

**TOWN OF WEST GREENWICH
TOWN COUNCIL**

REGULAR MEETING

August 6, 2012

A regular meeting of the West Greenwich Town Council was held on August 6, 2012. Present were Mark Tourgee, Susan Woloohojian, Robert Andrews, Robert Smith and Gregory Coutcher. Also present were Town Administrator Kevin Breene and Town Solicitor Michael Ursillo.

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

The meeting was called to order at 7:02 P.M.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ANNOUNCEMENTS

Tourgee made the following announcements: A Historic Day is in the making at EWG. On Tuesday, August 7th, a special race will be held during the weekly track meet. At 6:25 a group of talented, nationally ranked runners will try to break the 4-minute mile. This will be the first time a sub 4 minute mile has been run outdoors in Rhode Island. This is a free event. Town Administrator Breene commented on the track event.

Tourgee continued with the following announcements: You're invited to meet our new superintendent of schools, James Erinakes II, on August 8th from 6 to 7 pm in the EWG Junior Senior Library. On August 9th at 6:30 pm, Eric Fulford, a comic artist, will perform at the last summer event hosted by the Louttit Library. His program will feature comedy, cartoons and plenty of creativity. This is a free event. The 36th Annual Arts, Crafts & Collectibles Show, sponsored by Hianloland Fire Company, will be held on Sunday, September 16th from 10 to 4. This event will be located on the lawn in front of the fire station and town hall. The event includes crafts, book sale, jewelry, bake sale, blood drive, clam cakes & chowder and more. Celebrate West Greenwich Day will be held on Sunday, September 30th from noon until 5 pm at the Plain Meeting House. This year's event offers: farmers' market, local vendors, music, BBQ chicken dinner, horse drawn wagon rides, nature exhibits, watercolor art class, 4-H demonstrations, digital photo contest, FFA pumpkin sale and more. Wednesday, August 29th is the last day the transfer station will be open on a Wednesday evenings until Memorial Day. The final announcement is first quarter taxes are due August 31st.

D. CONSENT AGENDA

Woloohojian stated a name discrepancy needs to be corrected in the July minutes.

Andrews requested items No. 2 & 3 in Correspondence, be pulled from the Consent Agenda for further consideration.

Woloohojian requested item No. 1 in Report, be pulled from the Consent Agenda for further consideration.

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Woloohojian moved to approve the Consent Agenda with, Report 1 and Correspondence items No. 2 & 3, pulled for further consideration. Andrews seconded.

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

I. MINUTES

1. APPROVAL OF MINUTES OF MEETING – JULY 11, 2012
2. APPROVAL OF MINUTES OF EXECUTIVE SESSION- JULY 11, 2012 (SEALED)

II. REPORTS

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

2. PLANNING DEPT. MONTHLY REPORT – JULY, 2012
3. TAX OFFICE MONTHLY REPORT – JULY, 2012
4. BUILDING OFFICIAL’S MONTHLY REPORT – JULY, 2012
5. POLICE DEPT. REPORT – JULY, 2012

III. CORRESPONDENCE

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

1. LAND TRUST -MINUTES OF JUNE 12, 2012 MEETING
4. NEWSLETTER TO: WEST GREENWICH TOWN COUNCIL
FROM: THE KENT CENTER
SPRING / SUMMER 2012
5. COPY OF LETTER TO: KEVIN A. BREENE, TOWN ADMINISTRATOR
FROM: MARY JOBST, COMMUNITY MITIGATION ANALYST
JULY 19, 2012
RE: NOTIFICATION OF BCEGS CLASSIFICATION
6. COPY OF CONTRACT FOR ROUTE 102 ROAD IMPROVEMENTS
7. COPY OF ARTICLE FROM: AAA
RE: WEST GREENWICH THINGS TO DO
8. INVITATION TO: WEST GREENWICH TOWN COUNCIL
FROM: EWG SPORTS FOR KIDS
RE: THE EXETER- WEST GREENWICH MILE

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IV. ADDITIONS, ABATEMENTS, REBATES & UNCOLLECTABLES

1. REQUEST OF TAX ASSESSOR/TAX COLLECTOR FOR SPECIFIC UNCOLLECTABLES AND VOTE REGARDING SAME – JULY, 2012

ACCT #	<u>July</u> NAME	AMOUNT	CODE
<u>Abatements 2012</u>			
02-0303-33	BRIGGS NORMAN R	\$12.46	06
13-0077-94	MANCO HOLDINGS LLC	\$39.05	04
13-0198-24	MAYFLOWER COMMERCIAL INC	\$81.31	04
16-0129-40	PERREAULT MICHAEL & LYNN	\$2,316.70	35
23-0031-96	WALTONEN THAYDEN & LINDA	\$27,790.26	19
<u>Additions 2012</u>			
04-0128-89	DISCOUNT MATTERS	\$167.35	12
12-0185-10	LEPRE BEVERLY M	\$16.00	04
14-0018-03	NICOLAS DAVID L	\$19.27	04
16-0129-40	PERREAULT MICHAEL & LYNN	\$2,693.84	35
20-0033-62	TERILLI DEBRA C	\$108.41	04
20-0049-01	THE ROCK HOUSE LLC	\$1,004.10	12
23-0031-96	WALTONEN THAYDEN & LINDA	\$26,146.75	19
<u>Abatements Previous Years</u>			
02-0303-33	BRIGGS NORMAN R {2010}	\$298.06	05
02-0303-33	BRIGGS NORMAN R {2011}	\$190.72	06
<u>Additions Previous Years</u>			
02-0303-33	BRIGGS NORMAN R {2010}	\$161.23	05

V. CHECK SUMMARY REPORT

1. RECEIPT OF CHECK SUMMARY REPORT FOR MONTH OF JULY, 2012 FROM TOWN TREASURER

F. NEW BUSINESS

1. **PUBLIC HEARING- PROPOSED AMENDMENTS TO HOME RULE CHARTER DISCUSSION AND VOTE ON PROPOSED AMENDMENTS TO BE PLACED ON THE GENERAL ELECTION BALLOT (This item was taken out of order).**

Tourgee read two recommendations from the Charter Commission.

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Smith questioned the change to appointments and what the current procedure was. Breene explained that department heads currently receive an initial two year appointment and then a five year appointment.

Andrews questioned if the appointments affected non-union employees. Town Solicitor advised department heads are non-union and do not have contracts.

Tourgee discussed the charter amendment pertaining to the Town Clerk position and recommended the modification based on two key points; first, the importance of educational experience and second, the need to remove the position from the political sphere.

Smith questioned which positions are elected and require residency. Town Solicitor advised that all other department heads are appointed positions, which do not require residency.

Breene explained legislative changes in which elected Officials received tenure.

Town Solicitor reviewed the changes to the Charter.

Woloohojian moved to approve the following Charter Amendments: Section 601. Appointments, Tenure & Compensation; Shall the Treasurer, Planner, Assessor, Town Clerk, Building Official, Public Works Director, and Human Services Director be considered regular employees after serving an initial two (2) year term and one (1) subsequent five (5) year term? And Section 602. Town Clerk; Shall the Town Clerk be appointed by the Town Council and the residency requirement waived? To be placed on the General Election Ballot. Smith seconded.

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

E. OLD BUSINESS

1. DISCUSSION AND VOTE ON REQUEST OF JOAN SANTOS BEAVEN- ADDITIONAL STOP SIGNS MISHNOCK ROAD

Joan Santos Beaven stated reasons for adding stop signs along Mishnock Road. She gave examples of what other communities have done to address this problem. She outlined the proposed stop signs locations: Bailey Drive and Mishnock Road, Mohawk Trail and Mishnock Road near the Lake Mishnock Fire Station, and Roland Drive and Mishnock Road.

Smith requested Sgt. Andrews report on the traffic study which was conducted. Sgt. Andrews explained that most offenders were town residents and advised the traffic study was conducted during weekends, not during construction.

Tourgee read the reports from Sgt. Andrews and Corp. Laliberte. Smith suggested placing one stop sign and to review the matter further.

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Andrews stated the fire station is a bus stop and that would be a place of importance.

Tourgee stated he would not be in favor of local residents receiving tickets and recommends an engineering study.

Town Planner Paquet stated the matter is an enforcement issue and a traffic study would need to be completed due to the addition of four way intersections.

Town Administrator Breene commented on the history of Mishnock's safety.

Tourgee inquired on area tree trimming. Claude Wright, Public Works Director, advised most of the area is privately owned and narrow, making trimming unfeasible.

Tourgee requested Sgt. Andrews continue to patrol the area and commence a new study.

Mary Digris, 220 Mishnock Road, commented on the speeding and stated many of the drivers have Connecticut plates, en route to the industrial park and requested the study be conducted during the week. Sgt. Andrews responded that he completed the patrol on weekends due to construction and he would patrol during the week as well.

Town Administrator Breene recommends a traffic study.

Smith questioned the time table of a study and recommended this matter be heard at the November meeting.

Woloohojian recommended a letter be submitted to all HR departments in the Industrial Park.

Tourgee reviewed the following recommendations: a traffic study, continued police patrol and a letter sent to the Industrial Park.

Woloohojian moved to authorize the Town Planner to complete a traffic study. Andrews seconded. VOTED: Tourgee – aye, Woloohojian –aye, Andrews - aye, Coutcher – aye, Smith - aye

3. DISCUSSION AND VOTE ON PROPOSED PAVILION/GAZEBO

(This item was taken out of order).

Robert Butler reported on research conducted on the proposed pavilion/gazebo and discussed the cost.

Andrews questioned the use of the facility. Butler advised it would be used by residents at the discretion of the Council.

Tourgee commented on reasons for constructing a gazebo/pavilion. He also discussed what other towns have utilized.

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Town Administrator Breene recommended the Council reviews this matter with the Library Committee.

Butler stated stakes are in place on the library lawn so that you can view the size of the structure.

Breene commented on work performed by Robert Butler in rectifying land issues in the area and advised that land could be used behind the library.

Butler suggested a study be conducted to properly plan the best use of the six acres.

Tourgee recommended this item be reviewed further and placed on the September agenda.

David Tacey, Building Official, recommended the pavilion over the gazebo due to the ease of maintenance.

Woloohojian stated concern with the appearance of the pavilion and its placement.

The Council was polled on consensus on pavilion vs. gazebo. The preference was pavilion and Robert Butler was requested to draft bid specifications.

Smith moved to appoint the following to serve on pavilion committee: Councilwoman Woloohojian, Councilman Coutcher, Jennifer Paquet, Robert Butler, and David Tacey. Coutcher seconded. VOTED: Tourgee – aye, Woloohojian –aye, Coutcher – aye, Smith – aye Andrews not present for vote.

2. DISCUSSION AND VOTE ON CONTRACT WITH RIDOT- ROAD DETAILS

Town Solicitor proposed to continue the matter to next month, until further information is received for appropriate response.

Woloohojian moved to continue the matter to September. Andrews seconded. VOTED: Tourgee – aye, Woloohojian –aye, Andrews - aye, Coutcher – aye Smith - aye

F. NEW BUSINESS

1. DISCUSSION AND VOTE ON HAWKERS/PEDDLERS LICENSE – MR. ICE CREAM

Michael Ruzzo explained location and request.

Andrews questioned the area. Solicitor advised it would be for the requested location only and if they wanted to operate in any other location, they would need to reapply.

Woloohojian requested the applicant obtain background checks for all workers.

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Woloohojian moved to grant a Hawkers/Peddlers License to Mr. Ice Cream, contingent on meeting all requirements and approvals. Andrews seconded.

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

3. DISCUSSION AND VOTE ON HOLIDAY/SUNDAY SALES LICENSE – MR. ICE CREAM

Woloohojian moved to grant a Holiday/Sunday License to Mr. Ice Cream, contingent on meeting all requirements and approvals. Andrews seconded.

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

4. DISCUSSION AND VOTE ON REAPPOINTMENT OF PLANNER- JENNIFER PAQUET

Breene commented on Paquet’s career and explained she has worked for the town for nearly twelve years.

Smith moved to reappoint Jennifer Paquet as Town Planner for a term expiring August, 2017. Andrews seconded.

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

5. DISCUSSION AND VOTE ON HIRING NEW POLICE DISPATCHER

Tourgee read the recommendation from Lt. Richard Brown.

Breene commented on Michailides’ qualifications.

Woloohojian moved to appoint Stephen Michailides as Police Dispatcher. Coutcher seconded.

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

6. DISCUSSION AND VOTE ON REQUEST FOR WAIVING TAX PENALTY– 58 BARNES LANE

Charlene Randall, Tax Assessor/Collector explained the request.

Discussion ensued on notification and the law regarding this request.

Town Solicitor advised against granting this request, due to the precedent that would be set.

Smith moved to deny the request of Judith Tallo, to waive her tax penalty. Andrews seconded.

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

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7. DISCUSSION AND VOTE ON REQUEST FOR ADDITIONAL “NO PARKING” SIGNS - DEER RUN

Town Administrator Breene commented on the need for additional “No Parking” signs on Deer Run and stated trespassing is occurring to obtain access to Carr’s Pond. Breene also explained “No Parking” signs are located on one side and not the other.

Town Solicitor advised an Ordinance would need to be drafted.

Andrews moved to authorize the Town Solicitor to draft an Ordinance for the installation of additional “No Parking” and “Town Away Zone” signs on Deer Run Drive. Andrews seconded.

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

8. DISCUSSION AND VOTE ON RESCHEDULING NOVEMBER 14, 2012 MEETING

It was noted that the Acting Town Clerk and Town Solicitor have scheduling conflicts with the November 14th meeting.

Smith moved to reschedule the November 14th Town Council meeting to November 7th at 7:00 P.M. Woloohojian seconded.

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

9. DISCUSSION AND VOTE ON DESIGNATION OF ‘PUBLIC OFFICER’ - PUBLIC RECORDS REQUESTS

Town Solicitor advised on changes to the Access to Public Records law and the need to designate a Public Officer.

Woloohojian moved to designate the Chief of Police as the Public Officer in charge of all criminal record requests and the Town Administrator for all other public records requests in accordance with the Rhode Island Access to Public Records Act, R.I. Gen. Laws 38-2-2. Coutcher seconded.

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

E. OLD BUSINESS

4. DISCUSSION ON ADDITIONAL SCHOOL REVENUE (This item was taken out of order).

Smith stated the School Committee should explain how the additional money will be spent.

Breene reported that an explanation had been received from the school committee on the use of the additional revenue.

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D. CONSENT AGENDA

1. TOWN CLERK REPORT – JULY, 2012

Woloohojian recognized Erin Liese, Acting Town Clerk for her completion of the New England Municipal Clerks' Institute three year program and receipt of scholarship to attend Academy.

Breene commented how Mrs. Liese obtained the scholarship and she has received many scholarships towards this cause.

2. CONSERVATION COMMISSION – MINUTES OF JULY 5, 2012 MEETING

Andrews questioned the status of the Dry Lands Bill. Jennifer Paquet, Town Planner advised that the Bill did not pass.

**3. LETTER TO: WEST GREENWICH TOWN COUNCIL
FROM: LISA PINSONNEAULT, SPECIAL ASSISTANT ATTORNEY GENERAL
JULY 10, 2012
RE: WALTONEN V. WEST GREENWICH TOWN COUNCIL**

Andrews requested the Solicitor explain the matter and for the Town Administrator to advise on the cost.

Town Solicitor explained the town had won this request and explained the facts in both matters and no violation had occurred.

Andrews questioned the cost. Town Solicitor discussed that there is no cost to person making the complaint, however there is cost, to the town for research and time, which can be substantial.

Breene discussed the history of such requests and the cost associated to the Tax Payers in the amounts of \$8,000 to \$10, 0000.

Woloohojian moved to approve Consent Agenda. Andrews seconded.

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

G. PUBLIC FORUM

Adrian Knott, 61 Browns Corner Road thanked Town Administrator Breene for his assistance in placing his son as an intern in previous years and further stated his son is currently practicing law. He also thanked the Town Council for hiring Richard Ramsay as his other son is now a Major in West Warwick Police Department.

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H. EXECUTIVE SESSION

Woloohojian moved to close the meeting and to go into Executive Session at 8:48 P.M. pursuant to RIGL 42-46-5, (A), 1 for Personnel- Janet Olsson. Town Solicitor Ursillo stated that Janet Olsson was provided with the required statutory notice that they were to be discussed in executive session. Also pursuant to RIGL 42-46-5, a, 2 for Collective Bargaining relative to West Greenwich Fire & Rescue Assoc. Local 4771, International Brotherhood of Police Officers Local 517 and Laborers International Union of North America, AFL-CIO Local Union 1322. Smith seconded.

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

- 1. PURSUANT TO RIGL 42-46-5, (A), 1 PERSONNEL - JANET OLSSON**
- 2. PURSUANT TO RIGL 42-46-5, (A), 2 COLLECTIVE BARGAINING RELATIVE TO:
WEST GREENWICH FIRE & RESCUE ASSOC. LOCAL 477
INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS LOCAL 517
LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO LOCAL UNION 1322**

Woloohojian moved to come out of Executive Session and seal the minutes at 9:52 P.M. Smith seconded. VOTED: Tourgee – aye, Woloohojian – aye, Coutcher – aye, Smith – aye

Woloohojian moved to adjourn at 9:53 P.M. Smith seconded.

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

**ERIN F. LIESE
ACTING TOWN CLERK**