

**TOWN OF WEST GREENWICH
TOWN COUNCIL
REGULAR MEETING
OCTOBER 10, 2007**

A regular meeting of the West Greenwich Town Council was held on October 10, 2007. Present were Thaylen Waltonen, Robert Butler, Mark Tourgee, Robert Andrews and Susan Woloohojian. Also present was Town Administrator Kevin Breene and Town Solicitor Michael Ursillo. Waltonen called the meeting to order at 7:37 p.m. with the Pledge of Allegiance.

MOMENT OF SILENCE – FRANK J. LEMAIRE – TREE WARDEN

A moment of silence was observed for Frank J. Lemaire who passed away on September 23, 2007 at the age of 78. Mr. Lemaire had served a Tree Warden for many years.

Andrews moved to set aside a page in the minute book in his memory and to copy his obituary on that page. Tourgee seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

Frank J. Lemaire Sr.



LEMAIRE, FRANK J., SR., 78, of Congdon Mill Road died peacefully at home on Sunday surrounded by his loving family and friends. He was the beloved husband of Jo-Ann (Tamalavic) Lemaire.

A lifelong resident of West Greenwich, he was a son of the late Joseph T. and Delvina (Couillard) Lemaire.

Mr. Lemaire was the owner of Mohawk Tree Service and of Able Tree Company, both of West Greenwich. He served as Tree Warden for the Town of West Greenwich. From 1945-1948 he was a professional boxer who fought under the name Frankie Lane. For the past seventeen years he was a member of the International Veteran Boxers Association, Ring 107.

Besides his wife, he is survived by his four children Joseph Watkins of Burlington, VT, Barbara-Anne Lemaire of Connecticut, Frank J. Lemaire Jr. and Raymond Lemaire both of West Greenwich. He was the brother of the late Alice M. Lavigne, Wilfred and George T. Lemaire.

Funeral service at Carpenter-Jenks Funeral Home, 659 East Greenwich Ave., West Warwick Thursday at 9:00 AM. Calling hours Wednesday 5-8 PM. Burial will follow in St. Joseph Cemetery, West Greenwich. In lieu of flowers memorial gifts to West Greenwich Fire & Rescue, 733 Victory Highway, West Greenwich, RI 02817 will be appreciated. Information and condolences at www.carpenterjenks.com.

CONSENT AGENDA

Butler moved to approve the Consent Agenda with Correspondence Item 3 removed for further consideration. Tourgee seconded. VOTED: Waltonen – abstain, Tourgee – aye, Butler – aye, Andrews– aye, Wolooohojian – aye.

I. MINUTES

1. MINUTES OF MEETING OF SEPTEMBER 10, 2007

II. REPORTS

1. POLICE REPORT – SEPTEMBER, 2007
2. TOWN CLERK'S RECEIPTS –SEPTEMBER, 2007

III. CORRESPONDENCE

1. COPY OF MEMO FROM KEVIN BREENE, TOWN ADMINISTRATOR
TO
LECESSE DEVELOPMENT CORPORATION
SEPTEMBER 19, 2007
RE: GUARD RAIL AT C.O.N.E.
2. CONSERVATION COMMISSION – MINUTES OF SEPTEMBER 6, 2007 MEETING
3. TOWN ADMINISTRATOR KEVIN BREENE
SEPTEMBER 24, 2007
RE: WEB SITE
4. WEST GREENWICH FIRE BOARD OF ENGINEERS
CISTERN AND DRY HYDRANT REPORT – AUGUST 17, 2007
5. COLLEEN DERJUE, TOWN TREASURER
OCOTBER 1, 2007
RE: GOOD NEWS REGARDING RETIREMENT RATES
6. WEST GREENWICH FIRE BOARD OF ENGINEERS
MINUTES OF SEPTEMBER 17, 2007 MEETING

IV. ADDITIONS, ABATEMENTS & REBATES

1. REQUEST OF TAX ASSESSOR – OCTOBER 5, 2007

SEPTEMBER

<u>Acct #</u>	<u>Name</u>	<u>Amount</u>	<u>Reason</u>
<u>M.V. ABATEMENTS 2007-2008</u>			
08-0280-59	Hutt, Rebecca D	\$108.41	Correction of Days
<u>M.V. ADDITIONS 2007-2008</u>			
08-0280-59	Hutt, Rebecca D	\$21.68	Correction of Days
23-0082-46	Wheeler, Cheryl L	\$110.98	Added from Another Town
<u>REAL ESTATE ABATEMENTS 2007-2008</u>			
03-0220-00	Christy, Margaret & Donald J	\$1,863.41	Appeal Approved
08-0280-75	Mc Afee, Michael & Brenna	\$5,337.41	Appeal Approved
12-0002-64	Lacombe, Carolyn A & Douglas M	\$4,472.44	Appeal Approved
<u>REAL ESTATE ADDITIONS 2007-2008</u>			
03-0220-00	Christy, Margaret & Donald J	\$1,398.84	Appeal Approved
08-0280-75	Mc Afee, Michael & Brenna	\$5,038.39	Appeal Approved
12-0002-64	Lacombe, Carolyn A & Douglas M	\$2,082.86	Appeal Approved

V. CHECK SUMMARY REPORT

1. SEPTEMBER, 2007

OLD BUSINESS

PUBLIC HEARINGS

**ZONE CHANGE REQUEST – RITCHIE BROS. PROPERTIES, INC.
AMENDMENT TO ZONING MAP, ZONING ORDINANCE TEXT, MAP,
COMPREHENSIVE PLAN FUTURE LAND USE MAP AND COMPREHENSIVE PLAN
TEXT OF THE TOWN OF WEST GREENWICH -RFR-2, OPEN SPACE, HIGHWAY
BUSINESS TO INDUSTRIAL A, HIGHWAY BUSINESS -PLAT 13, LOTS 5,7,8 & 9, 15-1
THROUGH 15-16, 15-17 & 15-18, 16; PLAT 14, LOTS 5,7,8,9 & 10. (Continued from
July 11, 2007 & August 2, 2007)**

Town Administrator Breene reported the applicant wanted to go forward and due to an issue with a parcel not being included the matter would be re-advertised.

Butler moved to continue this matter until December 12, 2007. Waltonen seconded. VOTED:
Waltonen – aye, Tourgee – aye, Butler – aye, Andrews – aye, Woloohojian – aye.

**REQUEST OF COMMERCE PARK ASSOCIATES 12, LLC TO AMEND THE ZONING MAP, COMPREHENSIVE PLAN FUTURE LAND USE MAP, ZONING ORDINANCE TEXT AND COMPREHENSIVE PLAN TEXT SUCH THAT AP 1, LOTS 10-1 & 10-3, 13 & 15 ARE DESIGNATED AS “VILLAGE SPECIAL MANAGEMENT DISTRICT” AND
REQUEST OF COMMERCE PARK REALTY, LLC FOR AMENDMENT TO ZONING ORDINANCE – ZONING USE MATRIX USE CODE 551: MOTOR VEHICLE DEALERS, NEW & USED FROM “X” to “P” for the EXIT 7 SMD DISTRICT**

Butler moved to continue the request of Commerce Park Associates 12, LLC to amend the Zoning Map, Comprehensive Plan Future Land Use Map, Zoning Ordinance Text and Comprehensive Plan Text such that AP 1, Lots 10-1 & 10-3, 13 & 15 are designated as “Village Special Management District” until November 14, 2007. Waltonen seconded.

VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

Butler moved to continue the request of Commerce Park Realty, LLC for Amendment to Zoning Ordinance – Zoning Use Matrix Use Code 551: Motor Vehicle Dealers, New & Used From “X” To “P” for the Exit 7 SMD District until October 17, 2007 at 6:30 p.m. Woloohojian seconded.

VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

A resident questioned the status of the Arlington trailer park project.

Town Administrator Breene reported that they were going through various approval processes.

Ray Dauplaise, Fry Pond Road, questioned the status of low/mod housing in the Centre of New England. Discussion was held on allowing the low/mod housing to be built elsewhere.

APPOINTMENT – BOARD OF CANVASSERS

No action was taken on this matter.

SECOND READING – AMENDMENT TO ORDINANCE NO. 22 - STABILIZING THE TAXES OF THE ELDERLY

Waltonen opened the following public hearing:

**THE TOWN OF WEST GREENWICH
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
AMENDMENT TO ORDINANCE NO. 22
RELATING TO THE
STABILIZING TAXES OF THE ELDERLY**

Notice is hereby given that the Town Council of the Town of West Greenwich will hold a public hearing on Wednesday, October 10, 2007 at 7:30 p.m. in the Council Chambers at the West Greenwich Town Hall, 280 Victory Highway, on the amendment of the following town ordinance:

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

* * *

WHEREAS, the Town of West Greenwich, desires to alleviate certain immediate tax obligations for qualified residents;

IT IS HEREBY ORDAINED by the Town Council of the Town of West Greenwich, Rhode Island, that Chapter 22 of the Town Code be amended to read as follows:

CHAPTER 22 ORDINANCE STABILIZING TAXES OF THE ELDERLY

* * *

Sec. 4. DEFINITIONS AND CONDITIONS:

The stabilization of tax assessment shall be subject to the following definitions and conditions:

- (a) When the qualified resident resides in a single-family or two-family dwelling, the stabilized tax assessment shall apply [only] to the owner-occupied, single-family dwelling or two-family dwelling and to the homesite lot on which the dwelling is situated, along with any out-buildings on the homesite used with the dwelling which are not additional dwellings. When the qualified resident resides in a two-family dwelling or an Elderly and/or Handicapped Family Apartment, the stabilized tax assessment shall apply only to the value of the owner-occupied dwelling or apartment and not to the value of the dwelling to which it is attached or the homesite lot on which it is located . . .

* * *

Sec. 5. QUALIFICATION PROCEDURE:

* * *

(g)All new applicants shall submit to an inspection of the stabilized property by the tax assessor's office before final approval.

(h)The tax assessor's final approval.

(i)Additionally . . .

(j)Proof of age . . .

* * *

This ordinance shall take effect upon its passage.

The proposed ordinance may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. All such alterations or amendments will be presented for comment in the course of the public hearing.

All persons interested are invited to be present at said time and place to be heard thereon.

The West Greenwich Town Hall is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired must call the West Greenwich Town Hall at 392-3800, not less than seventy-two hours in advance of the meeting date.

By order of the West Greenwich Town Council
Janet E. Olsson, CMC
Town Clerk

Tourgee moved to adopt the above amendment to Ordinance no. 22. Woloohojian seconded.
VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

NEW BUSINESS

PROPOSED AMENDMENT TO THE ZONING ORDINANCE – INCLUSIONARY ZONING REGULATIONS - SET DATE FOR HEARING (NOVEMBER 14, 2007)

Butler moved to set a hearing date of November 14, 2007 for a proposed amendment to the Zoning Ordinance – Inclusionary Zoning Regulations. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

WINTER CLOSING OF A PORTION OF FALLS RIVER ROAD

Butler moved to close a portion of Falls River Road during the winter. Woloohojian seconded.
VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

APPOINTMENT – LAND TRUST

Andrews moved to appoint Bruce E. Engstrom, Jr. to the Land Trust. Tourgee seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

SET SPEED LIMIT ON NIPMUC TRAIL AND NIAN TIC TRAIL

Discussion was held on setting a speed limit on Nipmuc Trail and Niantic Trail.

The Chief of Police was to do a comprehensive study of the speed limits on the Town roads.

RATIFICATION OF RHODE ISLAND RESOURCE RECOVERY CORPORATION AGREEMENT

Butler moved to ratify the agreement with the Rhode Island Resource Recovery Corporation. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

RECOMMENDATION OF APPOINTMENT TO SERVICE AREA CITIZENS' ADVISORY COMMITTEE - DIVISION OF PUBLIC UTILITIES AND CARRIERS

Robert Smith was to be considered for this position.

SET DATE FOR HEARING (NOVEMBER 14, 2007) RENEWAL LIQUOR LICENSES SET DATE FOR HEARING (NOVEMBER 14, 2007) RENEWAL 24 HOUR VICTUALING LICENSES

Butler moved to set November 14, 2007 as the hearing date for the renewal Liquor Licenses and renewal 24 hour Victualing Licenses. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

The following Correspondence Item that was removed from the Consent Agenda was considered.

3. TOWN ADMINISTRATOR KEVIN BREENE
SEPTEMBER 24, 2007
RE: WEB SITE

It was noted that the website would be up by the end of October.

PUBLIC FORUM

It was noted the Land Trust was hosting “Celebrate West Greenwich” on October 14, 2007.

Sandra Bockes of the Conservation Commission questioned if the Ritchie Bros. application was to be reviewed by the Conservation Commission. It was noted that it would be.

Mr. Douglas Lacombe questioned the disposition of tax assessment abatement. It was noted that it had been approved as part of the Consent Agenda.

EXECUTIVE SESSION – PURSUANT TO RIGL 42-46-5,A, 1, 2 - PERSONNEL & LITIGATION & COLLECTIVE BARGAINING

No Executive Session was held.

Butler moved to adjourn at 9:09 p.m. Waltonen seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

Janet E. Olsson, CMC
Town Clerk