

TOWN OF WEST GREENWICH
TOWN COUNCIL

REGULAR MEETING
AUGUST 10, 2016

A regular meeting of the West Greenwich Town Council was held on August 10, 2016. Present were Linda Rekas Sloan, Robert Andrews, Mark Boyer and Thomas Mulcahey. Also present Town Administrator Kevin Breene and Town Solicitor Michael Ursillo.

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

Council Vice President Rekas Sloan called the meeting to order at 7:00 P.M.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ANNOUNCEMENTS

Council Vice President Rekas Sloan read the following announcements: In July the library held its second annual touch a truck event. Equipment from the rescue and fire companies and the police and highway departments were on hand for children to climb up into and explore. Last year about 25 people attended. This year there was over 80 in attendance. The state of Rhode Island has once again received funds from the US Treasury to help with the foreclosure crisis. The Hardest Hit Fund is being administrated through RI Housing. The homepage on the town's website has additional information to assist property owners with documented financial issues. Celebrate West Greenwich Day and the Town's 275th Anniversary Celebration will be held on Friday, September 23rd and 24th. The committee is looking for volunteers to help with set up, clean up, parking, etc. Please contact Charlene Randall at 392-3800 x. 104 if you're interested in helping. Friday, September 23rd begins our celebration starting at 5 P.M. with an antique car show and the Mishnock Barn Line Dancers here at the pavilion. Fireworks begin at 8 P.M. at the soccer field. Saturday the festivities continue from noon until 5 pm with music, vendors, demonstrations, the National Guard rock wall, horse drawn carriage rides, animals, and much, much more. It's a great, fun family day. Starting September 9th the community center behind the library will be open every Friday from 10 to 12 for our seniors. A list of activities can be found on the town's website. We will be hosting an Eco Depo on Saturday, August 27th for house hold hazardous waste. Visit the planning website or contact Town Planner Paquet for more information.

Councilman Mulcahey moved to approve the Consent Agenda.

Councilman Andrews seconded.

VOTED: Rekas Sloan - aye, Andrews - aye, Boyer- aye, Mulcahey - aye

I. MINUTES

1. APPROVAL OF MINUTES OF MEETING OF JULY 13, 2016
2. APPROVAL OF MINUTES OF EXECUTIVE SESSION- JULY 13, 2016 (SEALED)

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II. REPORTS

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

1. BUILDING OFFICIAL REPORT – JULY, 2016
2. POLICE DEPT. REPORT - JULY, 2016
3. TAX OFFICE MONTHLY REPORT - JULY, 2016
4. TOWN CLERK REPORT - JULY, 2016
5. PLANNER’S OFFICE MONTHLY REPORT- JULY, 2016

III. CORRESPONDENCE

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

1. CONSERVATION COMMISSION – MINUTES OF MEETING OF JULY 7, 2016
2. COPY OF LETTER TO: KEVIN A. BREENE, TOWN ADMINISTRATOR
FROM: CHRISTOPHER M MCGRATH, ASST. SNS COORDINATOR CEPR
JUNE 23, 2016
RE: 2016-2017 MEDS CONTRACTS
3. COPY OF EMAIL TO: KEVIN A. BREENE, TOWN ADMINISTRATOR
FROM: SENATOR ELAINE MORGAN
JULY 21, 2016
RE: RI CONSERVATION GRANT AID

IV. ADDITIONS, ABATEMENTS, REBATES & UNCOLLECTABLE

1. REQUEST OF TAX ASSESSOR/TAX COLLECTOR FOR SPECIFIC UNCOLLECTABLE
AND VOTE REGARDING SAME –JULY, 2016

AUGUST

<u>ACCT #</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>CODE</u>
<u>ABATEMENTS</u>			
01-0136-63	ANDELLA, KEVIN & SHANEY	338.50	04
01-0250-00	ANDRIOTE, MARGARET E (ESTATE) & JUANE J	2130.01	35
02-0040-06	BARBOUR, HEATHER L	9.70	07
02-0195-05	BOCKES, SANDRA S	11.96	10

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02-0332-31	BROCHU, TONY	236.95	17
03-0130-54	CARPENTER, COREY E	474.05	06
03-0257-11	COLE, MATTHEW	203.10	17
03-0391-50	CULLEN, JOELLE E	162.15	06
03-0394-21	CURCI, CHARLES F	5667.70	35
05-0065-75	ERNO, BETHANY A	270.56	06
06-0172-27	FREDERICKS, DONNA J	150.98	04
06-0172-28	FREDERICKS, JOHN W	200.09	04
07-0034-72	GAUVIN, NANCY E	282.85	04
07-0052-67	GIAMMARINO, JAMES	203.10	17
07-0153-80	GROSS, WILLIAM	566.50	05
08-0231-52	HOUSTON, LIANNE M	244.39	06
08-0275-69	HUNT, ARTHUR	236.95	17
11-0175-14	KOSZELA, JOHN	1547.54	26
11-0175-20	KOSZELA, JOHN	1542.72	26
11-0175-23	KOSZELA, JOHN	1557.18	26
11-0175-26	KOSZELA, JOHN	1534.69	26
12-0086-10	LAROCHE, FERNANDE M	36.54	04
12-0108-50	LEAVITT, MARY (ESTATE)	145.60	09
12-0113-50	LEAVITT, THOMAS E	383.39	09
12-0000-66	LIEBERMAN-SACK, LISA F	449.82	04
12-0289-08	LONNGREN, IAN K	59.19	06
13-0280-00	MCWILLIAMS, GERALDINE F	512.58	35
13-0493-17	MUDDASANI, KAUSHIK R (2016 TAX ROLL)	145.31	06
13-0493-17	MUDDASANI, KAUSHIK R (2015 TAX ROLL)	272.31	06
16-0111-04	PELISSEY, JUSTIN P	500.70	10
16-0182-00	PHILLIPS, ERNEST G JR	1033.78	03
18-0095-92	RATHBUN, RICHARD A JR	2341.40	22
18-0195-92	RICHARDS, RUSSELL (2016 TAX ROLL)	338.50	06
18-0195-92	RICHARDS, RUSSELL (2015 TAX ROLL)	102.36	06
18-0195-92	RICHARDS, RUSSELL (2014 TAX ROLL)	102.36	06
18-0195-92	RICHARDS, RUSSELL (2013 TAX ROLL)	51.18	06
18-0232-76	RICON CONSTRUCTION LLC	1478.47	10
19-0249-08	SQUEO, NICHOLAS S	108.66	03
19-0258-88	STEINER, MICHELLE E	85.86	05
22-0031-90	VICKERS, SCOTT	338.50	17
23-0165-75	WITTMAN BATTENFELD INC	28.24	02
23-0178-00	WRIGHT, JANICE C	338.08	05

ADDITIONS

01-0250-00	ANDRIOTE, MARGARET E (ESTATE) & JUANE J	3515.96	35
02-0093-78	BARTELS, ROBERT A & PATRICIA A	2445.39	39

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02-0104-00	BASSETT, NORMA JEAN	2894.23	39
02-0195-05	BOCKES, SANDRA S	5.52	10
03-0130-54	CARPENTER, COREY E	206.88	06
03-0165-70	CHAGNON, JEAN M	3079.96	39
03-0391-50	CULLEN, JOELLE E	111.95	06
03-0394-21	CURCI, CHARLES F	5668.58	35
06-0086-01	FITZPATRICK, JUNE T	3497.83	39
07-0153-80	GROSS, WILLIAM	541.41	05
08-0073-49	HARRINGTON, JOHN J	3544.27	39
08-0231-52	HOUSTON, LIANNE M	164.52	06
08-0262-11	HP FINANCIAL SERVICES	5177.70	11
11-0176-93	KOVAL, SHEREE	2249.45	39
12-0108-50	LEAVITT, MARY (ESTATE)	114.20	09
12-0113-50	LEAVITT, THOMAS E	414.79	09
12-0233-62	LYTLE, JOHN P JR & PATRICIA A	2398.96	39
13-0280-00	MCWILLIAMS, GERALDINE F	2879.87	35
16-0017-33	PALOMBO, VIRGINIA A	3110.91	39
16-0111-04	PELISSEY, JUSTIN P	759.28	10
16-0182-00	PHILLIPS, ERNEST G JR	752.25	03
18-0080-10	RATHBUN, LARRY GENE	501.37	10
18-0095-92	RATHBUN, RICHARD A JR	642.45	22
18-0232-76	RICON CONSTRUCTION LLC	2077.60	10
19-0024-96	SAMSON, CORY B	397.99	10
19-0217-79	SOSCIA CONSTRUCTION LTD	1547.54	26
19-0217-80	SOSCIA CONSTRUCTION LTD	1542.72	26
19-0217-77	SOSCIA CONSTRUCTION LTD	1557.18	26
19-0217-78	SOSCIA CONSTRUCTION LTD	1534.69	26
19-0249-08	SQUEO, NICHOLAS S	12.65	03
19-0258-88	STEINER, MICHELLE E	41.86	05
23-0178-00	WRIGHT, JANICE C	249.34	05

V. CHECK SUMMARY REPORT

1. RECEIPT OF CHECK SUMMARY REPORT FOR
MONTH OF JULY, 2016
FROM TOWN TREASURER

E. UNFINISHED BUSINESS

1. **DISCUSSION AND VOTE ON REGIONAL SCHOOL DISTRICT TRANSPORTATION FUNDING**

Town Administrator Breene advised on the meeting held with Superintendent Erinakes.

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Discussion ensued on how the credit will be distributed.

Councilman Mulcahey suggested deducting the credit from the quarterly payment to the school.

Town Administrator Breene suggested the legal counsel from the school speak to Town Solicitor Ursillo on how to proceed.

Councilman Mulcahey moved to continue Discussion and Vote on Regional School District Funding to the September Council meeting. Councilman Andrews seconded.

VOTED: Rekas Sloan - aye, Andrews - aye, Boyer- aye, Mulcahey - aye

F. NEW BUSINESS

**1. PUBLIC HEARING
DISCUSSION AND VOTE ON AN ORDINANCE IN AMENDMENT TO THE ZONING CODE
REGARDING FARM ACCESSORY USES**

Council Vice President Rekas Sloan opened the Public Hearing on the Ordinance in Amendment to the Zoning Code Regarding Farm Accessory Uses.

Town Solicitor Ursillo explained the changes to the Ordinance regarding farm accessory uses. He further explained this was recommended by the Planning Board; however they wished to strike weddings as a allowed use.

Town Administrator Breene explained residents can have weddings for their own family, however commercial wedding venues would not be allowed.

Town Administrator Breene stated he is a farmer, however this change was not for his benefit, it was to allow for Leyden's to have their Zombie Paint ball by Special Use Permit.

Town Solicitor Ursillo clarified what activities would require a Special Use Permit.

Councilman Andrews questioned if Leyden's could apply for an Entertainment Event permit.

Town Administrator Breene stated the Event permit would be for one day and this would be several days.

Further discussion ensued on application by Special Use permit through the Zoning Board.

No public comment was made on the amendment.

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Councilman Mulcahey moved to approve the Amendment to the Zoning Ordinance regarding Farm Accessory Use and also add language to exclude commercial weddings.

Councilman Boyer seconded.

VOTED: Rekas Sloan - aye, Andrews - aye, Boyer- aye, Mulcahey - aye

ADDENDUM – FARM ACCESSORY USES

It is hereby ordained by the Town Council of West Greenwich, Rhode Island, that the Zoning Ordinance of the Town be amended to include the following new Addendum:

Article II: Special Regulations

Section 12: Farm Accessory Uses

Definitions to Add:

Farm. Agricultural land, together with principal and accessory buildings, upon which agricultural operations are conducted.

Farm enterprise. An agricultural or silvicultural-based process, activity or use of a farm that is subordinate to and conducted in conjunction with an ongoing bona fide agricultural, horticultural or silvicultural operation. Activities of a farm enterprise may include, but are not limited to, the following uses: farm tours, classes and/or conferences related to agricultural production and skills, petting, feeding and viewing of farm animals, hayrides, annual festivals, crop mazes, paintball, animal walks, and horse and pony rides.

Farm events. In addition to allowable farm enterprise uses, farms may, as an accessory use, host events that are not agricultural in nature but provide a means to promote and/or increase the exposure of the agricultural operation. Such events are classified into the following categories: educational conferences, fundraisers for nonprofit entities, and other personal recognition special events, except weddings are prohibited.

* * *

Zone Use Matrix

Add the following use code:

106. Farm events and/or farm enterprises.

RFR-2	RFR-1	OSPL	NBHD BUS	HIGHWAY BUS	EXIT 7 SMD	INDUST A	INDUST B	CORP DISTRICT
S	X	X	S	S	X	S	S	X

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[Permitted by SUP in all zones where farms are permitted. Prohibited in zones where farms are prohibited]

* * *

The following regulations are required in addition to the Zone Use Matrix in Article II:

A. Purpose. The purpose of this subsection is to encourage farming and agricultural operations within the town by permitting, in addition to the principal agricultural activities conducted upon the site, farm enterprises and farm events.

B. Farm enterprise uses. Subject to zoning board approval, farm structures and grounds may be utilized for farm enterprise uses (parking must be provided in accord with the requirements of Article V, see also definition of "farm enterprise").

C. Farm events. Subject to zoning board approval, for each category of event, farm structures and grounds may be used to host farm events as an accessory use to the principal use of the premises for agricultural purposes. Parking must be provided in accordance with the requirements of Article V (see also definition of "farm events"). Such uses shall comply with all applicable state or local licensing requirements.

2. DISCUSSION AND VOTE ON PRIVATE DETECTIVE LICENSE – JON T. CHIRNSIDE

Jon T. Chirnside was present.

Council Vice President Rekas Sloan questioned if Chief Ramsay had approved.

Town Administrator Breene explained Chief Ramsay had approved the license and this was a renewal.

Mr. Chirnside explained technically this was a new license for his previous license had lapsed by a few months.

Town Administrator Breene explained Mr. Chirnside was a retired East Greenwich police officer.

Council Mulcahey moved to grant the Private Detective License to Jon T. Chirnside.

Councilman Andrews seconded.

VOTED: Rekas Sloan - aye, Andrews - aye, Boyer- aye, Mulcahey - aye

3. DISCUSSION AND VOTE ON CEDAR RIDGE AFFORDABLE HOUSING COMPONENT

Mike Kent explained his request to move the affordable housing component from Cedar Ridge off site to a property the Town was interested in. He further explained that discussions with Victory Woods have terminated.

Town Administrator Breene advised that discussions have not terminated; however the partnership with the Greene School had due to cuts.

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Mr. Kent stated he feels he has no problem with finding other properties in town for affordable housing or subsidizing.

Mr. Kent further explained the faults with affordable housing.

Councilman Boyer emphasized that Cedar Ridge was site specific and was the designated area for affordable housing.

Discussion ensued on moving the affordable housing component.

Town Solicitor Ursillo stated moving the affordable housing would need to go back to the Planning Board and questioned Town Planner Paquet on the decision.

Town Planner Jennifer Paquet stated they would need to amend the Master Plan and the property would have to develop concurrently with Cedar Ridge if they were allowed to move off site.

Discussion ensued on the development of Cedar Ridge and status.

Mr. Kent presented the Council with the site plan and advised only single family units have sold or are under purchase and sales agreement. Not one duplex has sold.

Discussion ensued on affordable housing 80 percent, senior housing, and the build out of Cedar Ridge.

Councilman Boyer questioned where the affordable housing component would go if you have not found a suitable off site property.

Mike Kent explained he does have a property with Mr. Hammersmith; however it would require a zone change for the property is currently Highway Business.

Discussion ensued on the timeline for building units.

Council Vice President Rekas Sloan questioned what decisions the Town Council would have.

Town Solicitor Ursillo stated the Council has no power and any changes would need to go before the Planning Board and this was an update for the Council.

Mr. Kent questioned if the town was interested in financial subsidies in lieu of affordable housing.

Town Solicitor Ursillo stated the State Statue does not allow for that type of subsidy due to the timeline the town has to develop.

Mr. Kent stated concern with no public services and how that works in a rural community.

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Town Administrator Breene and Councilman Boyer stated that site is the only bus stop in town and that is why the site was picked.

Discussion ensued on the bus stop.

Town Solicitor Ursillo advised this was for informational only and Mr. Kent will need to follow up with the Planning Board.

G. PUBLIC FORUM

Scott Copley running for Senate District 33 introduced himself and stated he was a constitutionalist, Republican and fiscally conservative. He further explained if he gets in he would help the Residents of West Greenwich.

H. EXECUTIVE SESSION

Councilman Boyer moved to close the meeting to go into Executive Session at 7:34 P.M. pursuant to, RIGL 42-46-5, (A), 2 Litigation- Swap Inc. Vs. Town of West Greenwich Planning Board SHAB 2013-01 and pursuant to RIGL 42-46-5, (A) Potential Litigation with Highway Auto Parts.

Councilman Andrews seconded.

VOTED: Rekas Sloan - aye, Andrews - aye, Boyer- aye, Mulcahey - aye

I. EXECUTIVE SESSION

1. PURSUANT TO RIGL 42-46-5, (A), 2 LITIGATION-

SWAP INC. VS. TOWN OF WEST GREENWICH PLANNING BOARD SHAB 2013-01

2. PURSUANT TO RIGL 42-46-5, (A), 2 POTENTIAL LITIGATION- HIGHWAY AUTO PARTS

Councilman Boyer moved to come out of Executive Session and seal the minutes at 8:08 P.M.

Councilman Mulcahey seconded.

VOTED: Rekas Sloan - aye, Andrews - aye, Boyer- aye, Mulcahey -

No action was taken.

Councilman Boyer moved to adjourn at 8:09 P.M. Councilman Mulcahey seconded.

VOTED: Rekas Sloan - aye, Andrews - aye, Boyer- aye, Mulcahey - aye

ERIN F. LIESE, CMC
TOWN CLERK