

**TOWN OF WEST GREENWICH
TOWN COUNCIL
REGULAR MEETING
WEST GREENWICH, RI 02817
OCTOBER 12, 2011**

A regular meeting of the West Greenwich Town Council was held on October 12, 2011. Present were Mark Tourgee, Susan Woloohojian, Robert Andrews, Paul Kaltschnee and Robert Smith. Also present were Town Administrator Kevin Breene and Town Solicitor Michael Ursillo.

A. CALL TO ORDER - 7:00 P.M.

The meeting was called to order at 7:00 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

A moment of silence was observed for Lillian Carpenter who passed away on October 11, 2011 at the age of 106. She was the Town's oldest citizen. Town Administrator Breene commented on Mrs. Carpenter's life.

C. ANNOUNCEMENTS

Its time to sign up for the EWG Hoops program. The deadline is October 14th

The 9th Annual Stephen J. Anderson Road Race will be October 23 – rain or shine.

Additional information for both these events is available on the website.

Invitation to KCWA dedication of the new wells at Mishnock on October 18, 2011.

D. CONSENT AGENDA - All items on the Consent Agenda are considered routine by the Town Council and may be enacted by one motion. There will be no separate discussion of these items unless a member of the Council so requests, in which event the item will be removed from Consent Agenda consideration and considered in sequential order. The List of Consent Agenda Items is appended below.

Andrews moved to approve the Consent Agenda with Correspondence Items 2 and 3 removed for further consideration. Kaltschnee seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

I. MINUTES

1. APPROVAL OF MINUTES OF MEETING OF SEPTEMBER 14, 2011
2. APPROVAL OF MINUTES OF EXECUTIVE SESSION – SEPTEMBER 14, 2011 (SEALED)

II. REPORTS

(THE FOLLOWING REPORTS ARE RECEIVED BY THE TOWN COUNCIL.)

1. TOWN CLERK RECEIPTS – SEPTEMBER, 2011
2. PLANNING DEPT. MONTHLY REPORT – SEPTEMBER, 2011
3. TAX OFFICE MONTHLY REPORT – SEPTEMBER, 2011
4. HIGHWAY DEPT. MONTHLY REPORT - SEPTEMBER, 2011
5. POLICE DEPT. MONTHLY REPORT – SEPTEMBER, 2011

III. CORRESPONDENCE

(THE FOLLOWING CORRESPONDENCE IS RECEIVED BY THE TOWN COUNCIL.)

1. CONSERVATION COMMISSION - MINUTES OF SEPTEMBER 8, 2011 MEETING
4. COPY OF LETTER FROM
MICHAEL A. URSILLO, TOWN SOLICITOR
TO
STACEY MORRIS, ESQ. SPECIAL ASSISTANT ATTORNEY GENERAL
SEPTEMBER 16, 2011
RE: JOHNSON V. WEST GREENWICH TOWN COUNCIL (OMA)
RESPONSE TO ALLEGATIONS

5. COPY OF LETTER FROM
MICHAEL A. URSILLO, TOWN SOLICITOR
TO
LISA PINSONNEAULT, ESQ. SPECIAL ASSISTANT ATTORNEY GENERAL
SEPTEMBER 23, 2011
RE: WALTONEN V. WEST GREENWICH TOWN COUNCIL (OMA)
RESPONSE TO ALLEGATIONS
6. TOWN OF RICHMOND
OCTOBER 3, 2011
RE: RESOLUTION IN THE AFTERMATH OF TROPICAL STORM IRENE
7. COPY OF LETTER TO
KEVIN A. BREENE TOWN ADMINISTRATOR
FROM ACTING CHIEF CRAIG S. BARONE
RE: DENNIS ETCHELS - TERMINATION OF HIS EMPLOYMENT
8. ROBERT P. BONNEAU
SEPTEMBER 28, 2011
RE: TERMINATION OF HIS EMPLOYMENT

IV. ADDITIONS, ABATEMENTS, REBATES & UNCOLLECTABLES

1. REQUEST OF TAX ASSESSOR/TAX COLLECTOR FOR SPECIFIC
UNCOLLECTABLES AND VOTE REGARDING SAME – OCTOBER 4, 2011

September

ACCT #	NAME	AMOUNT	CODE
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Abatements 2011 -2012

01-0169-99	ANDREWS DANIEL W & LORI	\$6,959.70	24
03-0153-44	CASTAGNA, CLAUDIO & LINDA MURGO; TRUSTEES	\$6,328.87	24
04-0006-10	DANDREA ANTHONY & PATRICIA	\$6,060.25	24
04-0052-00	DELLA GROTTA CHRISTOPHER	\$4,274.78	24
04-0055-20	DELTUFO MARK & HEATHER	\$5,390.94	24
04-0114-75	DILIBERO BRIAN & JACQUELINE	\$6,879.15	24
05-0055-21	ENGSTROM BRENDA M	\$407.01	10
05-0080-14	ESSEX NANCY & JOSH C/O BUTLER, ROBERT, CHARLENE & HOWARD, JOHN & HOLLY	\$6,635.59	24
06-0012-75	FANDETTI STEPHEN & PAULINE CANTARA	\$8,024.08	24
06-0013-20	FARIAS DENNIS & KRISTINE	\$5,891.48	24
06-0039-26	FIRMIN JEFFREY & CAROL-ANN	\$6,649.01	24
07-0004-25	GABRAULT JAMES & KATHLEEN	\$4,612.31	24
07-0030-15	GARVEY THOMAS & CAROLYN	\$5,193.40	24

07-0038-24	GEMMA JOANN C/O ROBERT & STEPHANIE GAGE	\$6,227.10	24
07-0168-54	GWIAZDON ROBERT	\$12,225.97	24
08-0020-75	HAMMERSMITH HARRIS & DIANE; TRUSTEES	\$5,017.36	24
08-0038-68	HARPER QUINN	\$40.68	06
12-0095-53	LAVINE RENEE L	\$2,403.00	24
12-0234-61	LEYDEN BRIAN	\$5,066.83	19
12-0234-63	LEYDEN JOHN	\$3,570.94	19
12-0292-26	LOPEZ EDWIN	\$75.83	05
12-0304-91	LUIS MARIO & MARY LOUISE	\$6,608.74	24
13-0147-98	MARTINEAU BARBARA	\$797.53	24
18-0099-05	RATHBUN SHAYNE	\$3,281.36	19
19-0186-50	SMILEY SARA C	\$8,461.33	24
19-0262-97	STEWART BRENT	\$637.23	03
20-0070-35	THORTON TRACY	\$4,913.40	19
23-0016-58	WALSH JOAN	\$930.13	24
23-0075-33	WHARTON ALEXANDER & SALLY	\$5,458.06	19
23-0111-00	WILCOX KURT & LISA	\$5,412.03	19
23-0178-05	WRIGHT WILLIAM	\$9,445.16	19

Additions 2011-2012

01-0169-99	ANDREWS DANIEL W & LORI	\$6,290.38	24
03-0153-44	CASTAGNA, CLAUDIO & LINDA MURGO; TRUSTEES	\$6,140.91	24
04-0006-10	DANDREA ANTHONY & PATRICIA	\$5,690.11	24
04-0052-00	DELLA GROTTA CHRISTOPHER	\$3,747.38	24
04-0055-20	DELTUFO MARK & HEATHER	\$4,911.49	24
04-0114-75	DILIBERO BRIAN & JACQUELINE	\$6,376.68	24
05-0055-21	ENGSTROM BRENDA M	\$370.89	10
05-0080-14	ESSEX NANCY & JOSH C/O BUTLER, ROBERT, CHARLENE & HOWARD, JOHN & HOLLY	\$3,427.11	24
06-0012-75	FANDETTI STEPHEN & PAULINE CANTARA	\$6,948.19	24
06-0013-20	FARIAS DENNIS & KRISTINE	\$5,669.02	24
06-0039-26	FIRMIN JEFFREY & CAROL-ANN	\$6,338.33	24
07-0004-25	GABRAULT JAMES & KATHLEEN	\$4,031.22	24
07-0030-15	GARVEY THOMAS & CAROLYN	\$4,853.95	24
07-0038-24	GEMMA JOANN C/O ROBERT & STEPHANIE GAGE	\$5,916.41	24
07-0168-54	GWIAZDON ROBERT	\$11,921.04	24
08-0020-75	HAMMERSMITH HARRIS & DIANE; TRUSTEES	\$4,434.28	24
12-0292-26	LOPEZ EDWIN	\$58.37	05
12-0304-91	LUIS MARIO & MARY LOUISE	\$6,181.07	24
13-0147-98	MARTINEAU BARBARA	\$663.28	24
19-0186-50	SMILEY SARA C	\$7,490.93	24
19-0262-97	STEWART BRENT	\$625.81	03
23-0016-58	WALSH JOAN	\$861.09	24
12-0095-53	LAVINE RENEE L	\$2,224.65	24
12-0234-61	LEYDEN BRIAN	\$5,051.49	19
12-0234-63	LEYDEN JOHN	\$3,555.60	19
18-0099-05	RATHBUN SHAYNE	\$3,271.77	19
20-0070-35	THORTON TRACY	\$4,853.95	19
23-0075-33	WHARTON ALEXANDER & SALLY	\$5,423.54	19
23-0111-00	WILCOX KURT & LISA	\$5,394.77	19
23-0178-05	WRIGHT WILLIAM	\$9,402.97	19

Refund 2011-2012

08-0020-75	HAMMERSMITH HARRIS & DIANE; TRUSTEES	\$582.08	24
18-0099-05	RATHBUN SHAYNE	\$9.59	19

V. CHECK SUMMARY REPORT

1. RECEIPT OF CHECK SUMMARY REPORT FOR
MONTH OF SEPTEMBER, 2011
FROM TOWN TREASURER

The following Correspondence Items that were removed from the Consent Agenda were considered:

2. COPY OF LETTER TO
BROOKE LAWRENCE, WEST GREENWICH EMERGENCY
MANAGEMENT DIRECTOR
FROM
E. STEFAN COUTOULAKIS, EXETER EMERGENCY MANAGEMENT
DIRECTOR
SEPTEMBER 15, 2011
RE: THANK YOU FOR SUPPORT DURING RECENT HURRICANE

Woloohojian read the above letter.

3. COPY OF LETTER TO
GOVERNOR LINCOLN D. CHAFEE
FROM
FRANCIS T. MAHER, JR., SENIOR DEPUTY MINORITY LEADER
SEPTEMBER 6, 2011
RE: THANK YOU FOR GOVERNOR'S VISIT TO WEST GREENWICH TO
SURVEY DAMAGE TO HURRICANE IRENE.

Tourgee remarked that power was restored that night in most of the Town.
Woloohojian read the above letter.

Woloohojian moved to accept the items that were removed from the Consent Agenda.
Andrews seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee -
aye, Smith - aye.

E. OLD BUSINESS

There was no old business.

F. NEW BUSINESS

1. DISCUSSION AND VOTE TO CHANGE DATE OF DECEMBER MEETING FROM DECEMBER 14, 2011 TO DECEMBER 7, 2011

The Town Solicitor requested that the date of the December meeting be changed from December 14 to December 7, 2011.

Kaltschnee moved to change the date of the meeting to December 7, 2011. Smith seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

2. DISCUSSION AND VOTE ON APPROVAL OF ENGAGEMENT OF DAN KINDER TO NEGOTIATE WEST GREENWICH FIRE & RESCUE ASSOC. LOCAL 4771 CONTRACT

Kaltschnee moved to approve the engagement of Dan Kinder to negotiate the West Greenwich Fire & Rescue Assoc. Local 4771 Contract. Smith seconded. Smith noted that he had done an excellent job negotiating the Police Contract.

VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

3. DISCUSSION AND VOTE TO SET DATE FOR HEARING RENEWAL LIQUOR LICENSES (NOVEMBER 9, 2011)

Woloohojian moved to adjourn as the Town Council and convene as the Liquor Licensing Board at 7:13 p.m. Andrews seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

Woloohojian moved to set the date for hearing of the renewal of the Liquor Licenses for November 9, 2011 at 7:00 p.m. Kaltschnee seconded.

VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

Woloohojian moved to adjourn as the Liquor Licensing Board and reconvene as the Town Council at 7:14 p.m. Smith seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

4. DISCUSSION AND VOTE TO SET DATE FOR HEARING RENEWAL 24 HOUR VICTUALING LICENSES (NOVEMBER 9, 2011)

Smith moved to set the date for hearing of the renewal of the 24 hour Victualing Licenses for November 9, 2011 at 7:00 p.m. Andrews seconded.

VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

5. DISCUSSION AND AWARDING OF BID FOR WINTER SAND

The results of the Winter Sand Bid were as follows:

1. CHERENZIA EXCAVATION, INC
\$15.00 PER TON DELIVERED
\$11.00 PER TON PICKED UP
2. WALTER E. REYNOLDS GENERAL CONTRACTOR INC
\$11.50 PER TON DELIVERED
3. ESTATE OF JOHN KOSZELA
\$12.45 PER TON DELIVERED
\$11.00 PER TON PICKED UP

Public Works Director Claude Wright recommended the bid be awarded to Walter E. Reynolds General Contractor, Inc.

Smith moved to award the Bid for Winter Sand to Walter E. Reynolds General Contractor Inc. for \$11.50 per ton delivered. Kaltschnee question if any was picked up and advised that it was not. Andrews seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

6. DISCUSSION AND AWARDING OF BID FOR ROOF FOR TOWN HALL ANNEX

The results of the Bid for Roof for Town Hall Annex were as follows:

DEPIETRO ROOFING, INC, 54 BENJAMIN REYNOLDS ROAD WEST GREENWICH, RI 02817	\$18,750.00
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EAGLE CORNICE CO., INC. 89 PETTACONSETT AVE. CRANSTON, RI 02920	\$23,250.00
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WEISMAN ROOFING 425 PAVILLION AVENUE WARWICK, RI 02888	\$19,300.00
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ROBINSON ROOFING, INC. 15 EBEN BROWN LANE CENTRAL FALLS, RI 02863	\$15,900.00
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A letter from Town Administrator Breene was noted regarding the roof conditions at the Town Hall Annex. A possible mold condition was noted and a mold specialist, Dr. Feldman, had been called in. Smith cautioned against repairing roof prior to assessment of mold.

Mrs. Joni Waltonen questioned who had recommended Dr. Feldman and if the mold issue had gone out to bid. It was noted that it was emergency situation.

Smith moved to award the bid to Robinson Roofing in the amount of \$15,900 pending outcome of mold investigation. A claim was to be filed with the RI Interlocal Trust. Woloohojian seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

A possible mold condition at library was brought up. Andrews moved to add discussion of mold at the library to the agenda. Smith seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

The RI Interlocal Trust which had handled a flooding situation at the library was to called back in and have an expert check it out.

7. DISCUSSION AND VOTE ON ENABLING LEGISLATION ON ADDING MOTOR VEHICLE TAXES TO MUNICIPAL LIEN CERTIFICATES

Solicitor Ursillo advised don't need enabling legislation and had prepared an ordinance.

Woloohojian moved to refer the matter to November 9, 2011 for first reading. Smith seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

8. DISCUSSION AND RESPONSE TO LETTER FROM ACTING LT. RICHARD BROWN REGARDING TOWN ADMINISTRATOR KEVIN BREENE

Breene reported that he and Acting Lt. Richard Brown had discussed the matter involving a web site and it had been resolved between them. Acting LT. Brown was present and concurred.

Smith questioned the protocol. Town Solicitor was to put in writing a protocol for such issues.

G. PUBLIC FORUM

Pursuant to RI General Laws §42-46-6(b), public comment regarding subject matter not on the agenda but received during the public participation portion of a meeting shall be for information purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.

Carl Johnson noted the items on the website noted were irrelevant at the Town meeting.

Thaylen Waltonen questioned town employee on town time intimidated an employee about a non-town issue.

Sandy Bockes questioned if bobcats had been sited nearby.

H. EXECUTIVE SESSION

**1. PURSUANT TO RIGL 42-46-5, (A),2
COLLECTIVE BARGAINING RELATIVE TO:
WEST GREENWICH FIRE & RESCUE ASSOC. LOCAL 4771
INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS
LOCAL 517
LABORERS' INTERNATIONAL UNION OF NORTH AMERICA,
AFL-CIO
LOCAL UNION 1322**

Pursuant to RIGL §42-46-6(b). Notice – The Town Council may add additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.

Woloohojian moved to go into Executive Session at 8:04 p.m. pursuant to RIGL 42-46-5, a, 2 for Collective Bargaining relative to West Greenwich Fire & Rescue Assoc. Local 4771, International Brotherhood of Police Officers Local 517 and Laborers International Union of North America, AFL-CIO Local Union 1322. Andrews seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee – aye, Smith – aye.

Woloohojian moved to come out of Executive Session and seal the minutes at 9:08 p.m. Andrews seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

Kaltschnee moved to adjourn at 9:08 p.m. Woloohojian seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

Janet E. Olsson, CMC
Town Clerk