necessary.

Mr. Waldron commented on a future event featuring local farmers.

Woloohojian moved to approve the request for an Entertainment Permit for Sense Organic Solutions LLC (Exodus-to-Escoheag) at Stepping Stone Ranch for August 7, 2010 subject to an insurance rider naming the Town of West Greenwich as an additional insured in the amount of \$100,000.00 and Promoter's Permit from the Rhode Island Division of Taxation. Waltonen seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

APPOINTMENTS – PLANNING BOARD

No action was taken on this matter.

AUTHORIZATION TO GO OUT TO BID FOR LIQUID BITUMINOUS MATERIALS AND SERVICES

AUTHORIZATION TO GO OUT TO BID FOR HIGHWAY DEPT. DUMP/PLOW TRUCK

Highway Supervisor Claude Wright was present and requested permission to go out to bid for both items. He explained the details of the truck being sought.

Tourgee moved to authorize going out to bid for Liquid Bituminous Materials and Services and for Highway Dept. Dump/Plow Truck. Waltonen seconded.

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

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

I. MINUTES

1. MINUTES OF MEETING OF JUNE 2, 2010
2. MINUTES OF MEETING OF JUNE 9, 2010

Waltonen asked to reconsider his vote in the June 2, 2010 meeting regarding the reinstatement of \$3,700 to the parade budget line item noting that other organizations that were cut did not have the opportunity to be present as the parade committee did. He noted changing his vote would not change the outcome.

Tourgee noted the other groups could have come. Waltonen noted the Parade Committee had been told about the cut.

Waltonen moved for consideration to change his vote from aye to nay in the following vote that was taken on June 2, 2010:

Woloohojian moved to restore \$3,700 back in the parade budget line item. Tourgee seconded. Stewart noted it was not fair to restore the parade and not the other organizations that were cut. VOTED: Butler – aye, Tourgee – aye, Waltonen – ~~aye~~ nay, Woloohojian – aye, Stewart – nay.

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

3. TREASURER'S REPORT – JUNE, 2010

Butler noted the Treasurer's Report.

4. TAX OFFICE MONTHLY REPORT – JUNE, 2010

Butler commented on the growth in the Classification of Tax Roll contained in the Tax Office Monthly Report.

Mrs. Joni Waltonen noted there were other ways to raise monies and suggested a grant writer.

Town Administrator Breene noted a grant received for the track.

Stewart made a statement concerning Charlene Randall's statement that she (Stewart) was surprised that she (Randall) would have researched this (Credit Card Payments) was insulting. Stewart noted that she was surprised that it was in her packet.

Charlene Randall noted she started working on the credit cards 4 years ago.

6. COPY OF MEMO FROM
ADP
TO DANIELLE ANDREWS
JUNE 28, 2010
RE: CUSTOMIZED MANAGEMENT REPORTS

Stewart noted that there was conflicting information regarding the charge for the Customized Management reports from ADP.

She noted she wanted the reports since February.

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

**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.***

*** At the August 4, 2010 meeting Waltonen questioned the use of the term "bid" as used in the above agenda item. Butler noted that telephone bids had been solicited.

Discussion was held on whether the other Council members had been apprised of this work.

Stewart questioned if the Ethics Commission had ruled on the Chairman of the Planning Board obtaining work from the Town. Town Administrator Breene reported that it was Robert Boyer not Mark Boyer.

FINAL REVIEW OF CHARTER AMENDMENTS

Clyde Fish, Chairman of the Charter Review Commission noted a discrepancy in Questions 2 referred to Public Works Direction and Question 10 referred to Highway Supervisor. He noted that Question 11 regarding Amendments of Charter should be amended to read at a minimum of 10 years.

12. COPY OF EMAIL TO CHARLENE RANDALL
FROM ESME DEVAULT, RHODE ISLAND ETHICS COMMISSION
JUNE 11, 2010
RE: SIGNIFICANT AND DEFINABLE CLASS OF PERSONS

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.*

* At the August 4, 2010 meeting Woloohojian requested be clarified to read there was no second from the prevailing side.

Solicitor Ursillo noted ethics was already in the Charter.

Solicitor Ursillo noted that the Ethics question and the 2 amendments noted by Dr. Fish would be added.

Stewart questioned why the ethics question was not included and Solicitor Ursillo noted it was an oversight.

SCHEDULE PUBLIC HEARING: CONSERVATION DESIGN DEVELOPMENT

Stewart moved to set a public hearing date of September 8, 2010 for Conservation Design Development. Waltonen seconded.

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

PUBLIC FORUM

Tammy Andrea - requested the minutes be posted on the website.

Waltonen congratulated Michelle Johnson who had recently graduated as a LPN.

Waltonen requested a report for the Tillinghast Pond Management Area.

Waltonen questioned Tourgee regarding the difference between ethics and morality on his voting on a recent zone change. Tourgee noted that he had the right to vote on it. Solicitor Ursillo noted that he made it clear when he advised on an ethics question that his opinion had no weight and only the Ethics Commission has that weight.

Stewart noted the Town employees were in an uproar regarding her requests for data and asked that her request be included with the employees paychecks.*****

*****At the August 4, 2010 meeting Waltonen noted that Stewart's request for payroll records was to be provided to the employee's with their paychecks.

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

****At the August 4, 2010 meeting Waltonen 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 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.*****

*****At the August 4, 2010 meeting Waltonen 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 he would be asking for additional records.

Butler noted Helen Wilmot's presence.

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

** At the August 4, 2010 meeting Stewart noted Butler and the Town Administrator should be added.

Tourgee moved to adjourn at 8:56 p.m. Woloohojian seconded.

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

Janet E. Olsson, CMC
Town Clerk