

**TOWN OF WEST GREENWICH**

**TOWN COUNCIL**

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**REGULAR MEETING**

**August 21, 2013**

A regular meeting of the West Greenwich Town Council was held on August 21, 2013. Present were Mark Tourgee, Susan Woloohojian, Robert Andrews, Gregory Coutcher and Thomas Mulcahey. Also present were Town Administrator Kevin Breene and Town Solicitor Michael Ursillo.

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

Council President Tourgee called the meeting to order at 7:05 P.M.

**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

A moment of silence was held in memory of Edith L. Bonner. Town Administrator Breene commented on Mrs. Bonner life, who was a lifelong resident of West Greenwich.

Councilman Andrews moved to set a blank page in the minutes in honor of Edith L. Bonner. Council Vice President Woloohojian seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

**TOWN OF WEST GREENWICH**

**TOWN COUNCIL**

---

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TOWN OF WEST GREENWICH

TOWN COUNCIL

REGULAR MEETING

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**C. ANNOUNCEMENTS**

Council President Tourgee made the following announcements: We are going to have an Eco-Depot at the Town Hall on Saturday, August 24<sup>th</sup> from 8:30 a.m. to 1 p.m. Rhode Island residents can take their household hazardous waste, such as oil based paints, rechargeable batteries, fertilizers, pool chemicals, fluorescent light bulbs and tubes, oven cleaner and rat poison. Anything with words like: caution, flammable, poisonous, dangerous printed on the label. You will need to schedule a time slot. Flyers are available in the hallway or see the Town's website for more information. Again, that's Saturday, August 24, behind the Town Hall, from 8:30 a.m. and ending at 1 p.m. The Transfer Station will only be open one more Wednesday night after tonight. Celebrate West Greenwich Day will be held on Sunday, September 29<sup>th</sup> from noon until 5pm and will take place at the new pavilion behind town hall. The following will be held: Chicken BBQ, sawmill demonstration, ribbon cutting for the pavilion, and a band will perform. The Hianloland's 37<sup>th</sup> Annual Arts, Crafts & Collectables Show will be held on Sunday, September 15<sup>th</sup> from 10 am until 5 pm. Chowder and clam cakes will be available from noon until 4 pm. Engraved brick orders can still be placed. Order forms are available online and at the town hall; 100 bricks have already been purchased. The revaluation process has begun. A representative from Northeast Reval will be visiting properties that have sold and those with active building permits. Tax Assessor/Collector Randall advised that only new sales and construction would be inspected.

**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.**

Councilman Mulcahey moved to approve the Consent Agenda. Councilman Andrews seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

**I. MINUTES**

1. APPROVAL OF MINUTES OF MEETING OF JULY 10, 2013

**II. REPORTS**

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

1. TOWN CLERK REPORT – JULY, 2013
2. PLANNING DEPT. MONTHLY REPORT – JULY, 2013
3. TAX OFFICE MONTHLY REPORT – JULY, 2013
4. POLICE DEPT. REPORT – JULY, 2013
5. BUILDING OFFICIAL REPORT – JULY, 2013

TOWN OF WEST GREENWICH

TOWN COUNCIL

REGULAR MEETING

August 21, 2013

III. CORRESPONDENCE

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

1. LAND TRUST - MINUTES OF JUNE 11, 2013 MEETING
2. CONSERVATION COMMISSION - MINUTES OF JUNE 6, 2013 MEETING
3. CONSERVATION COMMISSION – MINUTES OF JULY 11, 2013 MEETING
4. ZONING BOARD OF REVIEW- MINUTES OF MAY 21, 2013 MEETING
5. COPY OF LETTER TO: ROBERT A. SMITH, P.E. DEPUTY CHIEF ENGINEER, RI DOT  
FROM: STEVEN W. PRISTAWA, P.E., SECRETARY STATE TRAFFIC COMMISSION  
JULY 18, 2013  
RE: I-95 NORTH AND SOUTH EXITS 5A AND 5B
6. COPY OF LETTER TO: JANET E. OLSSON  
FROM: VALERIE MOONEY, BROWN OFFICE OF FINANCIAL AID  
JULY 24, 2013  
RE: JUDGE ELMER J. RATHBUN SCHOLARSHIP
7. COPY OF LETTER TO: KEVIN A. BREENE, TOWN ADMINISTRATOR  
FROM: ROBERT A. SHAWVER, P.E. ADMINISTRATOR, RI DOT  
JULY 11, 2013  
RE: 2014 LOCAL ROADS PROGRAM FUNDING NOT AVAILABLE
8. COPY OF LETTER TO: KEVIN A. BREENE, TOWN ADMINISTRATOR  
FROM: AMY RAINONE, DIRECTOR, INTERGOVERNMENTAL RELATIONS  
AUGUST 2, 2013  
RE: H5393 & S320 ELECTRONIC PUBLIC NOTICE REGISTRY
9. COPY OF LETTER TO: HONORABLE TOWN COUNCIL  
FROM: CHIEF RICHARD RAMSAY  
AUGUST 8, 2013  
RE: PROMOTION OF CORPORAL KEITH LALIBERTE TO SERGEANT
10. COPY OF JOB POSTING  
FROM: EXETER WEST GREENWICH REGIONAL SCHOOL DISTRICT  
RE: ASSISTANT DIRECTOR OF INSTRUCTIONAL AND INFORMATION TECHNOLOGIES

TOWN OF WEST GREENWICH

TOWN COUNCIL

REGULAR MEETING

August 21, 2013

11. COPY OF INVITATION TO BID  
 FROM: EXETER WEST GREENWICH REGIONAL SCHOOL DISTRICT  
 RE: BID #13-14.1 GROUNDS MAINTENANCE

**IV. ADDITIONS, ABATEMENTS, REBATES & UNCOLLECTABLES**

1. REQUEST OF TAX ASSESSOR/TAX COLLECTOR FOR SPECIFIC UNCOLLECTABLES  
 AND VOTE REGARDING SAME – JULY, 2013

| ACCT #                   | July                             |              | CODE    |
|--------------------------|----------------------------------|--------------|---------|
|                          | NAME                             | AMOUNT       |         |
| <u><b>Abatements</b></u> |                                  |              |         |
| 02-0131-55               | BAUSERMAN SUSAN                  | \$226.85     | 05      |
| 02-0184-04               | BLACKTON JENNIFER                | \$181.03     | 04      |
| 02-0213-97               | BONIN CAROLE A                   | \$147.06     | 05      |
| 03-0085-57               | CARBERRY WILLIAM L               | \$18.20      | 04      |
| 03-0337-59               | COTE MICHAEL J                   | \$5,051.73   | 03 & 05 |
| 04-0126-70               | DIONNE JULIE C                   | \$449.29     | 22      |
| 05-0001-03               | 809 NOOSENECK ASSOCIATES         | \$281.70     | 11      |
| 07-0005-95               | GALENSKI NEIL E                  | \$401.10     | 01      |
| 07-0150-63               | GRESIAN TINA                     | \$1,909.60   | 04      |
| 08-0040-70               | HARRINGTON CONSTRUCTION INC      | \$695.02     | 01      |
| 10-0025-68               | JARVINEN TODD A                  | \$397.93     | 05      |
| 11-0075-55               | KMC BEARINGS INC (2012)          | \$297.68     | 05      |
| 11-0075-55               | KMC BEARINGS INC                 | \$125.17     | 09      |
| 12-0159-15               | LEMIEUX BRIAN W                  | \$269.94     | 02      |
| 13-0026-47               | MADDEN MICHAEL R & MARY L        | \$6,483.08   | 29      |
| 13-0064-11               | MAINELLI DAVID P                 | \$322.74     | 05      |
| 13-0231-25               | MCDONOUGH DEBORAH M              | \$932.86     | 01      |
| 13-0231-37               | MCDONOUGH JAMES M                | \$459.70     | 18      |
| 13-0489-93               | MOVING IT FORWARD CASTER SYSTEMS | \$13.03      | 13      |
| 14-0004-00               | NARRAGANSETT ELECTRIC CO         | \$216,648.83 | 12      |
| 14-0007-18               | NARRAGANSETT GAS CO              | \$8,208.39   | 12      |
| 16-0004-52               | PADULA LORI R                    | \$33.29      | 05      |
| 16-0016-25               | PALMER SCOTT A                   | \$38.63      | 04      |
| 16-0066-64               | PARKER KIMBERLY A                | \$147.10     | 06      |
| 16-0096-48               | PECKHAM ALLAN R                  | \$847.08     | 10      |
| 16-0288-31               | PRIGNANO JOSEPH A                | \$513.20     | 10      |
| 18-0150-25               | REHMAN AMAD U                    | \$464.18     | 05      |
| 19-0010-08               | ST. ANGELO LOUIS                 | \$5,164.36   | 26      |
| 19-0121-33               | SHOENER PATRICK K                | \$124.58     | 04      |
| 19-0276-49               | STREMBICKI FRANK J III           | \$15.35      | 18      |

TOWN OF WEST GREENWICH

TOWN COUNCIL

REGULAR MEETING

August 21, 2013

---

|            |                 |          |    |
|------------|-----------------|----------|----|
| 20-0020-62 | TEFT KATHLEEN A | \$159.80 | 05 |
| 22-0005-55 | VAN WYK JUDY A  | \$38.86  | 04 |

**ADDITIONS**

|            |                             |              |         |
|------------|-----------------------------|--------------|---------|
| 01-0158-50 | ANDREOZZI JERRY ~ ESTATE    | \$5,164.36   | 26      |
| 02-0131-55 | BAUSERMAN SUSAN             | \$148.76     | 05      |
| 02-0213-97 | BONIN CAROLE A              | \$12.93      | 05      |
| 03-0337-59 | COTE MICHAEL J              | \$2,482.22   | 03 & 05 |
| 04-0126-70 | DIONNE JULIE C              | \$444.94     | 22      |
| 05-0001-03 | 809 NOOSENECK ASSOCIATES    | \$257.26     | 11      |
| 07-0005-95 | GALENSKI NEIL E             | \$322.00     | 01      |
| 08-0040-70 | HARRINGTON CONSTRUCTION INC | \$547.61     | 01      |
| 10-0025-68 | JARVINEN TODD A             | \$220.27     | 05      |
| 11-0075-55 | KMC BEARINGS INC (2012)     | \$61.99      | 05      |
| 13-0026-47 | MADDEN MICHAEL R & MARY L   | \$6,297.87   | 29      |
| 13-0064-11 | MAINELLI DAVID P            | \$293.04     | 05      |
| 13-0231-25 | MCDONOUGH DEBORAH M         | \$866.61     | 01      |
| 13-0231-37 | MCDONOUGH JAMES M           | \$409.70     | 18      |
| 14-0004-00 | NARRAGANSETT ELECTRIC CO    | \$217,768.19 | 12      |
| 14-0007-18 | NARRAGANSETT GAS CO         | \$7,554.24   | 12      |
| 16-0004-52 | PADULA LORI R               | \$24.92      | 05      |
| 16-0096-48 | PECKHAM ALLAN R             | \$765.26     | 10      |
| 18-0150-25 | REHMAN AMAD U               | \$458.45     | 05      |
| 20-0020-62 | TEFT KATHLEEN A             | \$111.91     | 05      |
| 22-0005-55 | VAN WYK JUDY A              | \$92.71      | 04      |

**REFUNDS**

|            |                                   |          |    |
|------------|-----------------------------------|----------|----|
| 11-0075-55 | KMC BEARING INC/WAUKESHA BEARINGS | \$239.95 | 05 |
|------------|-----------------------------------|----------|----|

**V. CHECK SUMMARY REPORT**

1. RECEIPT OF CHECK SUMMARY REPORT FOR  
MONTH OF JULY, 2013  
FROM TOWN TREASURER

**E. UNFINISHED BUSINESS**

**F. NEW BUSINESS**

**1. COMMUNITY SERVICE RECOGNITION- MORGAN ROJAS AND SHANIA FENTON**

Council President Tourgee recognized Shania Fenton for volunteering one hundred hours to the West Greenwich Town Clerk's Office and awarded her with a certificate of recognition.

TOWN OF WEST GREENWICH

TOWN COUNCIL

---

REGULAR MEETING

August 21, 2013

Lisa Morley, Clerk from the Town Clerk's Office, commented on Shania service to the Town Hall and projects she completed.

Council President Tourgee read the following letter from Human Services Director Marge Gartelman: Ten years old and a heart of gold! That just how I would describe you. Your mom told me that for your birthday, you wanted to help people who live in West Greenwich, who are going through some difficult times. It was a very nice suggestion to have your relatives and friends bring non-perishable food items in place of birthday presents to your party last Saturday, and everyone did just that. I couldn't believe the amount of food that you collected for the West Greenwich Food Pantry. You are special, generous and very thoughtful to do that and help others. I'm sure that your parents are very proud of you. Thank you very much for your kindness.

Council President Tourgee recognized Morgan Rojas for her generous collection for the West Greenwich Food Pantry and awarded her with a certificate of recognition.

**2. DISCUSSION AND VOTE ON REQUEST OF EXETER GRANGE #12- HEART SAFE COMMUNITY**

Celeste Spencer present from the Exeter Grange and E. Stefan Coutoulakis, Exeter EMA Director explained their request to have West Greenwich become a Heart Safe Community.

Coutoulakis also stated that EMA Director Brooke Lawrence was working collaboratively with this project and was unable to attend tonight's meeting due to a work commitment.

Coutoulakis explained that the Town would need 500 heartbeats and also explained how the Town would reach the goal: For every ten citizens that are CPR trained would receive 3 points, placement of AEDs in public places, promoting CPR/AED response through public safety officials and developing a process to evaluate your Heart Safe program.

Coutoulakis completed his presentation with a quote from John F. Kennedy "My fellow Americans, ask not what your country can do for you, ask what you can do for your country".

Council President Tourgee questioned how residents would come forward if they are CPR trained. Spencer advised a public service notice was sent and that contact would be made through that publication and the Exeter Grange would handle all the paperwork.

Discussion ensued on the need to appoint a liaison for this effort.

Council Vice President Woloohojian questioned if additional CPR classes would be held. Coutoulakis explained more classes would be held and the September date was primarily for Exeter.

Town Administrator Breene advised that 8-10 Town Hall employees took the class to become CPR certified.

Discussion ensued on implementing this type of program into the school curriculum.

TOWN OF WEST GREENWICH

TOWN COUNCIL

REGULAR MEETING

August 21, 2013

Spencer advised on the other communities that our Heart Safe.

Council Vice President Woloohojian moved to authorize the Town Administrator's office to coordinate this effort with Exeter. Councilman Mulcahey seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

**8. DISCUSSION AND VOTE ON APPROVAL OF 38,100 GPD RESERVE CAPACITY- CEDAR RIDGE SENIOR RESIDENTIAL DISTRICT CONDOMINIUM PROJECT (This item was taken out of order.)**

Erik Preve, from Diprete Engineering was present.

Attorney John Brunero, who is representing the applicant and the owner, explained the project that was approved for condominiums located off of New London Turnpike. He also explained the conditions set forth on May 1, 2008. He advised the project has remained idle due to the economy and now they would like to proceed with Mr. Lawson. The applicant is requesting that 300 gallons per day per unit or 38,100 gpd be granted.

Town Administrator Breene advised that there are 120,000 gallons in reserve capacity.

Councilman Mulcahey questioned the timeline. Brunero stated they expect completion in 3-5 years.

Discussion ensued on restricted age housing.

Council President Tourgee requested the Town Solicitor Ursillo research covenant restrictions.

Brunero stated that he would also review regulations regarding covenants.

Council Vice President Woloohojian questioned if granting this would affect West Greenwich capacity in the future. Town Administrator Breene advised that very little is used and it should not have an effect.

Councilman Mulcahey moved to approve the reserve capacity of 38,100 for Cedar Ridge.

Councilman Andrews seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

Councilman Andrews moved to adjourn as the Town Council and convene as the Liquor Licensing Board at 7:49 p.m. Council Vice President Woloohojian seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

**3. LIQUOR LICENSING BOARD  
DISCUSSION AND VOTE ON REQUEST OF RIGOP FOR A ONE DAY LIQUOR LICENSE- EVENT TO BE HELD OCTOBER 5, 2013 AT SOUTH COUNTY ROD & GUN CLUB**

Councilman Andrews recused.

TOWN OF WEST GREENWICH

TOWN COUNCIL

REGULAR MEETING

August 21, 2013

Doreen M. Costa, Finance Director, was present from RIGOP and explained the event. She also stated additional information regarding this event could be obtained at headquarters of RIGOP and Facebook.

Council Vice President Woloohojian questioned if this event was open to the public. Costa advised it was.

Council Vice President Woloohojian moved to grant the One Day Liquor License to RIGOP for a fundraiser to be held on October 6, 2013 at South County Rod & Gun Club. Councilman Coutcher seconded. VOTED: Tourgee- aye, Woloohojian - aye, Andrews - recused, Coutcher – aye, Mulcahey – aye

Council Vice President Woloohojian moved to adjourn as the Liquor Licensing Board and reconvene as the Town Council at 7:53p.m. Councilman Coutcher seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - abstain, Coutcher – aye, Mulcahey – aye

**4. DISCUSSION AND VOTE ON VICTUALING LICENSE- R.E. WHITE, INC.- DBA WEST GREENWICH PACKAGE STORE & EXIT 5 MINI-MART- 780 VICTORY HIGHWAY, UNIT 5**

Town Administrator Breene explained that the Health Department visited the liquor store and a victualing license would be required.

Council President Tourgee questioned how the situation was handled. Town Administrator Breene advised that the situation was mishandled from the staff at the Department of Health.

Council Vice President Woloohojian moved to grant the Victualing License to R.E. White, Inc. d/b/a West Greenwich Package Store & Exit 5 Mini Mart subject to compliance with local and state regulations relative to Victualing License. Councilman Coutcher seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

**5. DISCUSSION AND VOTE ON AWARDING BIDS - 2013 SIX WHEEL ALL SEASON DUMP TRUCK WITH SANDER AND PLOW AND 2013 19,000 lbs. 4x6 DUMP TRUCK WITH PLOW**

Claude Wright, Public Work’s Director explained the following bids received:

**Peterbilt of Rhode Island**

|  |                      |
|--|----------------------|
| Six Wheel All Season Dump Truck with Sander and Plow | \$147,900.00         |
| Extended Engine Warranty 5 Year/100,000              | \$ 2,650.00          |
| Total  | <b>\$ 150,550.00</b> |

**Flood Ford of East Greenwich**

|                                     |                     |
|-------------------------------------|---------------------|
| 19,000 lbs 4X6 Dump Truck with Plow | <b>\$ 46,840.00</b> |
|-------------------------------------|---------------------|

Wright also stated that the town’s original estimate was around \$220,000.00 and the bids came in less.

Town Administrator Breene advised that Treasurer Andrews stated they could buy the trucks versus financing.

TOWN OF WEST GREENWICH

TOWN COUNCIL

REGULAR MEETING

August 21, 2013

Danielle Andrews, Town Treasurer advised that the Auditor stated it was best to purchase the trucks out right.

Council Vice President Woloohojian moved to grant the 2013 Six Wheel All Season Dump Truck with Sander and Plow to Peterbilt of Rhode Island for a total cost of \$150,550.00 and the 2013 19,000 lbs 4x6 Dump Truck with Plow to Flood Ford of East Greenwich for a total cost of \$46,840.00.

Councilman Mulcahey seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

**6. DISCUSSION AND VOTE ON REQUEST TO PURCHASE A POLICE PATROL VEHICLE**

Chief Ramsay explained his request to purchase a police vehicle. He further explained the Special Detail Vehicle Purchase fund.

Council Vice President Woloohojian moved to grant the request to Purchase a Police Patrol Vehicle.

Councilman Andrews seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

Town Administrator Breene stated the Animal Control van was in need of repair and suggested purchasing an Animal Control van out of Police Vehicle Purchase Fund. Chief Ramsay stated that he was not sure it would be possible to purchase the van using that fund.

Discussion ensued on the Animal Control van and the issue will be revisited at the September Council Meeting.

**7. DISCUSSION AND VOTE ON REQUEST TO CALL PERFORMANCE BOND- OWL RIDGE BOND FOR GUARDRAIL ALONG FRONTAGE ON AP 51, LOT 7-15 ON ORION VIEW DRIVE**

Jennifer Paquet, Town Planner, explained the need for the Bond to be pulled in order to install a guardrail and advised that progress is being made and to continue this matter to September.

Claude Wright, Public Work's Director, advised he had spoken to the developer and the guardrail installation is moving forward.

Council Vice President Woloohojian moved to continue this matter to September 11, 2013.

Councilman Coutcher seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

**9. DISCUSSION AND VOTE ON DATE FOR SPECIAL ELECTION FOR AMENDMENTS TO HOME RULE CHARTER-ARTICLE VI, SECTION 602. TOWN CLERK**

Discussion ensued on possible dates for the election.

TOWN OF WEST GREENWICH

TOWN COUNCIL

REGULAR MEETING

August 21, 2013

---

Council Vice President Woloohojian moved to set the date for the Special Election for amendments to the Home Rule Charter for October 22, 2013. Councilman Coutcher seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

Town Administrator Breene advised the Charter Commission would like to send out an explanation to residents. Town Solicitor Ursillo stated an explanation could be sent and would work with the Commission on the language.

**10. DISCUSSION ON POTENTIAL EFFECTS REGARDING CONDOMINIUMS ON ORDINANCE NO. 22-STABILIZING TAXES OF THE ELDERLY**

Charlene Randall, Tax Assessor/Collector reviewed the figures on frozen taxes in West Greenwich.

Town Solicitor advised the law would not allow for the exclusion of condominiums and advised to look at the sustainability of the program overall.

Town Administrator Breene discussed the concerns of the elderly in West Greenwich.

Council President Tourgee questioned the different options available. Tax Assessor/Collector Randall advised on other choices available such as: age, income, flat exemptions, deferment and also stated that West Greenwich is the most generous.

Council President Tourgee requested Tax Assessor/Collector Randall research surrounding communities and revisit this issue in November.

Discussion ensued on the history of the program.

**G. PUBLIC FORUM**

No comments were made.

**H. EXECUTIVE SESSION**

**PURSUANT TO RIGL 42-46-5, (A), 2**

**LITIGATION – SWAP INC. VS. Town of West Greenwich Planning Board SHAB 2013 -01.**

**TAX LITIGATION – Centrex VS. Town of West Greenwich**

Council Vice President Woloohojian moved to close the meeting and to go into Executive Session at 8:17 P.M. pursuant to RIGL 42-46-5, a, 2 for Litigation relative to SWAP Inc. VS. Town of West Greenwich Planning Board SHAB 2013-01 and Tax Litigation relative to Centrex VS. Town of West Greenwich. Councilman Mulcahey seconded.

VOTED: Tourgee - aye, Woloohojian - aye, Coutcher – aye, Andrews - aye, Mulcahey –aye

**TOWN OF WEST GREENWICH**

**TOWN COUNCIL**

---

**REGULAR MEETING**

**August 21, 2013**

Council Vice President Woloohojian moved to come out of Executive Session and seal the minutes at 9:21 P.M. Councilman Andrews seconded.

VOTED: Tourgee - aye, Woloohojian - aye, Coutcher –aye, Andrews- aye, Mulcahey –aye

Council Vice President Woloohojian moved to adjourn at 9:22P.M. Councilman Andrews seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

**ERIN F. LIESE, CMC**

**ACTING TOWN CLERK**