

**TOWN OF WEST GREENWICH  
TOWN COUNCIL  
REGULAR MEETING  
SEPTEMBER 8, 2010**

A regular meeting of the West Greenwich Town Council was held on September 8, 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 7:30 p.m. with the Pledge of Allegiance.

**CONSENT AGENDA**

8. GOVERNOR'S COMMISSION ON DISABILITIES  
AUGUST 2, 2010  
RE: ACCESSIBILITY INSPECTION REPORT FOR OPEN MEETINGS

Town Administrator Breene reported on Correspondence item 8. He reported that Building Official David Tacey was handling the deficiencies which included ordering of listening devices, changes to the door hardware and signage on the unisex handicapped bathroom.

Woloohojian moved to approve the Consent Agenda with Minutes of August 2, 2010 and August 4, 2010, Reports for the Tax Office Monthly Report, Payroll & Time Remaining Report, Sprint Cell Phone Bill and Correspondence Items 7 & 8 removed for further consideration.

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

**I. MINUTES**

1. MINUTES OF MEETING OF AUGUST 2, 2010
2. MINUTES OF MEETING OF AUGUST 4, 2010

**II. REPORTS**

1. TOWN CLERK RECEIPTS – AUGUST, 2010
2. PLANNING DEPT. MONTHLY REPORT – AUGUST, 2010
3. TREASURER'S REPORT – AUGUST, 2010
4. TAX OFFICE MONTHLY REPORT – AUGUST, 2010
5. BUILDING INSPECTORS OFFICE MONTHLY REPORT – AUGUST, 2010

6. PAYROLL & TIME REMAINING REPORT  
PAY PERIODS AUGUST 5, 2010 – AUGUST 26, 2010
7. SPRINT CELL PHONE BILL  
BILLING PERIOD 7/11/10 – 8/10/10
8. POLICE DEPT. MONTHLY REPORT – AUGUST, 2010

### **III. CORRESPONDENCE**

1. CHARLENE RANDALL, ASSESSOR/COLLECTOR  
AUGUST 25, 2010  
RE: “HARDEST HIT FUND”
2. UNITED STATES CENSUS 2010  
AUGUST 9, 2010  
RE: THANK YOU
3. JENNIFER PAQUET, TOWN PLANNER  
AUGUST 17, 2010  
RE: CALCULATED QUOTA FOR ISSUANCE OF RESIDENTIAL  
BUILDING PERMITS
4. PAWTUXET VALLEY CHAMBER OF COMMERCE  
RE: KEVIN A. BREENE, TOWN ADMINISTRATOR  
HONORARY MEMBER OF CHAMBER
5. ARTICLE IN YANKEE MAGAZINE –  
SEPTEMBER/OCTOBER 2009 ISSUE  
RE: THE BEST 5, FALL CAMPING SPOTS  
OAK EMBERS
6. COPY OF LETTER FROM WEST GREENWICH LAND TRUST  
TO KEITH H. LAND, EXECUTIVE DIRECTOR  
THE CHAMPLIN FOUNDATIONS  
JULY 22, 2010  
RE: ANNUAL USE OF FUNDS REPORT
7. RHODE ISLAND ANTI-BULLYING SUMMIT PLANNING COMMITTEE  
AUGUST 12, 2010  
RE: ANTI-BULLYING SUMMIT – OCTOBER 26, 2010
8. GOVERNOR’S COMMISSION ON DISABILITIES  
AUGUST 2, 2010  
RE: ACCESSIBILITY INSPECTION REPORT FOR OPEN MEETINGS

9. COPY OF LETTER FROM TOWN ADMINISTRATOR KEVIN A. BREENE  
TO RI WATER RESOURCES BOARD  
AUGUST 16, 2010  
RE: EVICTION NOTICES
10. RI DEM  
AUGUST 27, 2010  
RE: WEST GREENWICH TRANSFER STATION FIELD

**IV. ADDITIONS, ABATEMENTS & REBATES**

1. REQUEST OF TAX ASSESSOR/TAX COLLECTOR – SEPTEMBER 3, 2010

| <u>August</u>                      |                                 |              |                                 |
|------------------------------------|---------------------------------|--------------|---------------------------------|
| ACCT #                             | NAME                            | AMOUNT       | REASON                          |
| <b><u>Abatements 2010-2011</u></b> |                                 |              |                                 |
| 01-0036-98                         | Aguirre, Philippe               | \$31.08      | Sold Car in 2008                |
| 01-0117-42                         | Alix, Ricki L                   | \$237.50     | Adjusted Days                   |
| 01-0117-46                         | Alix, Thomas C                  | \$64.25      | Adjusted Days                   |
| 01-0117-48                         | Allaire, David                  | \$424.15     | Adjusted days owned             |
| 01-0117-49                         | Allaire, Cheryll                | \$434.61     | Adjusted days owned             |
| 01-0155-10                         | Andrea, Mark                    | \$24.80      | Didn't own                      |
| 01-0155-52                         | Al Izzis Motor Sales Inc        | \$83.69      | Should be in Coventry           |
| 01-0155-94                         | Al Izzis Motor Sales Inc        | \$31.29      | Should be in Coventry           |
| 02-0070-05                         | Barco, Bradford L Jr            | \$26.46      | Adjusted Days/added Vets        |
| 02-0087-51                         | Barry, Kirk                     | \$323.58     | Adjusted Value                  |
| 02-0213-90                         | Bonn, Kurt F                    | \$250.44     | Adjusted Value                  |
| 02-0225-05                         | Booth, Rodger                   | \$1,199.74   | Added a Vehicle                 |
| 02-0225-10                         | Bonner, Robert E                | \$116.40     | Adjusted Value                  |
| 02-0344-08                         | Brown, Kenneth E                | \$283.62     | Adjusted Days/Removed a Vehicle |
| 03-0044-59                         | Canon Financial Services, Inc   | \$135.87     | Adjusted Value                  |
| 03-0102-00                         | Carlevale, John M               | \$238.72     | Combined bill with son          |
| 03-0163-11                         | Centrex Distributors Inc        | \$347,568.91 | Adjusted Value                  |
| 03-0213-15                         | Childrens Centre of New England | \$216.83     | Removed a Vehicle               |
| 03-0213-64                         | Chirnside, Jon                  | \$2,207.85   | Adjusted Value                  |
| 03-0295-39                         | Contardi, Daniel C              | \$115.02     | Adjusted Days                   |

|            |                           |            |                                    |
|------------|---------------------------|------------|------------------------------------|
| 03-0357-56 | Couturier, Leon E         | \$323.51   | Adjusted Days                      |
| 03-0362-77 | Cowell, Matthew           | \$641.79   | Adjusted days owned                |
| 04-0010-18 | Darling, Curtis           | \$43.75    | Adjusted value                     |
| 04-0045-58 | Dedon, James W            | \$473.65   | Removed a Vehicle                  |
| 04-0185-23 | Dusza, Gary               | \$426.15   | Hasn't owned since 5/2008          |
| 05-0004-75 | Eastman Movers            | \$919.48   | Adjusted Value                     |
| 05-0055-21 | Engstrom, Brenda M        | \$334.98   | Duplicate Charge                   |
| 06-0013-10 | Farias, Catherine M       | \$561.68   | Overlap in ownership               |
| 06-0085-35 | Fitton, Jennifer          | \$129.59   | Adjusted Value                     |
| 06-0085-45 | Fitton, Michael           | \$119.35   | Adjusted Value                     |
| 07-0075-54 | Gondek, Thomas J          | \$256.29   | Adjusted days owned                |
| 07-0102-00 | Grant, Norman I Jr        | \$56.95    | Doesn't live here                  |
| 08-0104-55 | Hartell, Jennifer A       | \$490.97   | Removed a Vehicle                  |
| 08-0105-04 | Hartell, Christopher P    | \$441.18   | Adjusted Days                      |
| 08-0204-59 | Hohle, Daniel G           | \$54.57    | Doesn't live here                  |
| 12-0014-49 | Lefreniere, Christopher K | \$69.01    | Adjusted Value                     |
| 12-0087-35 | Larose, Kenneth D         | \$15.33    | Registered in Richmond             |
| 12-0175-32 | Leonardi, Joseph          | \$138.87   | Adjusted days owned                |
| 12-0234-61 | Leyden, Brian             | \$5,031.35 | Added Garage                       |
| 12-0234-63 | Leyden, John              | \$4,300.94 | Removed Garage                     |
| 12-0308-14 | Lupien, Michele A         | \$60.42    | Adjusted Days                      |
| 12-0309-33 | Lussier, David P          | \$233.85   | Removed a Vehicle                  |
| 12-0309-35 | Lussier, Iva              | \$689.48   | Adjusted Value                     |
| 12-0309-40 | Lussier, Paul             | \$458.10   | Adjusted Value                     |
| 13-0077-94 | Mancone Holdings LLC      | \$84.20    | Belongs in Warwick                 |
| 13-0155-49 | Mashl, Kathleen A         | \$34.86    | Belongs in Richmond                |
| 13-0184-03 | Matthews, James           | \$75.57    | Adjusted days owned                |
| 13-0300-80 | Mesiya, Amin E            | \$2,165.35 | Adjusted Value                     |
| 13-0333-04 | Miller, Lawrence          | \$6.85     | Adjusted days owned                |
| 13-0333-04 | Miller, Lawrence          | \$6.85     | Sold in 2008                       |
| 13-0400-07 | Morgan, Jamie L           | \$288.00   | Adjusted Value                     |
| 13-0496-81 | Mullen, Ryen D            | \$23.62    | Military Exemption                 |
| 15-0017-69 | Okelo, Geoffrey O         | \$50.38    | Added Vets                         |
| 16-0017-77 | Palmer, Scott             | \$89.39    | Belongs in South<br>Kingstown      |
| 16-0096-48 | Peckham, Allan R          | \$1,023.76 | Duplicate Charge/ Adjusted<br>days |
| 16-0128-07 | Perlmutter, Seth          | \$430.69   | Didn't own                         |
| 16-0129-25 | Perkins, John             | \$549.49   | Adjusted Value                     |
| 16-0182-00 | Phillips, Ernest Jr       | \$1,291.63 | Adjusted Value                     |
| 18-0070-73 | Rathbun, Jan              | \$155.49   | Adjusted Value                     |
| 18-0178-95 | Ricci, John R             | \$520.41   | Adjusted Days                      |
| 18-0184-51 | Rice, Daniel F Jr         | \$476.68   | Adjusted Days                      |
| 18-0239-64 | Robberson, Paige R        | \$47.84    | Deceased \ Abated Per<br>Kevin     |
| 18-0270-98 | Romeo, Thomas             | \$338.79   | Removed a Vehicle                  |

|            |                        |          |                         |
|------------|------------------------|----------|-------------------------|
| 18-0290-65 | Rossoni, Christopher P | \$230.90 | Deceased                |
| 19-0025-91 | Sankey, Chad E         | \$328.49 | Military Exemption      |
| 19-0148-91 | Siniscalchi, Gail F    | \$81.61  | Adjusted Days           |
| 19-0186-00 | Smart, Lee A           | \$36.37  | Military Exemption      |
| 20-0135-27 | Turcotte, Kristopher   | \$640.82 | Adjusted days owned     |
| 23-0066-91 | Weikman, Chad E        | \$143.94 | Adjusted Days           |
| 23-0098-03 | White, Michaela        | \$69.78  | Adjusted days owned     |
| 23-0128-34 | Williams Scotsman, Inc | \$105.49 | Adjusted value          |
| 23-0167-37 | Wohlgemuth, Thomas     | \$456.96 | Added a Vehicle         |
| 23-0172-37 | Woodruff, Paul         | \$484.69 | Removed a Vehicle       |
| 23-0172-39 | Woodruff, Ryan P       | \$445.62 | Military Exemption      |
| 25-0011-99 | Yi, Bing               | \$357.36 | Lives in South Carolina |

### Additions 2010-2011

|            |                               |              |                                 |
|------------|-------------------------------|--------------|---------------------------------|
| 01-0117-42 | Alix, Ricki L                 | \$236.21     | Adjusted Days                   |
| 01-0117-46 | Alix, Thomas C                | \$42.07      | Adjusted Days                   |
| 01-0117-48 | Allaire, David                | \$170.82     | Adjusted days owned             |
| 01-0117-49 | Allaire, Cheryll              | \$140.50     | Adjusted days owned             |
| 01-0155-10 | Andrea, Mark                  | \$19.53      | Didn't own                      |
| 02-0087-51 | Barry, Kirk                   | \$246.86     | Adjusted Value                  |
| 02-0213-90 | Bonn, Kurt F                  | \$144.29     | Adjusted Value                  |
| 02-0225-05 | Booth, Rodger                 | \$1,677.24   | Added a Vehicle                 |
| 02-0225-10 | Bonner, Robert E              | \$88.17      | Adjusted Value                  |
|            |                               |              | Adjusted Days/Removed a Vehicle |
| 02-0344-08 | Brown, Kenneth E              | \$255.38     |                                 |
| 03-0044-59 | Canon Financial Services, Inc | \$142.98     | Adjusted Value                  |
| 03-0102-00 | Carlevale, John M             | \$196.69     | Seperated bill from son         |
| 03-0102-03 | Carlevale, John M Jr.         | \$42.03      | Seperated bill from father      |
| 03-0163-11 | Centrex Distributors Inc      | \$295,280.56 | Adjusted Value                  |
| 03-0205-22 | Chen's Buffet & Grill         | \$721.53     | Late Filing                     |
| 03-0213-64 | Chirnside, Jon                | \$639.49     | Adjusted Value                  |
| 03-0295-39 | Contardi, Daniel C            | \$86.33      | Adjusted Days                   |
| 03-0357-56 | Couturier, Leon E             | \$271.48     | Adjusted Days                   |
| 03-0362-77 | Cowell, Matthew               | \$529.35     | Adjusted days owned             |
| 04-0010-18 | Darling, Curtis               | \$13.31      | Adjusted Value                  |
| 04-0045-58 | Dedon, James W                | \$472.13     | Removed a Vehicle               |
| 04-0088-26 | Desjarlais, Delahla           | \$355.20     | Added from Hope                 |
| 04-0185-23 | Dusza, Gary                   | \$382.65     | Hasn't owned since 5/2008       |
| 05-0004-75 | Eastman Movers                | \$758.76     | Adjusted Value                  |
| 05-0055-21 | Engstrom, Brenda M            | \$310.54     | Duplicate Charge                |
| 06-0013-10 | Farias, Catherine M           | \$488.11     | Overlap in ownership            |
| 06-0085-35 | Fitton, Jennifer              | \$81.17      | Adjusted Value                  |
| 06-0085-45 | Fitton, Michael               | \$82.26      | Adjusted Value                  |
| 07-0075-54 | Gondek, Thomas J              | \$141.83     | Adjusted days owned             |

|            |                           |            |                            |
|------------|---------------------------|------------|----------------------------|
| 08-0104-55 | Hartell, Jennifer A       | \$358.55   | Removed a Vehicle          |
| 08-0105-04 | Hartell, Christopher P    | \$394.85   | Adjusted Days              |
| 08-0108-65 | Hartley, Jerome           | \$271.04   | Added from another town    |
| 12-0014-49 | Lefreniere, Christopher K | \$55.16    | Adjusted Value             |
| 12-0175-32 | Leonardi, Joseph          | \$98.11    | Adjusted days owned        |
| 12-0234-61 | Leyden, Brian             | \$5,155.26 | Added Garage               |
| 12-0234-63 | Leyden, John              | \$4,177.04 | Removed Garage             |
| 12-0308-14 | Lupien, Michele A         | \$59.26    | Adjusted Days              |
| 12-0309-33 | Lussier, David P          | \$195.62   | Removed a Vehicle          |
| 12-0309-35 | Lussier, Iva              | \$474.55   | Adjusted Value             |
| 12-0309-40 | Lussier, Paul             | \$272.94   | Adjusted Value             |
| 13-0184-03 | Matthews, James           | \$22.64    | Adjusted days owned        |
| 13-0300-80 | Mesiya, Amin E            | \$324.21   | Adjusted Value             |
| 13-0333-04 | Miller, Lawrence          | \$0.00     | Adjusted days owned        |
| 13-0400-07 | Morgan, Jamie L           | \$151.99   | Adjusted Value             |
| 15-0017-69 | Okelo, Geoffrey O         | \$22.31    | Added Vets                 |
|            |                           |            | Duplicate Charge/ Adjusted |
| 16-0096-48 | Peckham, Allan R          | \$910.81   | days                       |
| 16-0128-07 | Perlmutter, Seth          | \$365.66   | Didn't own                 |
| 16-0129-25 | Perkins, John             | \$454.51   | Adjusted Value             |
| 16-0182-00 | Phillips, Ernest Jr       | \$1,091.46 | Adjusted Value             |
| 18-0070-73 | Rathbun, Jan              | \$116.02   | Adjusted Value             |
| 18-0178-95 | Ricci, John R             | \$517.22   | Adjusted Days              |
| 18-0184-51 | Rice, Daniel F Jr         | \$397.57   | Adjusted Days              |
| 18-0270-98 | Romeo, Thomas             | \$295.29   | Removed a Vehicle          |
| 19-0148-91 | Siniscalchi, Gail F       | \$76.34    | Adjusted Days              |
| 20-0135-27 | Turcotte, Kristopher      | \$408.68   | Adjusted days owned        |
| 23-0066-91 | Weikman, Chad E           | \$8.27     | Adjusted Days              |
| 23-0098-03 | White, Michaela           | \$51.62    | Adjusted days owned        |
| 23-0128-34 | Williams Scotsman, Inc    | \$129.37   | Adjusted Value             |
| 23-0167-37 | Wohlgemuth, Thomas        | \$474.88   | Added a Vehicle            |
| 23-0172-37 | Woodruff, Paul            | \$457.70   | Removed a Vehicle          |

### **Rebates**

|            |                           |          |                |
|------------|---------------------------|----------|----------------|
| 05-0004-75 | Eastman Movers            | \$160.72 | Adjusted Value |
| 16-0129-25 | Perkins, John             | \$94.98  | Adjusted Value |
|            | Rathbun Gilbert W Trustee |          |                |
| 18-0070-75 | (2000)                    | \$34.10  | Over Payment   |
|            | Rathbun Gilbert W Trustee |          |                |
| 18-0070-75 | (1999)                    | \$32.85  | Over Payment   |
|            | Rathbun Gilbert W Trustee |          |                |
| 18-0070-75 | (1998)                    | \$31.17  | Over Payment   |
|            | Rathbun Gilbert W Trustee |          |                |
| 18-0070-75 | (1997)                    | \$1.65   | Over Payment   |

### **Abatements Back Years**

|            |                                  |          |                             |
|------------|----------------------------------|----------|-----------------------------|
| 03-0275-84 | Commerce Park Realty, LLC (2007) | \$131.85 | Roadway                     |
| 08-0204-59 | Hohle, Daniel G (2009)           | \$25.53  | Didn't live here            |
| 18-0239-64 | Robberson, Paige R (2009)        | \$6.43   | Deceased \ Abated Per Kevin |
| 20-0100-01 | Toev Ballantine, Cheryl (2007)   | \$145.98 | Changed Days owned          |
| 20-0100-01 | Toev Ballantine, Cheryl (2008)   | \$113.13 | Didn't own                  |

### **Additions Back Years**

|            |                                |         |                    |
|------------|--------------------------------|---------|--------------------|
| 20-0100-01 | Toev Ballantine, Cheryl (2007) | \$60.79 | Changed Days owned |
|------------|--------------------------------|---------|--------------------|

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

1. AUGUST, 2010

### **UNFINISHED BUSINESS**

#### **APPOINTMENTS – PLANNING BOARD**

Butler recommended that Joseph Unsworth be appointed to the Planning Board.

Woloohojian moved to appoint Joseph Unsworth as an alternate member to the Planning Board. Stewart seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

### **NEW BUSINESS**

**SANTANA ROBERTS – NAMED ONE OF THE TOP YOUTH VOLUNTEERS IN RHODE ISLAND FOR 2010  
IN THE 15<sup>TH</sup> ANNUAL PRUDENTIAL SPIRIT OF COMMUNITY AWARDS  
JUST A MEASURE – MY PURPOSE PARTY**

Woloohojian introduced Miss Santana Roberts who was accompanied by Mr. Jim Burke.

Ms. Santana Roberts addressed the Council regarding a My Purpose Party fundraiser she organized to be held on September 25, 2010 at the Hope Artist Village in Pawtucket, RI called Locally Grown – Locally Given. The event is to consist of family activities, a farmers market and a silent auction. The purpose of the event is to raise funds for local food pantries and to promote local farmers.

Mr. Burke noted that singer Patti Austin, who was Santana's mentor, would be at the event.

Woloohojian noted that Santana had been named one of the top youth volunteers in Rhode Island for 2010 in the 15<sup>th</sup> Annual Prudential Spirit of Community Awards

### **TILLINGHAST POND MANAGEMENT AREA COMMITTEE REPORT – KEVIN ESSINGTON**

Town Administrator Breene reported that the committee was formed to govern the land of the Tillinghast Pond Management Area which consisted of 3 members from the town, 3 members from DEM and 3 members from the Nature Conservancy. He noted its meetings were open to the public.

He noted the members of the Committee were as follows:

From DEM: Kathleen Sparks, Larry Mouradjian, Brian Tefft

From the Nature Conservancy: Kevin Essington, Timothy Mooney, Scott Cummings

From the Town of West Greenwich: Gilbert Rathbun, Kevin Breene, Steven Wright

He noted a forest management plan had been done for the area which was performed by a forester.

Mr. Kevin Essington was present and gave an overview of the Tillinghast Management Area and noted its uses which included farmland, forestry and recreation which included hunting, fishing, boating and hiking trails.

The bid process for the farmland and forestry work on the property was explained. It was noted that it was advertised and sent to those on a bid list for that type of work.

The notice and posting of the meetings was discussed. In the future more notice of the meetings would be given.

Mr. Brian Tefft commented on the timber on the property. He noted the property contained low quality wood due to past forest fires. He noted cutting would promote new growth.

Mr. Essington noted that this was the only such property in Rhode Island that was certified by the Forest Stewardship Council.

**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 8:21 p.m.

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

Solicitor Ursillo reported that at a previous meeting Charlene Randall had been requested to appear before the Council in Executive Session and that she had requested that the matter which concerned her to be discussed in open session.

Randall noted she had requested and had not received specific information as to the nature of the questions.

Stewart noted that she had requested Randall's presence and it concerned Randall's statement in the Tax Dept. Report at the July 14, 2010 meeting that she (Stewart) was surprised that she (Randall) would have researched this (Credit Card Payments) was insulting.

Stewart noted that Randall had made remarks about her on 3 occasions which included December, 2009 concerning the reval bid for CRC; March, 2010 and May, 2010 concerning the updating of the pictures of the Council on the website. Stewart felt that Randall's remarks were disrespectful.

The pictures on the website were discussed.

Randall asked if there were other issues with her job performance.

Tourgee noted that he had not heard anything about her job performance.

Waltonen noted other instances where employees were not given the opportunity to be present in Executive Session.

Woloohojian complimented Randall on her efforts on the website.

Butler commended Randall on her taking on the Tax Collector's position for no additional pay.

Randall noted she felt insulted when Stewart did not even say hello to her.

Randall commented on the revaluation of Stewart's home. Stewart noted that she had won her appeal. She noted that her valuation was not on the agenda.

Michelle Johnson noted that she had been denied an open meeting regarding a personnel matter.

Waltonen commented on the combination of the Tax Assessor and Tax Collector position noting that there were not many in the State.

### **PUBLIC HEARING – CONSERVATION DESIGN DEVELOPMENT**

Waltonen moved to continue the hearing on this matter until October 13, 2010. Stewart seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

### **REQUEST OF COMMERCE PARK REALTY, LLC AND BISMARCK REAL ESTATE PARTNERS FOR ZONING ORDINANCE TEXT CHANGE, PLAT 1, LOTS 4-3 & 4-4, CENTRE OF NEW ENGLAND BLVD. EXIT 7 SMD ZONE SET DATE FOR HEARING – OCTOBER 13, 2010**

Woloohojian moved to set a date of October 13, 2010 for hearing of this matter. Tourgee seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

It was noted that the Planning Board was holding its public hearing on the matter on September 13, 2010.

## **AWARDING OF BID – LIQUID BITUMINOUS MATERIALS AND SERVICES**

The following recommendation was received from Highway Supervisor Claude Wright:

**Sept. 1, 2010**

**FROM: Claude Wright, HIGHWAY SUPERVISOR**

**TO: HONORABLE TOWN COUNCIL**

**RE: LIQUID BITUMINOUS BIDS**

I RECOMMEND THAT THE BIDS BE AWARDED TO THE FOLLOWING VENDORS AS FOLLOWS:

**T. Miozzi, Inc.**

CLASS I, TYPE I-1 BITUMINOUS CONCRETE LEVELING AND OVERLAY  
MIX IN PLACE  
\$59.50 PER TON

CLASS 1, TYPE I-I BITUMINOUS CONCRETE F.O.B. PLANT  
\$68.00 PER TON

**Comer Contracting, Inc.**

EMULSIFIED ASPHALT STONE SEAL CRS2-L WITH 3/8" QUARRY  
STONE  
\$1.32 PER SQUARE YARD

Stewart moved to award the bids per the recommendation of the Highway Supervisor. Woloohojian seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye, Woloohojian – aye, Stewart – aye.

### **CLAIM AGAINST TOWN – LEN WISHART**

A claim against the Town was filed by Len Wishart for injuries he sustained on July 11, 2010 on Division Road.

Stewart moved to deny the claim and refer it to the Town's insurance carrier, RI Interlocal Trust.

Woloohojian 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 AUGUST 2, 2010

Stewart asked that the minutes of August 2, 2010 be clarified that regarding the vote on the

Ballot Question: Shall the Town Clerk be appointed by the Town Council?

noting that the motion failed and that in the same meeting the attempt to revisit that question

which was not allowed under Robert's Rules of Order.

2. MINUTES OF MEETING OF AUGUST 4, 2010

Waltonen asked that under Public Forum when 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, that the Solicitor's statement that there wouldn't be anything under \$1,000.00.

4. TAX OFFICE MONTHLY REPORT – AUGUST, 2010

Stewart noted that she had not received a copy of the payment plan policy. Tax Assessor Charlene Randall commented on the policy.

Stewart requested a copy of policy plan and list of those on plan.

Stewart questioned the deadline date for motor vehicle appeals as stated on the Town's website.

Waltonen questioned the Tax rights to RI Heritage Inn. Tax Assessor Charlene Randall noted that the Marriott Residence Inn had bought the tax rights.

6. PAYROLL & TIME REMAINING REPORT

PAY PERIODS AUGUST 5, 2010 – AUGUST 26, 2010

Stewart questioned the Human Services position being reported as hourly and questioned if that position received benefits which it does.

Stewart questioned the fee for the payroll report in the format she requested.  
Stewart moved to waive the fee of \$150.00 from ADP for the report going backwards.  
Waltonen seconded. VOTED: Butler – aye, Tourgee – aye, Waltonen – aye,  
Woloohojian – nay, Stewart – aye.

7. SPRINT CELL PHONE BILL  
BILLING PERIOD 7/11/10 – 8/10/10

Stewart questioned pages 1-4 of the bill being missing. It was noted that it was just the cover pages.

**III. CORRESPONDENCE**

7. RHODE ISLAND ANTI-BULLYING SUMMIT PLANNING COMMITTEE  
AUGUST 12, 2010  
RE: ANTI-BULLYING SUMMIT – OCTOBER 26, 2010

Stewart questioned if representatives from the School Dept. would be attending.  
Chief Lepre reported the Police Dept. would be represented.  
Stewart expressed her interest in attending.

8. GOVERNOR'S COMMISSION ON DISABILITIES  
AUGUST 2, 2010  
RE: ACCESSIBILITY INSPECTION REPORT FOR OPEN MEETINGS

This matter was considered at the beginning of the meeting.

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

**PUBLIC FORUM**

Tourgee remarked on the Lake Mishnock Reunion on September 12, 2010 and noted the scholarships that it awarded.

Waltonen questioned Tourgee if he had sought an opinion from the Ethics Commission regarding his vote on a zone change. Tourgee noted that he had not and did not believe that he needed to. He noted he would seek an opinion.

Michelle Johnson questioned Solicitor Ursillo how long he had been Solicitor. Solicitor Ursillo noted it was 26 years. Michelle Johnson question if he had suggested a council member go to the Ethics commission. He replied not to his recollection.

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

Stewart 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 9:12 p.m.

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

Woloohojian moved to come out of Executive Session and seal the minutes at 10:04 p.m.

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

Woloohojian moved to adjourn at 10:04 p.m. Waltonen seconded.

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

Janet E. Olsson, CMC  
Town Clerk