

**TOWN OF WEST GREENWICH
TOWN COUNCIL**

REGULAR MEETING

June 13, 2012

A regular meeting of the West Greenwich Town Council was held on June 13, 2012. Present were Mark Tourgee, Susan Woloohojian, Robert Andrews, and Robert Smith. 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 7:00 P.M.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ANNOUNCEMENTS

Tourgee made the following announcements: The high school graduation will be held at the Ryan Center at 1:00 this Saturday. The town hall phones were down Monday and Tuesday of this week. It was a Verizon issue and we apologize for any inconvenience. EWG Girls Basketball camp will run from June 25th through June 28th from 9 – 12 at the high school, for girls ages 8 to 16. The cost is \$60. See the town's website for the registration form. EWG Tennis Camp will run 2 sessions: July 23 to July 27 and July 30 to August 3rd. Cost is \$100 and includes a t-shirt.

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.

Andrews moved to approve the Consent Agenda. Smith seconded.

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

I. MINUTES

1. APPROVAL OF MINUTES OF MEETING- MAY 9, 2012
2. APPROVAL OF MINUTES OF EXECUTIVE SESSION- MAY 9, 2012 (SEALED)
3. APPROVAL OF MINUTES OF MEETING – MAY 22, 2012
4. APPROVAL OF MINUTES OF EXECUTIVE SESSION- MAY 22, 2012 (SEALED)

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II. REPORTS

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

1. TOWN CLERK RECEIPTS – MAY, 2012
2. PLANNING DEPT. MONTHLY REPORT – MAY, 2012
3. TAX OFFICE MONTHLY REPORT – MAY, 2012
4. BUILDING OFFICIAL'S MONTHLY REPORT – MAY, 2012
5. TREASURER'S REPORT – MAY, 2012
6. POLICE DEPT. REPORT – MAY, 2012

III. CORRESPONDENCE

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

1. CONSERVATION COMMISSION -MINUTES OF MAY 3, 2012 MEETING
2. COPY OF LETTER TO: KEVIN A. BREENE, TOWN ADMINISTRATOR
FROM: SUSANNE GRESCHNER, CHIEF OF DEPARTMENT OF REVENUE
MAY 23, 2012
RE: NOTICE OF PROPOSED PROPERTY TAX RATE CHANGE
3. COPY OF LETTER TO: ROBERT A. SMITH, P.E. DEPARTMENT OF TRANSPORTATION
FROM: STEVEN W. PRISTAWA, P.E. STATE TRAFFIC COMMISSION
MAY 29, 2012
RE: PARKING RESTRICTIONS ON ROUTE 102
4. COPY OF LETTER TO: ROBERT A. SMITH, P.E. DEPARTMENT OF TRANSPORTATION
FROM: STEVEN W. PRISTAWA, P.E. STATE TRAFFIC COMMISSION
MAY 29, 2012
RE: SIGNS ON ROUTE 102- WHISPERING PINES CONFERENCE CENTER
5. COPY OF EMAIL TO: ERIN F. LIESE, ACTING TOWN CLERK
FROM: SALLY HAYDEN, NEACTC SCHOLARSHIP CHAIR
MAY 31, 2012
RE: NEACTC SCHOLARSHIP

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6. COPY OF NOTICE OF CANCELLATION: MARC J DISALVO
FROM: GREAT AMERICAN INSURANCE COMPANY
MAY 31, 2012
RE: BOND CANCELLATION

7. COPY OF LETTER TO: KEVIN A. BREENE, TOWN ADMINISTRATOR
FROM: CRAIG BARONE, ACTING CHIEF
MAY 31, 2012
RE: RESCIND APPLICATION FOR CONSIDERATION OF POLICE CHIEF

8. COPY OF INSPECTION REPORT
FROM: OFFICE OF WASTE MANAGEMENT
MAY 29, 2012
RE: WEST GREENWICH TRANSFER STATION

IV. ADDITIONS, ABATEMENTS, REBATES & UNCOLLECTABLES

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

ACCT #	May		AMOUNT	CODE
	NAME			
	<u>Abatements 2011 -2012</u>			
04-0088-45	DESNOYERS ARMAND J		\$1,665.81	27
12-0027-62	LAMBERT KEVIN JOHN		\$5,780.08	27
12-0308-14	LUPIEN MICHELE A		\$73.51	02
19-0124-45	SIHARAJ SALI & SOUNVANNY SENGVILAY		\$6,678.85	27
23-0167-56	WOHLGEMUTH THOMAS & MARY		\$7,468.27	27
	<u>Additions 2011-2012</u>			
04-0088-45	DESNOYERS ARMAND J		\$1,432.60	27
12-0027-62	LAMBERT KEVIN JOHN		\$4,978.61	27
12-0308-14	LUPIEN MICHELE A		\$56.20	02
19-0124-45	SIHARAJ SALI & SOUNVANNY SENGVILAY		\$5,743.81	27
23-0167-56	WOHLGEMUTH THOMAS & MARY		\$6,422.71	27

V. CHECK SUMMARY REPORT

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

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E. OLD BUSINESS

There was no old business.

F. NEW BUSINESS

1 DISCUSSION AND VOTE ON RESIGNATION OF PAUL KALTSCHNEE FROM TOWN COUNCIL

Town Administrator Breene and Tourgee updated on Councilman Kaltschnee status and that he expressed the need to resign due to his absence and current medical status. A letter has not been received due to his recent hospitalization.

Andrews moved to table New Business Item 1 & 2. Woloohojian seconded.

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

2 DISCUSSION AND VOTE ON APPOINTMENT OF COUNCIL PERSON REPLACEMENT

Andrews moved to table New Business Item 1 & 2. Woloohojian seconded.

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

**4 DISCUSSION AND VOTE ON HAWKERS / PEDDLERS LICENSE –AMERICAN PROMOTIONAL EVENTS, DBA TNT FIREWORKS - 751 CENTRE OF NEW ENGLAND BLVD
(This item was taken out of order)**

Mr. Charlie Mussey, TNT Fire Works representative was present.

Tourgee questioned if they were at the requested location previously. Mussey stated they were not at that location last year and that he had received all fire and building permit approval.

Mr. David Tacey, Building Official advised that no permits for fire or building have been acquired.

Tourgee questioned Acting Chief Barone on any issues or problems with this location. Barone stated he had none.

Andrews questioned security of fireworks. Mussey stated that all fireworks are secured in truck in the evening.

Woloohojian moved grant the Hawkers/ Peddlers license to American Promotional Events, DBA TNT Fireworks subject to fire and building permits being in order. Smith seconded.

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

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5 DISCUSSION AND VOTE ON HOLIDAY / SUNDAY SALES LICENSE- AMERICAN PROMOTIONAL EVENTS, DBA TNT FIREWORKS -751 CENTRE OF NEW ENGLAND BLVD

Woloohojian moved grant the Holiday/ Sunday Sales license to American Promotional Events, DBA TNT Fireworks subject to fire and building permits being in order. Smith seconded.

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

6 DISCUSSION AND VOTE ON HOLIDAY / SUNDAY SALES LICENSE- BEST WESTERN WEST GREENWICH INN - 99 NOOSENECK HILL ROAD

Applicant not present

Breene stated that the hotel had recently changed owners and previously this establishment did not have this license.

Tourgee questioned the tax status. Ms. Charlene Randall, Tax Assessor / Collector stated they were current.

Tourgee questioned Acting Chief Barone of any issues. Barone stated he had none.

Smith moved to grant the Holiday / Sunday Sales License to Best Western West Greenwich Inn. Andrews seconded. VOTED: Tourgee – aye, Woloohojian –aye, Andrews - aye, Smith – aye

7 DISCUSSION AND VOTE ON HAWKERS/ PEDDLERS LICENSE -BJ ALLAN COMPANY DBA PHANTOM FIRE WORKS – 74 NOOSENECK HILL ROAD

Applicant not present

Building Official stated he had not received any applications for permits at this location.

Town Administrator questioned Erin Liese, Acting Town Clerk if they were aware of the meeting. Liese advised that they were notified of the meeting and that they would need Fire and Building approval in addition to the land owner approval.

Tourgee expressed dissatisfaction with applicants not being present at the time of their first hearing.

Town Solicitor advised to table the matter and maybe the applicant will appear before adjourning.

Moved to Table at 7:12 P.M.

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**8 DISCUSSION AND VOTE ON HOLIDAY/SUNDAY SALES LICENSE- BJ ALLAN COMPANY
DBA PHANTOM FIRE WORKS – 74 NOOSENECK HILL ROAD**

Applicant not present

Building Official stated he had not received any applications for permits for this location.

Town Administrator questioned Erin Liese, Acting Town Clerk if they were aware of the meeting. Liese advised that they were notified of the meeting and that they would need Fire and Building approval in addition to the land owner approval.

Tourgee expressed dissatisfaction with applicants not being present at the time of their first hearing.

Town Solicitor advised to table the matter and maybe the applicant will appear before adjourning.

Moved to Table at 7:12 P.M.

**3 DISCUSSION AND VOTE ON PUBLIC HEARING- ZONING ORDINANCE AND MAP
AMENDMENT ON ASSESSOR’S PLAT 24 LOT 19- PETITION OF COAST TO COAST HOLDINGS
TO CHANGE ZONING DISTRICT FROM INDUSTRIAL A TO HIGHWAY BUSINESS**

Attorney John Brunero present for the applicant.

Brunero advised the Council on the use and history of this property and the intensions of the change.

Jennifer Paquet, Town Planner updated the Council on Planning Board recommendation.

Breene updated on the history of the change and its previous use for Industrial.

Tourgee questioned Sandra Bockes, Secretary for the Conservation Commission recommendation.

Bockes stated the Conservation Commission had no issues and recommended approval.

Ralph Woodmansee, owner of abutting property questioned the use of the lot and stated concern with traffic concern and the driveway entrance. Brunero stated the engineer has been working with the town engineer and that the access is going to be changed and will be addressed at the Planning Board meeting on Monday night. Paquet updated that the existing curb cut will change.

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Town Solicitor advised that curb cut jurisdiction would be with the Planning Board. Tourgee asked Town Planner if she would address these concerns with the Planning Board. Paquet stated she would.

Dora Robinson, 39 Breakheart Hill Road stated her concerns would be discussed on Monday at the Planning Board.

Andrews moved to remove the use restriction on AP 24, Lot 19, and to change the zoning district from Industrial A back to Highway Business. This motion is based on the following findings of fact:

1. The Zoning District change from Industrial A (with restriction) to Highway Business is consistent with the following goals and policies of the West Greenwich Comprehensive Plan:
 - a. Economic Development Goal #5- To enhance, strengthen, and promote existing Highway Business districts. AP 24, Lot 19 is surrounded by Highway Business zoned properties.
 - b. Economic Development Policy 8.- West side of Victory Highway adjacent to the Interstate shall be analyzed as a potential site for future Highway Business expansion. AP 24, Lot 19 is within close proximity of the Interstate, and is on the west side of Victory Highway.
 - c. Land Use Policy 24- encourage, though land use regulation, small scale industrial and commercial development subject to appropriate performance standards, which is in keeping with the rural character of the town and does not require infrastructure improvements and services not now available. A site plan for the proposed development will be reviewed by the Planning Board.
 - d. Land Use Goal 6 and Policy 16-the Town shall enhance, strengthen, and promote development within existing Highway Business districts. This site is already within a highway business district.
 - e. Economic Development Policy 19- The Town shall only promote permitted land use activities for the I-95 Cloverleaf area; and Implementation Item for Policy 19: The Planning Board and Town Council shall not endorse any land use activity determined to be a prohibited use. The use of warehousing is permitted by Special Use Permit in either the Highway Business or Industrial A zoning district, and the property was formerly zoned Highway Business. Additionally, these policies were made with reference to an anticipated Special Area Management Plan, which was developed, though never adopted. The Exit 5 Cloverleaf plan sought to prevent commercial strip development from occurring along Victory Highway, and planned for a Village type atmosphere with a mix of diverse uses such as an office/business/light industrial section, warehousing, small scale service-oriented retail, and mixed professional office space. In order to achieve such a vision, a larger scale planning and zoning effort over the entire area would need to be adopted, which is beyond the scope of consideration for this zoning district change application.
2. The zoning district change is consistent with the following purposes of Zoning:
 - a. Provide for a range of uses and intensities of use appropriate to the character of the Town of West Greenwich reflecting current and expected future needs

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- b. Provide for orderly growth and development which recognizes the goals and patterns of land use contained in the West Greenwich Comprehensive Plan, the availability and capacity of existing and planned public and/or private services and facilities. Smith seconded. VOTED: Tourgee – aye, Woloohojian –aye, Andrews - aye, Smith – aye

9 DISCUSSION ON RESULTS OF FINANCIAL TOWN MEETING HELD JUNE 11, 2012

Tourgee provided an update on the Financial Town Meeting and stated that the budget passed and thanked the residents who came out and supported the budget. He also stated that he appreciated the Department Heads for their requested budgets.

Breene discussed the improvements available to Public Works department.

Tourgee discussed how fortunate they are that Police vehicles are purchased through funds with road details and not through tax dollars.

Smith discussed the newspaper article and the additional money totaling a million dollars received to the school department from the State. Breene commented that yes they had received additional money and they have not come back to town and state they need 1 million less.

Andrews questioned the \$6,000.00 addition. Breene advised the addition was due to the student census error.

Tourgee asked the school committee to enlighten the Council at the July meeting as to the one million dollar addition.

Smith discussed the history of the budget and the effects on the budget.

Tourgee requested Breene to ask the Chair of school committee to attend.

10 ANNOUNCEMENT OF RETIREMENT OF TREASURER- COLLEEN DERJUE

Tourgee discussed the career of Colleen Derjue.

Breene discussed the need of Derjue due to the state retirement system changes.

11 DISCUSSION AND VOTE ON APPOINTMENT OF TOWN TREASURER-DANIELLE L. ANDREWS

Danielle Andrews present in the audience.

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Tourgee read the following memo:

Upon the retirement of Colleen Derjue, I appointed Danielle Andrews, Deputy Treasurer to fill the vacancy until the June 13th council meeting. Danielle has been employed by the town for 17 years, serving first as clerk to Mary Smith, Tax Assessor for 7 years and the last 10 years in the finance office rising to Deputy Treasurer. She has excellent knowledge of the daily operations of the office and has worked for many years with our auditor, keeping the town's financial records in order. I think she has been well trained and will continue the good work you have come to expect from the finance office. I recommend the Town Council appoint Danielle Treasurer for the Town of West Greenwich.

Andrews recused himself in this matter.

Woloohojian moved to appoint Danielle L. Andrews as Treasurer. Smith seconded.

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

Smith questioned the training that Danielle would receive. Breene advised that Danielle has received training, has paid for her own education that the auditor would assist with this transition and other treasurers would assist. Smith advised Andrews to train with a surrounding community treasurer.

12 DISCUSSION AND RATIFICATION OF HIRING FINANCE CLERK- ANDREA LANGFORD

Andrea Langford present in the audience.

Tourgee read the following memo:

The Town of West Greenwich has received 10 applications in response to the Finance Clerk position that was advertised in the Kent County Daily Times as well as placed on the Town's website. Danielle and I have reviewed the applications and choose 6 that seemed qualified to interview for the position. The interviews were held today. The following served with me on the interview committee: Dave Tacey, Building Official, Danielle Andrews, Acting Treasurer, and Erin Liese, Acting Town Clerk.

Among the six candidates that we interviewed, three were truly qualified and after deliberation we narrowed the decision to two individuals. After considering experience, personality and fit for the position, we choose to offer Andrea Langford, West Greenwich Resident the position. This was a unanimous decision among the committee and we feel that Andrea will do a great job. On Monday, May 21, 2012 she will begin her six month probationary period, once completed if her job performance is warranted, she will be offered the full position with benefits.

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Breene updated the Council that Langford is doing well and Andrews concurred.

Andrews stated residency preference in regards to town employment.

Woloohojian moved to appoint Andrea Langford as Finance Clerk. Andrews seconded.

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

13 DISCUSSION OF STOLEN MONEY FROM POLICE EVIDENCE ROOM

Breene provided an update on the need to add this item to the agenda.

Town Solicitor advised in regard to comments that can be made

Barone explained that \$8,000.00 was stolen from the evidence room. This matter is being pursued by State Police and an arrest was made.

Breene discussed the new procedures taking place in regard to money held in evidence and thanked the resident for returning the money.

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

Tourgee discussed that Ms. Santos Beaven had a conflict with attending tonight and requested to continue to July.

Tourgee suggested that officers do a survey of offenders in Mishnock. Barone stated he would conduct a study.

Andrews moved to continue this matter to July 11, 2012 meeting. Smith seconded.

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

15 RECOGNITION OF VETRANS MEMORIAL PLAQUE LOCATED IN TOWN HALL

Breene updated on the history of the Veteran’s Memorial and discussed the effort of Robert S. Butler, Charlene Butler, Frank Vollucci and Jimmy Wheeler with inception of this Plaque.

Smith recommends that a letter be sent to the committee thanking them for their effort.

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16 RECOGNITION OF 2012 HENRY B. WRIGHT SCHOLARSHIP RECIPIENT- ANGELA RUSSO

Tourgee discussed Angela Russo is student career and stated she will be attending UVM, with concentration in the medical field and is a active member of the community.

Breene discussed the history of this scholarship and Henry B Wright.

17 DISCUSSION ON ROAD CONSTRUCTION - ROUTE 102 AND MISHNOCK ROAD

Tourgee discussed the road construction.

Claude Wright, Public Works director updated on Mishnock Road construction, due to and Kent County Water is relocating water piping. The estimated time of completion is October.

Wright discussed patching is complete on 102 they are going to begin overlay soon and expect to be completed at the end of August.

Discussion ensued on over paving and improvement of road.

Discussion ensued on location of traffic light and reconfiguring of Route 102 and Route 3.

Smith moved to approve subject to approval from Administrator, Building Official and Fire Marshal approval by June 20th. Andrews seconded.

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

G. PUBLIC FORUM

Sandra Bockes questioned if a spray program on Japanese Knottweed had commenced. Wright advised there is a program and have not started yet.

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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**7 DISCUSSION AND VOTE ON HAWKERS/ PEDDLERS LICENSE -BJ ALLAN COMPANY
DBA PHANTOM FIRE WORKS – 74 NOOSENECK HILL ROAD**

Applicant not present

Smith recommended that this be approved contingent on meeting with the Administrator, Building Official, and Fire Marshal approval.

Tourgee appreciated Smith recommendation however frustrated with applicant not being present.

Smith moved to approve the Hawkers / Peddlers License subject to approval from Administrator, Building Official and Fire Marshal approval and property owner by June 20th. Andrews seconded.

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

**8 DISCUSSION AND VOTE ON HOLIDAY/SUNDAY SALES LICENSE- BJ ALLAN COMPANY
DBA PHANTOM FIRE WORKS – 74 NOOSENECK HILL ROAD**

Applicant not present

Smith recommended that this be approved contingent on meeting with the Administrator, Building Official, and Fire Marshal approval.

Tourgee appreciated Smith recommendation however frustrated with applicant not being present.

Smith moved to approve Holiday / Sunday Sales License subject to approval from Administrator, Building Official and Fire Marshal approval by June 20th. Andrews seconded.

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

H. EXECUTIVE SESSION

Woloohojian moved to close the meeting and to go into Executive Session at 8:12 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. Andrews seconded.

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

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**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

Andrews moved to come out of Executive Session and seal the minutes at 9:32 P.M.

Woloohojian seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Smith – aye

Woloohojian moved to adjourn 9:33 P.M. Smith seconded.

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

**ERIN F. LIESE
ACTING TOWN CLERK**