

**TOWN OF WEST GREENWICH  
TOWN COUNCIL**

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**REGULAR MEETING**

**May 8, 2013**

A regular meeting of the West Greenwich Town Council was held on May 8, 2013. Present were Mark Tourgee, Susan Woloohojian, Robert Andrews, 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 7:00 P.M.

**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**C. ANNOUNCEMENTS**

Council President Tourgee made the following announcements: There will be a EWG Plant Sale held on May 11<sup>th</sup> from 8 a.m. to 2 p.m. at the greenhouse behind school. The EWG Drama presents "Snoopy" May 9, 10 & 11<sup>th</sup>; for more information visit the town's website. The EWG Spring Art Show, Chorus & Guitar Concert will be held on May 15<sup>th</sup>. The art show will begin at 5:30 p.m. and music at 7 p.m. The EWG Debate Team will hold a community yard sale on May 18<sup>th</sup> from 7 a.m. to 3 p.m. Please contact the school for more information. The Memorial Day Parade will be held on May 27<sup>th</sup>, starting at 1:30 p.m.; followed by service at the town hall. May 31<sup>st</sup> 4th quarter taxes are due. The EWG Spring Band Concert will be held on June 2<sup>nd</sup> at 3 p.m. The Financial Town Meeting will be held on June 3<sup>rd</sup> at the High School Auditorium at 7 p.m.

**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 5, 8,9,10, and 11 be pulled for further consideration.

Councilman Mulcahey moved to approve the Consent Agenda with Correspondence item 5, 8, 9, 10, and 11 pulled for further consideration. Councilman Andrews seconded.

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

**I. MINUTES**

1. APPROVAL OF MINUTES OF MEETING OF APRIL 3, 2013
2. APPROVAL OF MINUTES OF MEETING OF APRIL 10, 2013
3. APPROVAL OF MINUTES OF MEETING OF APRIL 17, 2013

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4. APPROVAL OF MINUTES OF MEETING OF APRIL 23, 2013

**II. REPORTS**

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

1. TOWN CLERK REPORT – APRIL, 2013
2. PLANNING DEPT. MONTHLY REPORT – APRIL, 2013
3. TAX OFFICE MONTHLY REPORT – APRIL, 2013
4. BUILDING OFFICIAL’S MONTHLY REPORT – APRIL, 2013
5. TREASURER'S REPORT - APRIL, 2013
6. POLICE DEPT. REPORT – APRIL, 2013

**III. CORRESPONDENCE**

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

1. CONSERVATION COMMISSION - MINUTES OF APRIL 3, 2013 MEETING
2. FIRE BOARD OF ENGINEERS - MINUTES OF FEBRUARY 25, 2013 MEETING
3. FIRE BOARD OF ENGINEERS - MINUTES OF MARCH 18, 2013 MEETING
4. FIRE BOARD OF ENGINEERS - MINUTES OF APRIL 15, 2013 MEETING
6. LAND TRUST - MINUTES OF MARCH 12, 2013 MEETING
7. COPY OF LETTER TO: ERIN LIESE, ACTING TOWN CLERK  
FROM: MICHELLE R. HARDY, RI SCHOLARSHIP CHAIR  
APRIL 8, 2013  
RE: NEMCI & A SCHOLARSHIP
8. COPY OF LETTER TO: CHIEF RICHARD RAMSAY & TOWN ADMINISTRATOR BREENE  
FROM: JAMES H. ERINAKES, II, SUPERINTENDENT OF SCHOOLS  
APRIL 11, 2013  
RE: SCHOOL RESOURCE OFFICER

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- 12. COPY OF LETTER TO: KEVIN BREENE, TOWN ADMINISTRATOR  
FROM: DAVID TACEY, BUILDING OFFICIAL  
MAY 1, 2013  
RE: COMPLAINT OF LINDA SHERMAN
  
- 13. COPY OF LETTER TO: KEVIN BREENE, TOWN ADMINISTRATOR  
FROM: CHIEF RICHARD RAMSAY  
MAY 1, 2013  
RE: COMPLAINT OF LINDA SHERMAN
  
- 14. COPY OF: FINANCIAL STATEMENTS  
FROM: LAKE MISHNOCK VOLUNTEER FIRE COMPANY  
FY 2011/2012

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

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

<b>ACCT #</b>	<b>April</b>	<b>AMOUNT</b>	<b>CODE</b>
	<b>NAME</b>		
	<b><u>Abatements</u></b>		
11-0176-25	KOTUR SAISATHISH K (2012)	\$172.34	05
	<b><u>Additions</u></b>		
11-0176-25	KOTUR SAISATHISH K (2012)	\$159.33	05

**V. CHECK SUMMARY REPORT**

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

**E. UNFINISHED BUSINESS**

**F. NEW BUSINESS**

**1. PUBLIC HEARING**

**DISCUSSION AND VOTE ON AMENDMENTS TO ORDINANCE NO. 65 -  
ADMINISTRATIVE PERSONNEL POLICY**

Council President Tourgee requested this item be heard later in the meeting.

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**2. DISCUSSION AND VOTE ON REAPPOINTMENTS OF LAND TRUST-  
CYNTHIA WALSH & TERENCE GRAY**

Councilman Mulcahey moved to reappoint Cynthia Walsh and Terrence Gray to the Land Trust. Councilman Andrews seconded. VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Mulcahey – aye

**3. DISCUSSION AND VOTE ON REAPPOINTMENTS OF PLANNING BOARD-BRAD WARD**

Councilman Andrews moved to reappoint Brad Ward to the Planning Board. Councilman Mulcahey seconded. VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Mulcahey – aye

**4. DISCUSSION AND VOTE ON REAPPOINTMENTS OF ZONING BOARD-KENNETH JONES, GRACE ELLIS  
& CHARLOTTE JOLLS**

Town Administrator Breene stated he was unable to obtain confirmation that Grace Ellis wished to remain on the board and requested her appointment be continued to next month.

Council Vice President Woloohojian moved to reappoint Kenneth Jones and Charlotte Jolls to the Zoning Board and continue the appointment of Grace Ellis to next month. Councilman Andrews seconded. VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Mulcahey – aye

**5. DISCUSSION AND VOTE ON WEST GREENWICH RESOLUTION 2013-4- SUPPORTING REFERENDUM  
RELATING TO THE CODE OF ETHICS**

Beverly Clay and Frank DiGregorio reviewed points relating to the proposed Resolution on Code of Ethics.

Discussion ensued on what communities are in support of this and action in the General Assembly.

Councilman Mulcahey moved to support Resolution 2013-4 Relating to Code of Ethics. Councilman Andrews seconded. VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Mulcahey – aye

**RESOLUTION SUPPORTING OF  
A REFERENDUM  
RELATING TO THE CODE OF ETHICS**

**WHEREAS**, the State of Rhode Island has suffered from a long history of public corruption, and the people of Rhode Island, through their Constitution created the Ethics Commission to prevent and police further corruption and make their government more transparent and accountable to the people; and

**WHEREAS**, the Rhode Island Ethics Commission adopted a Code of Ethics covering financial conflicts of interest, use of confidential information, use of official position, contracts with government agencies, financial disclosure, and nepotism; and

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**WHEREAS**, the West Greenwich Town Council supports the Rhode Island Code of Ethics and the Rhode Island Ethics Commission; and

**WHEREAS**, all elected and appointed officials in the State of Rhode Island including those of the Town of West Greenwich are required to comply with the Rhode Island Code of Ethics; and

**WHEREAS**, the Rhode Island Supreme Court in *Irons v. The Rhode Island Ethics Commission* has declared that the Commission can no longer enforce the Code of Ethics for the “core legislative acts” of members of the General Assembly; and

**WHEREAS**, the Rhode Island Supreme Court declared that the jurisdiction of the Ethics Commission can be restored by a “sufficiently explicit constitutional amendment,” and the approval of the General Assembly is needed to put such an amendment before the voters; and

**WHEREAS**, joint resolutions S-0337 and H-5498 would put a constitutional amendment on the 2014 ballot allowing the voters of Rhode Island to restore the full jurisdiction of the Ethics Commission over the General Assembly as they intended in 1986; be it therefore

**RESOLVED**, that the West Greenwich Town Council expresses its support for placing a constitutional amendment before the voters and urges the Rhode Island Senate to pass joint resolution S-0337 and Rhode Island House to pass joint resolution H 5498, and cause a copy of this resolution to be mailed to Governor Lincoln D. Chafee, Senate President M. Teresa Paiva Weed, Speaker of the House Gordon Fox, Senators Leonidas Raptakis, Catherine Cool Rumsey, Nicholas D. Kettle and Representatives Lisa P. Tomasso and Antonio Giarrusso.

**6. DISCUSSION AND VOTE ON AWARDING BID FOR AUDIT SERVICES**

Council President Tourgee read the following memo from Town Treasurer Andrews; “ Given that the current firm of Nadeau Wadovick LLP has bid \$18,690 for each of the three fiscal years, with no increase over the current cost, and the current firm is already familiar with the procedures and operations of the Town, we recommend awarding the bid to the current firm, Nadeau Wadovick LLP. We would, however, recommend the award letter to again specifically state that the award will be subject to the annual review and recommendation of the Administrator and Treasurer, with the concurrence of the Town Council. We look forward to continuing our professional association with this firm”.

Town Administrator Breene stated that Nadeau Wadovick has been our auditor for eight years and commended them on their service to the Town. He also noted the item was placed out to bid and Nadeau Wadovick was the only firm to bid.

Councilman Andrews moved to award the bid for audit services to Nadeau Wadovick LLP. Councilman Mulcahey seconded. VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Mulcahey – aye

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**7. DISCUSSION AND VOTE ON RHODY ROVERS EVENT REQUESTS-  
ANNUAL BOB LEYDEN MEMORIAL ENDURO RALLY- JUNE 23, 2013  
ANNUAL TURKEY RUN RALLY- JULY 20<sup>TH</sup> AND JULY 21<sup>ST</sup>**

Council President Tourgee commented on the scholarship provided by Rhody Rovers.

Rich Seymour from Rhody Rovers commented on the events and the Rhody Rovers club.

Councilman Mulcahey moved to approve the Annual Bob Leyden Memorial Enduro Rally and the Annual Turkey Run Rally. Councilman Andrews seconded.

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

**8. DISCUSSION AND VOTE ON HOLIDAY LICENSES-  
TRAVEL CENTERS OF AMERICA, DBA TA OPERATING LLC- 849 VICTORY HIGHWAY**

John Pappas from Travel Centers of America explained their company, intentions, and purchase of the Truck Stop.

Town Administrator Breene commented on the positive working relationship with Travel Centers of America.

Pappas stated that they have offered current employee jobs and benefits and have hired an additional fifteen employees.

Council Vice President Woloohojian questioned the branding of the gas, hotel and the restaurant. Pappas stated the gas is currently not branded; they did not purchase the hotel; and the restaurant will be called Country Pride.

Council Vice President Woloohojian moved to approve the Holiday Sales License for Travel Centers of America, DBA TA Operating LLC subject to compliance with all local and state ordinances and statues relative to holiday sales license and payment of taxes. Councilman Andrews seconded.

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

**JOSH VERROS, DBA INFLATABLE ADVENTURES- 500 PLAIN ROAD**

It was clarified that Inflatable Adventures would not have the public on the premises.

Council Vice President Woloohojian moved to approve the Holiday Sales License for Josh Verros, DBA Inflatable Adventures subject to compliance with all local and state ordinances and statues relative to holiday sales license and payment of taxes. Councilman Andrews seconded.

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

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**9. DISCUSSION AND VOTE ON VICTUALING LICENSES-  
TRAVEL CENTERS OF AMERICA, DBA TA OPERATING LLC- 849 VICTORY HIGHWAY**

Discussion ensued on operating time for Victualing Licenses. Town Solicitor Ursillo clarified they would need a Public Hearing for a 24hr. Victualing License.

Councilman Mulcahey moved to approve the Victualing License for Travel Centers of America, DBA TA Operating LLC subject to compliance with all local and state ordinances and statues relative to victualing license and payment of taxes. Councilman Andrews seconded.

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

**DANIEL DREW, DBA DAN-LIN SALES- ROUTE 3**

Discussion ensued on the location.

Councilman Mulcahey moved to continue the Victualing License for Daniel Drew, DBA Dan- Lin Sales to the June meeting. Councilman Andrews seconded.

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

**10. DISCUSSION AND VOTE ON HAWKERS/PEDDLERS LICENSE-  
DANIEL DREW, DBA DAN- LIN SALES- ROUTE 3**

Discussion ensued on differences between a Hawker and Peddler.

Councilman Mulcahey moved to continue the Hawkers/Peddlers License for Daniel Drew, DBA Dan- Lin Sales to the June Meeting. Councilman Andrews seconded.

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

Sandra Bockes commented on the hot dog stand located in Exeter and stated concern with traveling.

**1. PUBLIC HEARING**

**DISCUSSION AND VOTE ON AMENDMENTS TO ORDINANCE NO. 65 -  
ADMINISTRATIVE PERSONNEL POLICY**

Council Vice President Woloohojian advised on the changes since the last meeting regarding personal time.

Town Solicitor Ursillo reviewed the changes made from the last meeting.

Town Administrator Breene questioned the time of a new hire within the first year of employment.

Discussion ensued on time in the first year. It was determined it would be one personal day, two sick and three vacation days.

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Councilman Mulcahey questioned the accumulation of sick days. Town Administrator Breene explained the accumulation was similar to the other union employees.

Council Vice President Woloohojian moved to adopt the Ordinance No. 65- Administrative Personal Policy as amended, with an effective date of July 1, 2013. Councilman Andrews seconded.

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

**THE TOWN OF WEST GREENWICH  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
ORDINANCE #65  
ADMINISTRATIVE PERSONNEL POLICY  
ADOPTED: FEBRUARY 14, 1996  
AS AMENDED: MAY 12, 1999; FEBRUARY 9, 2000; APRIL 12, 2000;  
MAY 10, 2000; MAY 8, 2013**

IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEST GREENWICH, RHODE ISLAND, AS FOLLOWS:

**I. EMPLOYEE CLASSIFICATION:**

The Town of West Greenwich recognizes five (5) Personnel Classifications as follows:

- A. ELECTED OFFICIALS: Council Members, Moderator, Town Clerk, Town Sergeant, and Human Services Director.
- B. APPOINTED OFFICIALS: Tax Collector, Town Solicitor, Town Planner, Town Treasurer, Town Administrator, Tax Assessor, Board of Canvassers, Sealer of Weights and Measures, Animal Control Officer, Public Works Director, Building and Zoning Inspector, Police Chief, Probate Judge, other Board Members.
- C. EMPLOYEES: As designated by the Town Council but excluding anyone covered by a Collective Bargaining Agreement with the Town.
- D. PART-TIME EMPLOYEES: Employees who work less than 25 hours per week.
- E. TEMPORARY EMPLOYEES: Anyone hired for a particular job for a specific lengths of time and not either full or part-time. Temporary employees are not entitled to benefits or holidays.

**I. EMPLOYEE JOB DESCRIPTIONS.**

The Town Administrator shall establish written job descriptions and salary schedules for each employee.

**III. PRE-EMPLOYMENT PHYSICAL:**

All new hires may be required to have a pre-employment physical.  
Reasonable cost of such physical will be paid for by the Town.

**IV. PROBATION:**

All new employees shall be placed on a six month probationary period. At the end of this period and at least once during this period, each employee shall be reviewed by his/her Department Head or Supervisor and a report from that person presented to the Town Council. The interim report(s) shall be discussed with the employee. A letter

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of recommendation and a copy of the employee's six month review will be provided to the Council at the end of the probationary period. The Council shall act as to establish permanent employment should the employee's performance so warrant.

**V. EMPLOYEE BENEFITS:**

All employee benefits computed based on Town's Fiscal Year.

**VI. OFFICE HOURS:**

The following hours are hereby established by the Town Council:

A. Town Hall Administrative Offices & Annex:

8:30 A.M. - 4:00 P.M. -- Monday thru Friday - Holidays excepted.

Tax Assessor's Office  
Tax Collector's Office  
Town Clerk's Office  
Planning Department  
Town Administrator

Annex: 8:30 A.M. – 3:30 P.M.

Building Inspector's Office  
Finance Department

B. Public Works:

7:30 A.M. - 3:30 P.M. -- Monday thru Friday - Holidays excepted.

Lunch hours will be thirty (30) minutes paid. Lunch hours shall be established by the appropriate supervisor. Breaks shall be established by the appropriate supervisors.

NOTE: These hours reflect the time offices will be open to the public; they do not necessarily coincide with the presence or absence of any particular official or employee.

**VII. HEALTH INSURANCE:**

All employees in a full-time status, as defined by the Council and all officials who maintain a full-time work schedule, as defined by the Council, shall be enrolled in Health/Dental Plan of record on an individual or family plan, as appropriate.

All persons hired after the adoption of this policy shall be entitled to individual health insurance coverage and will be required to pay 15% of the cost of the health care premium paid by the Town. Those hired after July 1, 2013 shall contribute twenty percent (20%) of the cost of the health care premium paid by the Town. The Town will pay the full cost of Delta Dental coverage.

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Should an employee elect to waive the medical coverage they will receive ~~\$1,000~~ fifty percent (50%) of the Town's cost of the annual premium of an individual plan. This will be effective July 1, 2013. To be eligible for stipend, the employee must be employed for the full fiscal year. Payment is to be made by the last pay period of the fiscal year.

Any retired employee or spouse of a retired employee receiving health benefits from the Town shall have the option to purchase at the sole expense of the retired employee or spouse the health coverage in effect at the time of retirement provided that said option is exercised within 30 days subsequent to the effective date of retirement, that medical coverage is not provided by any other employer of the retiree or the retiree's spouse at the time of retirement, and provided further that said coverage shall terminate upon the earlier of the employee or the employee's spouse becoming eligible for Medicare or ten years from the date of retirement. For purposes of this section, a retired employee shall be defined as an employee who has terminated employment and has (1) accumulated at least 15 years of service with the Town or (2) reached the age of 58 and has accumulated 10 years of service with the Town.

**Life Insurance**

**The town shall provide a life insurance policy in the amount of \$10,000 for each employee.**

**VIII. ABSENCES/VACATION:**

A. REGULAR VACATION (Upon approval of Department Head and/or Town Council).

1. The Town Council will be informed of any significant absence from the Town by any Department Head.
2. Employees shall be entitled to the following vacations based on the Fiscal Year.
  - a. First six (6) months - No vacation
  - b. After 6 months - See attached chart on page 12

Part-time employees shall be entitled to vacation time equal to their normal scheduled work week.

3. Vacation time may be taken in single days with approval of Department Head. No more than two (2) consecutive weeks off can be taken at one time.
4. Vacation days are to be scheduled using fiscal year. There may be a carry over of ten (10) vacation days into the next fiscal year; otherwise, vacation days are non-cumulative.
5. Whenever the appointment or employment of any persons is terminated by layoff of six or more months, resignation or in the case of his/her death he/her beneficiary, shall be entitled at the termination of his/her appointment or employment, 100% of the value of accrued vacation time.

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6. All vacation will be coordinated through the appropriate Department Head or Supervisor.
7. All Department Heads of the Town of West Greenwich will notify the Town Administrator of their vacations, and no such vacation will begin until the Town Administrator is so notified.
8. Order of preference for vacation days is Department Heads followed by seniority of other employees. It is at the discretion of the Department Head as to whether more than one employee may take vacation at the same time.

**B. HOLIDAYS:**

1. The following days will be considered paid holidays by the Town of West Greenwich.

New Year's Day	January 1
Martin Luther King Day	As decreed
President's Day	As decreed
Memorial Day	As decreed
Independence Day	July 4
V J Day	As decreed
Columbus Day	As decreed
Labor Day	As decreed
Veteran's Day	November 11
Thanksgiving Day	4th Thursday in November
Thanksgiving Friday	Day after Thanksgiving
Christmas Day	December 25

2. Christmas Eve Day will be considered a half day with offices closing at 12:00 p.m. Christmas Eve Day is considered to be December 24th and if December 24th falls on a Saturday or Sunday no such half day will be observed.
3. Employees other than Public Works Department working on a holiday or Sunday will be compensated at time and one-half. Public Works Department employees working on a holiday or Sunday will be compensated at double time.
4. Holidays that fall on a Sunday shall be celebrated on Monday and holidays that fall on a Saturday will be celebrated on Friday.

**C. JURY DUTY**

Employees called to jury duty shall receive full salary reduced by remuneration for the jury duty upon submission of a pay voucher or check from the State of Rhode Island.

**D. BEREAVEMENT LEAVE:**

Three (3) consecutive days funeral leave with pay shall be granted to employees upon the death of anyone of the immediate family or anyone residing in the same household with the employee and related to the employee. Immediate family shall mean father, mother, sister, brother, wife, husband, children (by

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blood or adoption), grandparents, grandchildren, mother-in-law or father-in-law. Funeral leaves of one (1) day with pay shall be granted on the death of aunt, uncle, niece, nephew, or other in-laws. Where unusual conditions exist, such period may be extended at the discretion of the appropriate Supervisor.

**E. SICK LEAVE:**

1. Sick leave with pay will be granted as hereinafter set forth to all officials and full-time employees upon completion of the probationary period, based on the fiscal year.
  - a. See attached chart on page 12
  - b. Sick leave is cumulative up to one hundred (100) days.
  - c. Whenever an employee has terminated employment by retirement, layoff for six or more months, resignation, or in the case of death the employees beneficiary, shall be entitled at the time of termination of employment payment of an amount equal to sixty-five percent (65%) of the prevailing daily rate of pay.
2. Persistent use of Monday or Friday as normal sick days may lead to suspension and/or dismissal upon recommendation of the Department Head and/or Council.
3. Sick days are to be used only for illness. In the event of prolonged illness, sick leave may be extended at the discretion of the appropriate Supervisor with the approval of the Town Council.
4. Any employee utilizing more than 3 consecutive sick days must present a note from a doctor.
5. Compensation from outside sources such as Temporary Disability Insurance must be reimbursed to the Town of West Greenwich up to the amount of wages paid while the employee is be paid wages by the of West Greenwich, which pay shall not exceed six (6) weeks.

**F. LEAVE WITHOUT PAY:**

The Town Administrator, with Council concurrence, may grant leave without pay for extenuating circumstances – not to exceed six months. An employee's seniority shall continue to accumulate during all authorized leave. However, sick and vacation time shall not accrue during the leave period. Job guaranteed upon return.

**G. PARENTAL & FAMILY LEAVE:**

Six weeks of pay after birth. If there are complications after birth, the doctor may recommend additional time. If this is the case, a doctor's note will be required and accrued sick days may be used.

Parental leave will commence with the birth of a newborn child. It will extend for six weeks.

**H. PERSONAL LEAVE:**

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Administrative employees who have completed 2 years of service shall be allowed three (3) days of absence each year for personal business which can not be conducted at any other time. Such leave will not be allowed on the day preceding or the day following a holiday or vacation period. Exceptions to this provision may be granted by the Town Administrator. Said days may not be accumulated. Said absences shall not be charged to sick leave. Reasons given for such leave shall be held, if requested in strict confidence by the Town Administrator. Whenever practicable, written request for such leave shall be given to the Town Administrator.

**IX. ON-THE-JOB-INJURIES:**

Appointees and employees will immediately (before the close work day) report to their Department Heads or Supervisors any injury or accident suffered by them in connection with their work. Report of the incident will be forwarded to the Town Administrator and to the person designated to file such report with the State Department of Labor and the insurance carrier for the Town. The injured person should be checked by a physician or treated at an emergency room.

**X. PERSONNEL LOG:**

The Town Treasurer or Deputy Treasurer will maintain a Personnel Log documenting all vacation, funeral and illness days for all Town employees. It will be the responsibility of each Department Head to provide a weekly report to the Town Treasurer noting all days out for their reports. A signed time card approved by Department Head will be submitted to Treasurer for each completed work week.

**XI. GRIEVANCE PROCEDURES:**

- A. Any appointee or employee aggrieved by an action of his/her Department Head or Supervisor taken pursuant to the procedures of this ordinance may seek redress by the following procedure:
1. Within five (5) days following such action, the employee will, in writing, submit his/her grievance to the Town Administrator who will afford the individual a private appointment to discuss the grievance within three (3) days or receipt of notification. Grievances settled at the department level need not be brought to the Council's attention.
  2. Failing resolution at the department level, an individual may, in writing, submit his/her grievance to the Clerk of the Council within five (5) days of his/her department level appointment. The Council will respond to the individual through the Department Head or Supervisor within twenty-one (21) days. The Council may, at the employee's option, hear the grievance publicly or in closed (executive) session.

**XII. PERFORMANCE PROBLEMS, COUNSELING AND DISCIPLINE:**

Policy:

Performance problems may occur in any job situation. Some problems are serious enough to require specific attention. This attention may occur in the following ways.

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1. Performance counseling to direct the employee's attention to the problem and develop a solution to the problem.
2. Disciplinary action may be imposed on an employee if performance counseling is not effective.

Procedure:

A. PERFORMANCE COUNSELING:

A performance problem results when an employee's actual performance or behavior differs from that which is expected by the employee's job description and/or the individual's Supervisor.

The employee will be advised as to what is to be expected given a timetable for the performance of the job duties. At such time that a problem appears, the Supervisor will counsel the employee. This will be accomplished in a supportive, positive, non-threatening manner. Careful documentation will be kept in writing in the Supervisor's file for future reference.

B. DISCIPLINARY ACTION - FORMAL PROBATION PERIOD:

Disciplinary action may be taken after performance counseling has been given on at least one occasion. Prior to formal disciplinary action, the following steps must be taken:

1. The employee has been counseled by identifying the problem and given a timetable in which to show improvement.
2. The employee has received written feedback.
3. The consequences of good and bad performance have been discussed with the employee.

When a determination has been made that informal counseling with the employee has not corrected the deficiencies in performance the Department Head/Town Council will prepare to place the individual on a probationary period.

The appropriate probationary period will take into account the nature of the problem and assessment of the period of time needed to evaluate complete elimination of the performance problem.

C. PROBATIONARY INTERVIEW:

The reasons for the past and continued poor performance will be summarized.

1. Document the period of time over which unsatisfactory performance has been noted.
2. Describe specific examples of the unacceptable performance.
3. Describe the action plan that the persons' superior has taken to help the employee correct the problem.

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An interview will be held providing the employee with an in-depth comprehensive program for improvement within the probation period. The employee should understand that failure to demonstrate immediate and sustained improvement may result in termination of employment at any time during the probationary period.

The employee's progress will be closely monitored during the probationary period. All improvement or deterioration in performance will be discussed with the employee.

**D. SUSPENSION:**

The appropriate Supervisor, in concurrence with the Town Administrator, may suspend an employee without pay for any of the following reasons:

1. Insubordination
2. Substance abuse on the job.
3. Failure to perform duties when requested by the property authority.
4. Failure to perform duties as assigned.
5. \*Habitual use of abusive language.
6. \*Habitual absence from an assigned duty section.
7. \*Habitual tardiness or absenteeism.
8. Conviction of a crime constituting a felony.
9. Sexual harassment
10. Any other indiscretion as defined by the Town Council

\*Habitual is defined as two or more occasions.

During suspension, an employee shall not accrue vacation or sick time but shall be entitled to seniority.

**E. TERMINATION OF EMPLOYMENT:**

Termination of employment by the Town Administrator during or after the original probationary period may be elected if it is decided that the employee has not further ability or desire to improve and performance remains below standard. This decision may be appealed at a hearing held by the town council during which the employee will be afforded the right to present his or her case against termination.

**F. SATISFACTORY IMPROVEMENT:**

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If the employee achieves satisfactory improvement at any stage in the disciplinary counseling process, the employee should be so advised and process should be halted.

**XIII. COUNCIL REVIEW PROCEDURES:**

As in any personnel policy, all areas cannot be covered. There are situation that generate extraordinary circumstances. In the event that a situation occurs that is not covered in this policy or a situation warrants special consideration, exceptions may be granted on a case-by-case basis. In these special situations, the Department Head will forward a memorandum to the Town Council outlining the specifics of the situation and their recommended course of action. The Council will review and it will be the decision of the Council to approve or deny the special exception request.

**XIV. SALARY STEP PROCEDURES:**

All new employees will commence employment at step 1 of the pay grade scale. Step 1 will be 80% of full salary for that job position. Step 2 will be 87 % of full salary and will commence at such time as employee has been in position for six months. Step 3 will be 94% of full salary and will commence at completion of twelve months of employment. Full salary will be applicable at the end of two years service.

The step system will only be applicable to appointed personnel and employees with two years or less service with the Town of West Greenwich. Pay step increases may be adjusted at the discretion of the Town Administrator and with the concurrence of the Town Council. Normally scheduled step increases do not require Council approval.

**XV. LONGEVITY PAY**

Employees shall receive longevity pay, so called, which shall be computed on the basis of the employee's base pay and shall be payable to the employee in a lump sum on or before June 30th of each year. Years of service is based on number of years as attained as of June 1st. Said longevity pay shall be considered part of the employee's base salary and shall be computed in accordance with the following schedule:

<u>Years of Service</u>	<u>Percentage of Salary</u>
0 - 5 years	0%
5-10 years	2%
10-15 years	3%
15-20 years	4%
over 20 years	5%

Employees hired after July 1, 2013 shall not be entitled to longevity pay.

**XVI. RETIREMENT**

Employees of the Town shall be covered under the State of Rhode Island Municipal Employees Retirement System.

The Town Council reserves the right to negotiate individual severance packages.

**Vacation / Sick / Personal Day – Chart**

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<u>Years</u>	<u>Vacation</u>	<u>Sick</u>	<u>Personal</u>	<u>TOTALS</u>
first 6 months	0	0	1	1
6 mos - 1 year	3	2	1	6
2nd	10	14	3	27
3rd	10	14	3	27
4th	12	14	3	29
5th	13	14	3	30
6th	14	14	3	31
7th	15	14	3	32
8th	16	14	3	33
9th	17	14	3	34
10th	18	14	3	35
11th	19	14	3	36
12th	20	14	3	37
13th	20	14	3	37
14th	20	14	3	37
15th	20	14	3	37
16th	20	14	3	37
17th	20	14	3	37
18th	20	14	3	37
19th	20	14	3	37
20th	20	14	3	37
21st	25	14	3	42

**XVII. PART-TIME EMPLOYEES:**

Part-time employees shall be defined as those who work twenty-five (25) or fewer hours per week. Part-time employees shall not be entitled to employee benefits.

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The following items from the Consent Agenda were considered:

5. LAND TRUST - MINUTES OF FEBRUARY 12, 2013 MEETING

Council Vice President Woloohojian recused.

Councilman Mulcahey moved to approve Correspondence 5 pulled for further consideration. Councilman Andrews seconded. VOTED: Tourgee - aye, Woloohojian - abstain, Andrews - aye, Mulcahey –aye

8. COPY OF LETTER TO: CHIEF RICHARD RAMSAY & TOWN ADMINISTRATOR BREENE  
FROM: JAMES H. ERINAKES, II, SUPERINTENDENT OF SCHOOLS  
APRIL 11, 2013  
RE: SCHOOL RESOURCE OFFICER

Council Vice President Woloohojian read the following letter from Superintendent Erinakes; “At the School Committee meeting on April 9, 2013, a vote was taken to enter into a three year agreement with the West Greenwich Police Department and the Town of West Greenwich for a School Resource Officer, provided that if there are opportunities for attrition that the West Greenwich Police Department would contact the school district first”.

Chief Ramsay explained the SRO duties and the ability of the officer within the jurisdiction of the Town of Exeter. He also reported that Officer Meehan had completed the Police Academy.

9. COPY OF LETTER TO: KEVIN BREENE, TOWN ADMINISTRATOR  
FROM: SANJAY PANDE, EWGGSJL PRESIDENT  
APRIL 12, 2013  
RE: THANK YOU FOR PUBLIC WORKS DEPARTMENT IMPROVEMENT

Council President Tourgee read the following letter from Sanjay Pande; “Please accept this letter as thanks to the Town of West Greenwich and the Public Works Department for its recent generous support of the EWG Girls Softball League. What might have seemed like an easy job for Claude and his crew was a tremendous safety improvement for our facility. I know the many schools, parents, spectator and players who use the facility will appreciate the work that was done”.

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10. COPY OF LETTER TO: ERIN LIESE, ACTING TOWN CLERK  
FROM: WEST GREENWICH PARADE COMMITTEE  
APRIL 13, 2013  
RE: MEMORIAL DAY PARADE

Council President Tourgee read the following invitation from the Parade Committee; “ The Memorial Day Parade is upcoming highlight of the town and request your participation on Monday, May 27<sup>th</sup> with line up starting at 1:00 P.M.”.

11. COPY OF LETTER TO: ERIN LIESE, ACTING TOWN CLERK  
FROM: SHAWN CULLINANE, IIMC REGION I DIRECTOR  
APRIL 19, 2013  
RE: CERTIFIED MUNICIPAL CLERK

Council President Tourgee read the following letter from Shawn Cullinane; “ Dear Ms. Liese, I was very pleased to recently learn that you earned your Certified Municipal Clerk designation from the International Institute Municipal Clerks this past year. I know of the time, effort and personnel sacrifice you gave to achieve this goal. It is a great accomplishment and one that you should be rightfully proud of. Congratulations! Let me know if you have any questioned regarding IIMC, in particular about continuing your educational training in pursuit of becoming a Master Municipal Clerk”.

Council Vice President Woloohojian moved to approve Correspondence items 8, 9, 10, and 11. Councilman Andrews seconded. VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Mulcahey –aye

**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.**

**H. EXECUTIVE SESSION**

Council Vice President Woloohojian moved to close the meeting and to go into Executive Session at 8:00 P.M. pursuant to RIGL 42-46-5, A2 for Litigation relative to SWAP INC. VS Town of West Greenwich Planning Board SHAB 2013-01. Councilman Mulcahey seconded.  
VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Mulcahey –aye

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**PURSUANT TO RIGL 42-46-5, (A), 2  
LITIGATION – SWAP INC. VS Town of West Greenwich Planning Board SHAB 2013 -01.**

Council Vice President Woloohojian moved to come out of Executive Session and seal the minutes at 8:21 P.M. Councilman Andrews seconded.

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

Council Vice President Woloohojian moved to adjourn at 8:22 P.M. Councilman Andrews seconded.

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

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