

**TOWN OF WEST GREENWICH  
TOWN COUNCIL**

---

**REGULAR MEETING**

**March 13, 2013**

A regular meeting of the West Greenwich Town Council was held on March 13, 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 7:06 P.M.

**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**C. ANNOUNCEMENTS**

Council President Tourgee made the following announcements: The annual Land Trust Turkey Dinner & Silent Auction is Saturday March 23<sup>rd</sup>, to be held at West Greenwich Fire Station on Nooseneck Hill Road. There is a band concert at the high school on March 28<sup>th</sup> at 7 pm. The West Greenwich Land Trust Earth Day Event will be held at the Louttit Library on Sunday, April 28<sup>th</sup> from 12 – 4pm. If you'd like to participate free of charge, contact Cindy Walsh at 397-3914. Dog licenses are due and may be obtained after April 1 at the office of the Town Clerk, Monday through Friday between 8:30 A.M. and 4:00 P.M., the fee is \$6.00. Proof of rabies vaccination is required. A Rabies Clinic for dogs, cats and ferrets, will be held on April 28<sup>th</sup> from 10 to 12 at the highway garage, the cost is \$10.00 and cash only is accepted. Written proof of previous rabies vaccination must be presented in order to receive a 3 year vaccination, otherwise a 1 year vaccination will be given. The EWG School District All Day Referendum will be held at the Town Hall, from 7 am to 8 pm on April 8<sup>th</sup>. The sample ballot is available on the Town's website. Council President Tourgee also congratulated the following EWG students for their accomplishments: Girls Basketball Team for making it to the semi finals, EWG cheerleaders for winning NICA and RICCA competition, Christian and Andrew Labrie for placing first in their respective weight classes in New England Wrestling Tournament and Ashley Pelletier for receiving a \$1,000 scholarship.

Lee Kissinger from the School Committee discussed the school budget and requested support of the School Committee budget. Councilman Andrews questioned if taxes will increase. Town Administrator Breene stated that the Town has just begun its budget process and the Town Council would like to remain level funded for the third consecutive year.

**TOWN OF WEST GREENWICH  
TOWN COUNCIL**

---

**REGULAR MEETING**

**March 13, 2013**

**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.

Council Vice President Woloohojian requested Correspondence items 8, 9 and 12 pulled for further consideration.

Councilman Andrews requested Correspondence item 4 pulled for further consideration.

Councilman Mulcahey moved to approve the Consent Agenda with Correspondence items 4, 8, 9 and 12 pulled for further consideration. Councilman Andrews seconded.

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

**I. MINUTES**

1. APPROVAL OF MINUTES OF MEETING – FEBRUARY 13, 2013
2. APPROVAL OF MINUTES OF EXECUTIVE SESSION- FEBRUARY 13, 2013

**II. REPORTS**

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

1. TOWN CLERK REPORT – FEBRUARY, 2013
2. PLANNING DEPT. MONTHLY REPORT – FEBRUARY, 2013
3. TAX OFFICE MONTHLY REPORT – FEBRUARY, 2013
4. POLICE DEPT. REPORT – FEBRUARY, 2013
5. TREASURERS REPORT – FEBRUARY, 2013
6. BUILDING DEPT. REPORT – FEBRUARY, 2013

**III. CORRESPONDENCE**

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

1. CONSERVATION COMMISSION - MINUTES OF MEETING FEBRUARY 6,2013
2. LAND TRUST – MINUTES OF MEETING DECEMBER 11, 2012

**TOWN OF WEST GREENWICH  
TOWN COUNCIL**

---

**REGULAR MEETING**

**March 13, 2013**

3. LAND TRUST – MINUTES OF MEETING JANUARY 8, 2013
  
5. COPY OF LETTER TO: WEST GREENWICH TOWN COUNCIL  
FROM: HARRY WINTHROP, MAYOR OF NEWPORT  
RE: INVITATION TO 57<sup>TH</sup> ANNUAL ST. PATRICK’S DAY PARADE
  
6. COPY OF RESOLUTIONS TO: WEST GREENWICH TOWN COUNCIL  
FROM: NORTH SMITHFIELD SCHOOL COMMITTEE  
RE: CONTRACT CONTINUATION, BINDING ARBITRATION, LAYOFF NOTIFICATION DATE
  
7. COPY OF RESOLUTIONS TO: WEST GREENWICH TOWN COUNCIL  
FROM: SMITHFIELD SCHOOL COMMITTEE  
RE: CONTRACT CONTINUATION, BINDING ARBITRATION, LAYOFF NOTIFICATION DATE
  
10. COPY OF: NOTICE OF CONFERENCE  
FROM RHODE ISLAND DISTRICT COURT SIXTH DIVISION  
RE: RAYMOND TARBOX V. DEPT. OF LABOR & TRAINING
  
11. COPY OF APPLICATION TO: SUPERSTORM SANDY PUBLIC ASSISTANCE APPLICANT  
FROM: LAWRENCE MACEDO, RHODE ISLAND EMERGENCY MANAGEMENT AGENCY  
RE: DISASTER FEMA-DR-4089-RI-PROJECT WORKSHEETS
  
13. COPY OF LETTER TO: HONORABLE TOWN COUNCIL  
FROM: KEVIN A. BREENE, TOWN ADMINISTRATOR  
RE: LEGAL & APPRAISAL REPRESENTATION FOR TAX APPEAL
  
14. COPY OF LETTER TO: HONORABLE M. TERESA PAIVA WEED  
FROM: DENNIS L. ALGIERE, SENATE MINORITY LEADER, DAWSON T. HODGSON, DEPUTY  
MINORITY LEADER, CATHERINE COOL RUMSEY, SENATOR DISTRICT 34, JAMES C. SHEEHAN,  
SENATOR DISTRICT 36, V. SUSAN SOSNOWSKI, SENATOR DISTRICT 37  
RE: LOW AND MODERATE INCOME HOUSING ACT
  
15. COPY OF LETTER TO: HONORABLE GORDON D. FOX  
FROM: DONNA M. WALSH, REPRESENTATIVE DISTRICT 36  
RE: LOW AND MODERATE INCOME HOUSING ACT

**TOWN OF WEST GREENWICH  
TOWN COUNCIL**

---

**REGULAR MEETING**

**March 13, 2013**

16. COPY OF RESOLUTIONS TO: WEST GREENWICH TOWN COUNCIL  
FROM: EXETER-WEST GREENWICH SCHOOL COMMITTEE  
RE: CONTRACT CONTINUATION, BINDING ARBITRATION, LAYOFF NOTIFICATION DATE

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

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

**February**

<b>ACCT #</b>	<b>NAME</b>	<b>AMOUNT</b>	<b>CODE</b>
	<b><u>Abatements 2012</u></b>		
01-0150-10	CASEY MICHAEL T	\$311.09	04
	<b><u>Additions 2012</u></b>		
01-0150-10	CASEY MICHAEL T	\$337.13	37

**V. CHECK SUMMARY REPORT**

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

**VI. POLE PLACEMENT**

1. REQUEST OF NATIONAL GRID- PETITION 14393446  
RE: TO REPLACE DIRECT BURIED CABLE  
LOCATION P 35-25 PLAIN MEETING HOUSE ROAD & SADDLE ROCK RD

**F. NEW BUSINESS**

**1. EWG STUDENT RECOGNITION (This item was taken out of order)**

Council President Tourgee and Coach Labrie recognized the EWG Wrestling Team for Division II State Tournament Championship and placing third in the New England Tournament. The following were awarded with a Certificate of Recognition: Evan Barber, Patrick Maher, Zachary Anderson, Sam Van Gyzen, Phillip Kelley, James Williams, Mike Petrarca, Tyler Maletesta, Kyle Manchester, Russell Ward, Cole Davidson, Derek Persechino, Blake Stamas, Joey Ricciutti, Ben Holcomb, Destin Litterio, Aaron Amitrano, Christian Labrie, Andrew Labrie, Dwight Anderson, Ryan Riecke, Gary Benedetti, Carl Neff, Dylan Greenless, and Tony Tavares.

Council President Tourgee recognized the EWG Gymnastics Team for Division II State Gymnastics Championship. The following were awarded with a Certificate of Recognition: Melana L. Francisco,

**TOWN OF WEST GREENWICH  
TOWN COUNCIL**

---

**REGULAR MEETING**

**March 13, 2013**

Eden R. Francoeur, Haley E. Harrington, Morgan R. Hart, Amanda J. Houston, Kyleigh Maletesta, Samantha E. Moitoza, Lauren E. Murphy, Marisa S. Persechino, Dominique, T. Sepe, and Hannah Tefft.

The following items from the Consent Agenda were considered:

4. COPY OF LETTER TO: MR. MARK TOURGEE, TOWN COUNCIL PRESIDENT  
FROM: JAY MANNING, P.E. RHODE ISLAND DEM  
RE: PROJECT PRIORITY LIST REQUEST FOR PROJECTS STATE FISCAL YEAR 2014

Council Vice President Woloohojian questioned if a project to be considered would be the Mishnock area. Town Administrator Breene advised that the Town Planner was working on this.

8. COPY OF LETTER TO: KEVIN A. BREENE, TOWN ADMINISTRATOR  
FROM: WILLIAM P. ROBINSON III, JUSTICE  
RE: RHODE ISLAND SUPREME COURT HEARING APRIL 4, 2013

Council Vice President Woloohojian read the following invitation: The Rhode Island Supreme Court will convene at the Exeter- West Greenwich Senior High School on Thursday, April 4, 2013, from 9:30 a.m. to approximately 12:00 p.m. for oral argument concerning several cases pending before the Court.

Town Solicitor Ursillo advised that this hearing is open to the public, in order to see the Supreme Court in session.

Council Vice President Woloohojian requested this item be placed on the website.

12. COPY OF LETTER TO: KEVIN A. BREENE, TOWN ADMINISTRATOR  
FROM: RICHARD RAMSAY, POLICE CHIEF  
RE: POLICE RADIO SYSTEM

Council Vice President Woloohojian highlighted the Chief's recent acquisition of equipment for the Police Department.

Chief Ramsay explained that in conjunction with the EMA, he received \$30,000 dollars worth of radio equipment for the Police Department, at no cost to the Town.

**TOWN OF WEST GREENWICH  
TOWN COUNCIL**

---

**REGULAR MEETING**

**March 13, 2013**

9. COPY OF LETTER TO: ERIN LIESE, ACTING TOWN CLERK  
FROM: LINDA SHERMAN  
RE: DOG DOORS AND OWNERSHIP OF DOGS

Linda Sherman explained that she has worked with Chief Ramsay on the ownership of dogs and requested an ordinance be amended with regards to dog doors. She stated she was being disturbed in the middle of the night and has been contacting the Police Department for almost a year regarding this disturbance.

Council President Tourgee advised that an ordinance change would require the Town Solicitor to research the matter. Town Solicitor stated he is not familiar with this type of request and currently an ordinance on dog doors is not in place within the five communities he represents.

Chief Ramsay explained the issue and advised the steps in place to rectify the situation and the department will continue to monitor the situation.

Council Vice President Woloohojian moved to approve the Correspondence items 4, 8, 9 and 12 pulled for further consideration. Councilman Andrews seconded.

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

**E. OLD BUSINESS**

**1. DISCUSSION AND VOTE ON AWARDING BID FOR WEST GREENWICH PAVILION**

Council President Tourgee reviewed the progression and use of the proposed pavilion.

Town Administrator Breene discussed the work that was done by Robert Butler. He also stated the main beams and rafters would come from Big River in West Greenwich and they have been working with DEM and RIFCO. He reviewed the bidding process and stated one bid was received from Sigfrigson Wood Products in Brooklyn, CT. The following bid was received: To provide the labor and materials necessary to construct a 32' by 40' timber framed clear span pavilion (covered area will be 38' by 46' with the overhangs) on a customer supplied foundation. The gable ends would have a hip rood design, as discussed. All necessary galvanized structural hardware will be included and a lifetime architectural shingle rood will be applied. Labor and materials, including engineered construction drawings at a cost of \$54,762.63. Please note that site work and concrete are not included and native West Greenwich timber will be used where possible. Town Administrator Breene also advised that the number may be reduced by \$3,000.00 due to the labor and materials provided by the Town.

David Tacey, Building Official discussed the site visit that was done at Sigfridson. He also reviewed

**TOWN OF WEST GREENWICH  
TOWN COUNCIL**

---

**REGULAR MEETING**

**March 13, 2013**

projects that this company has recently done with other Municipalities and felt the work would be top quality.

Council President Tourgee reviewed the proposed pavilion and requested the image be placed on the website.

Town Administrator Breene explained the Open Space and Recreation Fund to be used to purchase the pavilion.

Discussion ensued on the use of the pavilion and location.

Councilman Mulcahey questioned the timeframe. Town Administrator Breene stated hopefully it will be complete for the Celebrate West Greenwich Day.

Councilman Andrews moved to approve the bid from Sigfridson Wood Products to be funded with Open Space Recreation funds. Councilman Coutcher seconded.

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

**F. NEW BUSINESS**

**2. DISCUSSION AND VOTE ON REAPPOINTMENT OF TREE WARDEN- TOM LEAVITT**

Council President Tourgee reviewed the Tree Warden requirements.

Councilman Mulcahey moved to reappoint Tom Leavitt as Tree Warden. Councilman Andrews seconded. VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey –aye

**3. DISCUSSION AND VOTE ON RENEWAL OF KENNEL LICENSES –  
JEWELSET KENNEL- 383 PLAIN MEETING HOUSE ROAD  
SHARICK COLLIES- 40 PLAIN MEETING HOUSE ROAD  
MARS KENNEL- 405 MISHNOCK ROAD**

Chief Ramsay stated he had no issues with the renewal.

Councilman Andrews questioned inspections of the kennels. Chief Ramsay advised he has no issues with granting the renewals.

Council Vice President Woloohojian moved to approve the renewal of kennel licenses for Jewelset Kennel, Sharick Collies, and Mars Kennel subject to compliance with all local and state ordinances and statues relative to kennel license and payment of taxes. Councilman Coutcher seconded.

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

**TOWN OF WEST GREENWICH  
TOWN COUNCIL**

---

**REGULAR MEETING**

March 13, 2013

**4. DISCUSSION AND VOTE ON HOLIDAY SALES LICENSES –  
COUNTRY GARDENS NURSERY – 320 VICTORY HIGHWAY  
ROCH’S FRESH FOOD – 865 VICTORY HIGHWAY  
EUREST DINING SERVICES – 40 TECHNOLOGY WAY**

It was noted that Eurest Dining Services was located at 40 Technology Way and they are under new management.

David Tacey, Building Official stated they were inspected.

Councilman Andrews moved to approve the holiday sales license for Country Gardens Nursery, Roch’s Fresh Food and Eurest Dining Services subject to compliance with all local and state ordinances and statues relative to holiday sales license and payment of taxes. Councilman Mulcahey seconded.

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

**5. DISCUSSION AND VOTE ON VICTUALING LICENSES –  
ROCH’S FRESH FOOD – 865 VICTORY HIGHWAY  
EUREST DINING SERVICES – 40 TECHNOLOGY WAY**

Councilman Andrews moved to approve the victualing license for Roch’s Fresh Food and Eurest Dining Services subject to compliance with all local and state ordinances and statues relative to victualing license and payment of taxes. Councilman Mulcahey seconded.

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

**6. DISCUSSION AND VOTE ON MUTUAL AID AGREEMENT AND RESOLUTION FOR  
RHODE ISLAND LAW ENFORCEMENT AGENCIES – WEST GREENWICH & EAST GREENWICH**

Chief Ramsay explained that this is the same agreement entered into previously with Coventry.

Council Vice President Woloohojian moved to authorize the Town Council President to enter into this agreement with East Greenwich. Councilman Mulcahey seconded

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

**7. DISCUSSION AND VOTE ON EAST GREENWICH RESOLUTION 2013-05 –  
TAXATION OF FARM, FOREST AND OPEN SPACE LAND**

Charlene Randall, Tax Assessor/Collector explained the cost of mailing a notice regarding Farm Forest and Open Space and the request of support from East Greenwich.

**TOWN OF WEST GREENWICH  
TOWN COUNCIL**

---

**REGULAR MEETING**

**March 13, 2013**

Councilman Mulcahey moved to support East Greenwich Resolution 2013-05 Taxation of Farm, Forest and Open Space Land. Council Vice President Woloohojian seconded.

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

**G. PUBLIC FORUM**

Town Solicitor advised the Council will reconvene in open session after Executive Session.

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.

**H. EXECUTIVE SESSION**

**1. PURSUANT TO RIGL 42-46-5, (A), 1  
PERSONNEL – KAREN BLACKWELL**

**2. PURSUANT TO RIGL 42-46-5, (A), 2  
LITIGATION RELATIVE TO: VICTORY WOODS VS. TOWN OF WEST GREENWICH**

Council Vice President Woloohojian moved to close the meeting and to go into Executive Session at 7:49 P.M. pursuant to RIGL Also pursuant to 42-46-5 (A) 1. Personnel- Karen Blackwell. Town Solicitor Michael Ursillo stated that Karen Blackwell was provided with the required notice and is present. Also pursuant to RIGL 42-46-5, (A), 2 for Litigation relative to Victory Woods and the Town of West Greenwich. Councilman Mulcahey seconded.

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

Council Vice president Woloohojian moved to come out of Executive Session and seal the minutes at 8:50 P.M. and reconvene in open session. Councilman Andrews seconded.

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

**8. DISCUSSION AND VOTE ON ADMINISTRATIVE PERSONNEL POLICY**

Councilman Andrews recused.

**TOWN OF WEST GREENWICH  
TOWN COUNCIL**

---

**REGULAR MEETING**

**March 13, 2013**

Charlene Randall Tax Assessor/Collector, David Tacey Building Official, Claude Wright Public Works Director, Danielle Andrews Town Treasurer, and Town Administrator Kevin Breene and members of the Council reviewed the proposed changes to the Administrative Personnel Policy.

Discussion ensued on job descriptions; vacation, sick and personal time and retirement.

Councilman Mulcahey moved to direct the Town Solicitor prepare the amendments for first reading at the April meeting. Council Vice President Woloohojian seconded.

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

Council Vice President Woloohojian moved to adjourn at 9:11 P.M. Councilman Andrews seconded.

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

**ERIN F. LIESE, CMC  
ACTING TOWN CLERK**