

**TOWN OF WEST GREENWICH
TOWN COUNCIL**

**REGULAR MEETING
December 5, 2012**

A regular meeting of the West Greenwich Town Council was held on December 5, 2012. Present were Mark Tourgee, Susan Woloohojian, Robert Andrews, Gregory Coutcher, and Robert Smith. Also present were Town Administrator Kevin Breene and Assistant Town Solicitor Nancy Letendre.

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: On Wednesday, December 12th the EWG Fine Arts will present an art show at 5:30 and a guitar and chorus concert at 7 pm. On Wednesday, December 19th EWG will hold a band concert at 7 pm. The Louttit Library will have a Gingerbread House Workshop on December 15th and a Christmas Story hour on December 21st. For additional information please contact the library. The Christmas tree located in Town Council Chambers was decorated by staff after hours. Three sports team will be recognized at the January meeting for the following accomplishments: For the third year, the Girls Varsity Volley Ball Team has won the Division II State Championship; for the third year the Girls Varsity Soccer Team has won the Division II State Championship and Boys Varsity Soccer Team won the Division III State Championship.

D. NEW BUSINESS

1. SWEARING-IN CEREMONY OF NEWLY ELECTED TOWN OFFICIALS

Council President Tourgee and Town Administrator Breene remarked about Councilman Smith's dedication to the council and thanked him for his service. Councilman Smith discussed his service on the Council.

Town Administrator Breene introduced Senator Francis Maher and Senator Nicholas D. Kettle to swear- in the new officials.

Mark Tourgee, Susan Woloohojian, Robert Andrews, Gregory Coutcher, Thomas Mulcahey, Lee Kevin Kissinger, and Frank Vollucci were sworn into office by Senator Francis T. Maher, Jr., who was assisted by Senator Nicholas D. Kettle.

Senator Francis T. Maher, Jr. commented on his service and the honor it was to serve in the Senate.

Council President Tourgee thanked Senator Francis T. Maher, Jr. for his service in the Senate.

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2. DISCUSSION AND VOTE ON ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT

Erin Liese, Acting Town Clerk assumed the role of Chair for nominations of Council President and Vice President.

Councilman Andrews nominated Mark Tourgee as Council President. Councilman Mulcahey seconded. VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Coutcher - aye, Mulcahey –aye

Councilman Andrews nominated Susan Woloohojian as Council Vice President. Councilman Coutcher seconded. VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Coutcher - aye, Mulcahey –aye

3. DISCUSSION AND VOTE ON APPOINTMENT OF TOWN SOLICITOR AND ASST. SOLICITOR

Council Vice President Woloohojian moved to appoint Michael A. Ursillo as Town Solicitor and Nancy Letendre as Assistant Town Solicitor. Councilman Mulcahey seconded.

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

4. DISCUSSION AND VOTE ON APPOINTMENT OF PROBATE JUDGE AND DEPUTY PROBATE JUDGE

Councilman Andrews moved to appoint Michael A. Ursillo as Probate Judge and Joseph H. Scott as Deputy Probate Judge. Councilman Coutcher seconded.

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

5. DISCUSSION AND VOTE ON APPOINTMENT OF TOWN OFFICIALS-

Council President Tourgee read the following appointments: Dr. Clyde S. Fish II, Corder of Wood; Charlotte Jolls, Town Historian; Kenneth Saccoccia, Electrical Inspector; John Kenney, Plumbing and Mechanical Inspector; Michael Andrews, Range Officer; Keith Laliberte, Asst. Range Officer; Richard Ramsay, Albert Taylor, Brad Barco and Frank Vollucci, Bonded Constables; Frederick Pendlebury, Communications Officer; Brooke Lawrence, Emergency Management Director; Richard Brown, Asst. Emergency Management Director; Wendy Tavares, Animal Control Officer; Kenneth Andrews, Asst. Animal Control Officer; E. Margaret Fish, Parade Chairperson; Frederick Pendlebury, Fire Alarm Coordinator; and Karen Blackwell, 911 Coordinator.

Councilman Mulcahey moved to appoint the Town Officials as read for 2 year terms. Councilman Andrews seconded. VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Coutcher - aye, Mulcahey –aye

Council President Tourgee read the following Police Constables to be appointed: Donald L. Andrews, Robert J. Andrews, Bradford Barco, Bradford L. Barco, Jr., Richard S. Brown, Robert S. Butler, Kenneth Chapman, James Falvey, James Franklin, Jr., Russell Franklin, Kevin Golden, Eric Gould, Donald E. Harrington, Ernest P. Harrington, Michael Harrington, Bradley H. Keenan, Bruce Lawing, Michael Lawing, Gary F. Malikowski,

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David M. Marzella, Robert H. Meehan, Jr., Robert H. Meehan, Sr., Scoote Miller, Charles J. Mulcahey, Janet E. Olsson, David Palumbo, Gilbert Rathbun, III, David A. Rossi, Robert M. Smith, Raymond J. Stewart, Albert E. Taylor, Mark D. Tourgee, Justin D. Vail, Arthur H. Vieira, Jr., Frank Vollucci, James C. Wheeler, Susan G. Woloohojian and Claude Wright.

Town Administrator Breene questioned if Councilman Mulcahey and Councilman Coutcher would like to be Police Constables. It was agreed to add Councilman Thomas Mulcahey and Councilman Gregory Coutcher to the list of Police Constables.

Councilman Mulcahey moved to appoint the Police Constables as read. Councilman Coutcher seconded.
VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Coutcher - aye, Mulcahey –aye

6. DISCUSSION AND PRESENTATION BY TOWN AUDITOR OF DRAFT FINANCIAL AUDIT FY ENDING JUNE 30, 2012

This matter will be heard later in the meeting upon arrival of the auditor.

7. DISCUSSION AND VOTE ON RENEWAL OF HOLIDAY/SUNDAY SALES LICENSE- PAULA TUBMAN – KLASSY KUTZ- 780 VICTORY HIGHWAY, UNIT 4

Council Vice President Woloohojian moved to approve the renewal of Holiday/Sunday Sales License for Klassy Kutz, subject to compliance with all local and state ordinances and statues relative to Holiday/Sunday Licenses and payment of taxes. Councilman Mulcahey seconded.
VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Coutcher - aye, Mulcahey –aye

Council Vice President Woloohojian moved to adjourn as Town Council and convene as Liquor Licensing Board. Councilman Andrews seconded
VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Coutcher - aye, Mulcahey –aye

**8. LIQUOR LICENSING BOARD
DISCUSSION AND VOTE ON REQUESTS FOR 2:00 A.M. CLOSING – NEW YEAR’S EVE-**
A. LAKE MISHNOCK GROVE, INC. – MISHNOCK BARN- 200 MISHNOCK ROAD
B. DCH1, INC- DAN’S PLACE- 880 VICTORY HIGHWAY
C. THE NUTZ ON NOOSENECK, LLC- NUTZ ON NOOSENECK- 809 NOOSENECK HILL ROAD

Councilman Mulcahey moved to approve Mishnock Barn, Dan’s Place and Nutz on Nooseneck to remain open until 2:00 a.m. on New Year’s Eve, December 31, 2012, subject to compliance with all local and state ordinances. Councilman Coutcher seconded.
VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Coutcher - aye, Mulcahey –aye

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Council Vice President Woloohojian moved to adjourn as the Liquor Licensing Board and reconvene as the Town Council. Councilman Andrews seconded.

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

9. INTRODUCTION AND FIRST READING -ORDINANCE FOR FIRE LANE VIOLATION

Town Administrator Breene explained the need for a Fire Lane Violation Ordinance.

The following ordinance is proposed for review:

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

Section 1.

- (a) Requirement of Fire Lanes. Fire lanes shall be required, as provided in N.F.P.A. 1, Chapter 3-5, for all new construction and as required by the Fire Chief or his designated representative for all existing occupancies, not to exceed N.F.P.A. 1, Chapter 3-5.
- (b) Definition. "Fire lane" shall mean any area appurtenant to entrances or exits of a building the Fire Chief or Police Chief or their designated representatives have established should remain free and clear of parked vehicles for access to such buildings in case of fire or other emergency, which said area may include sidewalks, driveways, portions of parking lots and other areas adjacent to or near said building entrances or exits, or any fire hydrant.
- (c) Designation of Fire Lanes; Signs; Maintenance. The marking of fire lanes on private property devoted to public use shall be designated by the Fire Chief and Police Chief or their designated representatives. The Fire Chief shall give notice of such designation to the owner of such area directing the owner to cause signs to be posted at the expense of the owner at designated locations lettered "Fire Lane- No Parking Anytime." Such signs shall be of a size, color and font conforming to the specifications established by the Fire Code. Any such designated fire lane on such property will remain the owner's responsibility to maintain free and clear of any obstruction.
- (d) Violations and Enforcement. Parking of motor vehicles or otherwise obstructing said public safety lanes by any means shall be prohibited at all times.

It shall be unlawful for the owner or operator of any motor vehicle to park said motor vehicle in any area designated as a public safety lane pursuant to this article, and it shall be unlawful for any person in any manner to obstruct passage at any time, by any means, in any area designated as a fire lane. Any vehicle found parked or otherwise obstructing any established fire lane is hereby subject to be towed from said lane at the owner's expense at

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the direction of any proper officer of the Town of West Greenwich or any member of the department of state police.

Any person violating any provisions of this article shall be subject, upon conviction, to a fine not exceeding one hundred dollars (\$100.00) for each offense.

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Section 2. This ordinance shall take effect upon passage.

Councilman Andrews moved Fire Lane Violation Ordinance to second reading .Councilman Mulchahey seconded. VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Coutcher - aye, Mulcahey –aye

6. DISCUSSION AND PRESENTATION BY TOWN AUDITOR OF DRAFT FINANCIAL AUDIT FY ENDING JUNE 30, 2012 (This item was taken out of order.)

The Town’s auditor, Jeff Wadovick and Michael Olson of Nadeau Wadovick LLP presented the preliminary draft of the audit for fiscal year ending June 30, 2012.

Wadovick commented on the transition in the Finance department and commended Danielle Andrews, Town Treasurer. He also stated he has received cooperation from all the town departments.

Town Administrator Breene commented on the timely manner of the audit. Wadovick commended Treasurer Andrews for her work and communication throughout the audit.

Councilman Mulcahey questioned the reserve fund. Wadovick stated the Town has twelve percent in the reserve fund.

Wadovick stated the Town pension is stable and funded, unlike other communities.

10. DISCUSSION AND VOTE ON SETTING DATES FOR REGULAR TOWN COUNCIL MEETINGS FOR 2013

Council President Tourgee read the proposed dates for Town Council Meetings 2013: January 9th, February 13th, March 13th, April 10th, May 8th, June 12th, July 10th, August 21st, September 11th, October 9th, November 13th and December 11th.

Council Vice President Woloohojian moved to approve the proposed dates for regular Town Council meetings in 2013. Councilman Mulcahey seconded.

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

11. DISCUSSION AND VOTE ON NEW CONTRACT WITH INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS LOCAL 517

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Town Administrator Breene commented on the status of the contract.

Council Vice President Woloohojian moved to table New Business Item No 11- Discussion and Vote on New Contract with International Brotherhood of Police Officers Local 517. Councilman Mulcahey seconded.

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

E. CONSENT AGENDA - All items on the Consent Agenda are considered routine by the Town Council and may be enacted by one motion. There will be no separate discussion of these items unless a member of the Council so requests, in which event the item will be removed from Consent Agenda consideration and considered in sequential order. The List of Consent Agenda Items is appended below.

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

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

I. MINUTES

1. APPROVAL OF MINUTES OF MEETING – NOVEMBER 7, 2012
2. APPROVAL OF MINUTES OF EXECUTIVE SESSION- NOVEMBER 7, 2012 (UNSEALED)
3. APPROVAL OF MINUTES OF EXECUTIVE SESSION- NOVEMBER 7, 2012 (SEALED)

II. REPORTS

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

1. TOWN CLERK REPORT – NOVEMBER, 2012
2. PLANNING DEPT. MONTHLY REPORT – NOVEMBER, 2012
3. TAX OFFICE MONTHLY REPORT – NOVEMBER, 2012
4. POLICE DEPT. REPORT – NOVEMBER, 2012
5. TREASURERS REPORT – NOVEMBER, 2012
6. BUILDING DEPT. REPORT – NOVEMBER, 2012

III. CORRESPONDENCE

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

1. COPY OF LETTER TO: CLAUDE WRIGHT, PUBLIC WORKS DIRECTOR
FROM: THE JEDSON FAMILY
RE: THANK YOU

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2. COPY OF LETTER TO: JANET E. OLSSON, TOWN CLERK
FROM: JAMES TILTON, JR., DIRECTOR OF FINANCIAL AID BROWN UNIVERSITY
OCTOBER 23, 2012
RE: JUDGE ELMER J. RATHBUN SCHOLARSHIP
3. COPY OF LETTER TO: KEVIN A. BREENE, TOWN ADMINISTRATOR
FROM: TIMOTHY F. HORAN AND JOHN ISBERG NATIONAL GRID
NOVEMBER 8, 2012
RE: HURRICANE SANDY
4. COPY OF LETTER TO: WEST GREENWICH TOWN COUNCILORS
FROM: WASHINGTON COUNTY REGIONAL PLANNING COUNCIL'S BOARD OF DIRECTORS
NOVEMBER 16, 2012
RE: WASHINGTON COUNTY REGIONAL PLANNING COUNCIL LEADERSHIP PROGRAM
5. COPY OF LETTER TO: KEVIN A. BREENE, TOWN ADMINISTRATOR
FROM: CHERYL WIITALA, PRESERVES MANAGER FOR NATURE CONSERVANCY
NOVEMBER 17, 2012
RE: CUTTYHUNK BROOK PERSERVE: PARKING/HUNTING ALONG HOPKINS HILL ROAD
6. COPY OF NEWSLETTER TO: WEST GREENWICH TOWN COUNCIL
FROM: WAWALOAM SCHOOL
DECEMBER 2012
RE: FEINSTEIN JUNIOR SCHOLARS
7. COPY OF LETTER TO: THE HONORABLE COUNCILMAN MARK TOURGEE
FROM: SANJAY PANDE, LEAGUE PRESIDENT FOR EWG GIRLS SOFTBALL
NOVEMBER 28, 2012
RE: THANK YOU

IV. ADDITIONS, ABATEMENTS, REBATES & UNCOLLECTABLES

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

ACCT #	November		
	NAME	AMOUNT	CODE
<u>Abatements 2012</u>			
03-0252-87	COELHO RICHARD & LEILANI D	\$7,935.86	24
04-0002-98	DAGLIERI HEATHER F & STEPHEN A	\$6,299.97	24

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08-0109-88	HARTLEY PAULINE M & JEROME D	\$4,416.69	24
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Additions 2012

03-0252-87	COELHO RICHARD & LEILANI D	\$7,648.19	24
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04-0002-98	DAGLIERI HEATHER F & STEPHEN A	\$6,056.41	24
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08-0109-88	HARTLEY PAULINE M & JEROME D	\$4,221.08	24
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Refunds 2012

04-0002-98	DAGLIERI HEATHER F & STEPHEN A	\$243.56	24
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V. CHECK SUMMARY REPORT

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

F. UNFINISHED BUSINESS

G. PUBLIC FORUM

Lee Kevin Kissinger, School Committee member explained the focus group to be held on December 10th. The group will conduct a comprehensive assessment of the technology in the school system. Mr. Kissinger requested a Council member and community member attend the meeting. He also commented on the need for a Council member and community member to serve on the School Charter Review Committee. Additional information is available on the school district's website.

Councilman Coutcher agreed to attend the December 10th meeting if he does not have a previous engagement.

Town Administrator Breene recommended a joint meeting with Superintendent Erinakes and the Council.

Councilman Andrews requested an explanation of Correspondence Item No. 5, regarding Cuttyhunk Brook Preserve: Parking and Hunting along Hopkins Hill Road. Town Administrator Breene commented on parking at Cuttyhunk Preserve.

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.

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Council Vice President Woloohojian moved to close the meeting and to go into Executive Session at 7:57 P.M. pursuant to RIGL 42-46-5, (A), 1 for Personnel- Janet Olsson. Asst. Town Solicitor Letendre stated that Janet Olsson was provided with the required notice. 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. Councilman Andrews seconded.

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

H. EXECUTIVE SESSION

**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 4771
INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS LOCAL 517
LABORERS' INTERNATIONAL UNION OF NORTH AMERICA,
AFL-CIO LOCAL UNION 1322**

Council Vice President Woloohojian moved to come out of Executive Session and seal the minutes at 8:14 P.M. Councilman Andrews seconded.

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

Council Vice President Woloohojian moved to adjourn at 8:15 P.M. Councilman Mulcahey seconded.

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

**ERIN F. LIESE
ACTING TOWN CLERK**