

**TOWN OF WEST GREENWICH
TOWN COUNCIL
REGULAR MEETING
DECEMBER 12, 2007**

A regular meeting of the West Greenwich Town Council was held on December 12, 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 7:30 p.m. with the Pledge of Allegiance.

CONSENT AGENDA

Butler moved to approve the Consent Agenda with Correspondence Items 6, 7 & 8 removed for further consideration. Andrews seconded. VOTED: Waltonen – abstain, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

I. MINUTES

1. MINUTES OF MEETING OF NOVEMBER 14, 2007
2. MINUTES OF MEETING OF NOVEMBER 28, 2007

II. REPORTS

1. POLICE REPORT – NOVEMBER, 2007
2. TOWN CLERK’S RECEIPTS –NOVEMBER, 2007
3. RIRRC MUNICIPAL CUSTOMER MONTHLY SUMMARY – NOVEMBER 2007
4. TOWN TREASURER’S REPORT – OCTOBER, 2007

III. CORRESPONDENCE

1. CONSERVATION COMMISSION – MINUTES – NOVEMBER 8, 2007
2. BOARD OF ENGINEERS – MINUTES – OCTOBER 15, 2007
3. BOARD OF ENGINEERS – MINUTES – NOVEMBER 19, 2007
4. JENNIFER PAQUET
NOVEMBER 29,2007
RE: HISTORIC STRUCTURE – 330 PLAIN MEETING HOUSE ROAD
5. TOWN PLANNER JENNIFER PAQUET
DECEMBER 5, 2007
RE: CALCULATED QUOTA FOR ISSUANCE OF RESIDENTIAL BUILDING PERMITS – FIRST QUARTER 2008
6. LAKE MISHNOCK FIRE DEPARTMENT

DECEMBER 5, 2007
RE: PLANS REVIEW FEES

7. NEWSPAPER ARTICLE
THE MUNICIPAL EMPLOYER
“AN ACT OF JUDICIAL COURAGE”
8. TOWN PLANNER JENNIFER PAQUET
NOVEMBER 26, 2007
RE: HOPKINS HILL SAND & STONE – ANNUAL REVIEW OF
SETTLEMENT AGREEMENT AND EXCAVATION OPERATION
9. TOWN PLANNER JENNIFER PAQUET
NOVEMBER 30, 2007
RE: HOPKINS HILL SAND & STONE – ANNUAL REVIEW OF
SETTLEMENT AGREEMENT
NOTIFICATION OF PAYMENT OF ANNUAL FEE
10. BIG RIVER MANAGEMENT AREA
OCTOBER 31, 2007
RE: NOTICE OF RETIREMENT
11. COPY OF LETTER TO
AMY K. PRATT, DVM
FROM KEVIN A. BREENE
RE: THE GREENE SCHOOL
12. LAKE MISHNOCK FIRE DEPT.
DECEMBER 4, 2007
RE: NOTICE OF VACATION OF CHIEF

IV. ADDITIONS, ABATEMENTS & REBATES

1. REQUEST OF TAX ASSESSOR – DECEMBER 7, 2007

November

<u>Acct #</u>	<u>Name</u>	<u>Amount</u>	<u>Reason</u>
<u>M.V. ABATEMENTS 2007- 2008</u>			
16-0016-27	Palmer, Stephen	\$660.69	Double Charged for Car
<u>M.V. ADDITIONS 2007 - 2008</u>			
16-0016-27	Palmer, Stephen	\$501.45	Double Charged for Car
<u>REAL ABATEMENTS 2007 - 2008</u>			
08-0280-00	Hutchins, Dorothy	\$3,255.84	Appeal Approved
19-0158-00	Skalubinski, Victor M & Linda	\$4,780.49	Appeal Approved
<u>REAL ADDITIONS 2007 - 2008</u>			
08-0280-00	Hutchins, Dorothy	\$3,137.77	Appeal Approved
19-0158-00	Skalubinski, Victor M & Linda	\$4,707.35	Appeal Approved
<u>REAL REBATES 2007-2008</u>			
19-0158-00	Skalubinski, Victor M & Linda	\$73.14	Appeal Approved

V. CHECK SUMMARY REPORT

1. NOVEMBER, 2007

OLD BUSINESS

APPOINTMENT – BOARD OF CANVASSERS

No action was taken on this matter.

NEW 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 1-3 (PORTION), 5,7,8,9 & 10.**

Waltonen opened the following public hearing:

**TOWN OF WEST GREENWICH
RHODE ISLAND
NOTICE OF PUBLIC HEARING**

Notice is hereby given pursuant to Rhode Island General Laws 45-24-53, that a public hearing will be held on Wednesday, December 12, 2007, at 7:30 P.M. in the Town Council Chambers, 280 Victory Highway, West Greenwich, Rhode Island to consider an ordinance amending the Zoning Ordinance Map and Future Land Use Map of the Comprehensive Plan of the Town of West Greenwich.

The Town Council of the Town of West Greenwich ordains that the Zoning Map, Zoning Ordinance Text, Map, Comprehensive Plan Future Land Use Map and Comprehensive Plan Text of the Town of West Greenwich be amended as follows relative to the petition of **Ritchie Bros. Properties, Inc.** as applicant for those certain tracts of land located on Victory Highway & Barnett Lane in the Town of West Greenwich and described as Tax Assessor's *PLAT 13, LOTS 5,7,8 & 9, 15-1 through 15-16, 15-17 & 15-18, 16; PLAT 14, LOTS 1-3 (PORTION), 5,7,8,9 & 10.* The applicant is proposing an auction facility.

PLAT	LOT	EXISTING ZONING	PROPOSED ZONING
PLAT 13	LOT 5	RFR-2	INDUSTRIAL A
PLAT 13	LOT 7	HIGHWAY BUSINESS	INDUSTRIAL A
PLAT 13	LOT 8	HIGHWAY BUSINESS	INDUSTRIAL A
PLAT 13	LOT 9	HIGHWAY BUSINESS	INDUSTRIAL A
PLAT 13	LOTS 15-1-15- 16	INDUSTRIAL A	INDUSTRIAL A
PLAT 13	15-17 & 15-18	INDUSTRIAL A	INDUSTRIAL A
PLAT 13	16	HIGHWAY BUSINESS	INDUSTRIAL A
PLAT 14	1-3 (PORTION)	RFR-2	INDUSTRIAL A
PLAT 14	5	RFR-2	INDUSTRIAL A
PLAT 14	7	RFR-2	INDUSTRIAL A
PLAT 14	8	RFR-2	INDUSTRIAL A/HIGHWAY BUSINESS
PLAT 14	9	HIGHWAY BUSINESS	HIGHWAY BUSINESS
PLAT 14	10	HIGHWAY BUSINESS	HIGHWAY BUSINESS

The parcels are to be rezoned as follows as shown on the attached maps.

All interested parties may review and examine a copy of the proposed ordinance amendment at the West Greenwich Town Clerk's Office between the hours of 9:00 a.m. to 4:00 p.m. and at the West Greenwich Library during Library hours. Copies of the ordinance amendment can be obtained at the Town Clerk's Office.

The proposal 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. Any such alteration or amendment must be presented for comment in the course of said hearing.

Individuals requesting interpreter services for the hearing impaired must notify the Town Clerk's Office at 392-3800, 48 hours in advance of the hearing date.

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

Mr. Greg Benik, Esq. was present representing Ritchie Bros.
Also present were Justin Filuk, Development Coordinator for Ritchie Bros. and Mr. Rob Smedberg, PE. of VHB.

The following Residents; Walter Bouregault, Alan Scala, Joe Johnson, Carol Pigeon, Julie Pankowicz, Bailey Williams, Dennis Hultzman, Denise Anthon, Marcia Stewart, Adrian Knott, Karen Peltier, Al Moscola, Peggy Marcott, Brent Stewart, Kelly Stewart, Ted Borges, Donald Pigeon and William Potter questioned the applicants and the Council regarding reclamation of materials used during painting of equipment, the number of auctions to be held during the course of a year, concern for school busses and children when the auctions were being held, concern of what would happen to the property should the business close, additional development for other properties owned by the applicant that were not used for the auction business, noise and lighting issues, effect on wells, fencing and traffic concerns. Also questioned was whether the Council had contacted other municipalities where other facilities of this company were located.

Mr. Mark Petri of the Diocese of Providence spoke in favor of this project.

Incorporated in to the record are the recommendation of the Planning Board dated November 21, 2007 and the recommendation of the Conservation Commission dated December 10, 2007.

Woloohojian questioned the lighting for the project.

Mr. Smedberg stated that a lighting plan would be submitted for Planning Board approval.

Paul Kaltschnee, a member of the Conservation Commission, noted that the advisory opinion from the Conservation Commission recommended that because the Town will be giving up property that had previously been dedicated to Open Space, it was felt that some dedicated Open Space should come from this project as a replacement.

Rob noted that the Management of Ritchie Bros. was considering this.

Andrews moved to close the public hearing at 11:23 p.m. Tourgee seconded.

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

Andrews moved the following:

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

Motion 1: Amendment to Comprehensive Plan Future Land Use Map

Motion to amend the West Greenwich Comprehensive Plan Future Land Use Map, to expand the Industrial A zoning and Highway Business zoning in that area of Town as presented in that plan entitled, “Ritchie Bros. Auction Facility, Zoning Change Approval,” sheets 1 through 3, dated October 18, 2007, prepared by VHB, to allow for the use of a heavy equipment auction by Ritchie Bros. Auctioneers, based on the following findings of fact, consistency with the Comprehensive Plan, and conditions of approval:

Findings of Fact:

1. The proposed Industrial A expansion and limited Highway Business expansion encompasses areas that are considered to be geographically and topographically suitable for the proposed use.
2. The proposed project will be a single-use development on one large site, which prevents ‘strip development’ from evolving adjacent to arterial or secondary roads
3. the parcels under consideration for rezoning are currently partially developed with industrial development; are part of a larger site already partially zoned Industrial A; contain large tracts of vacant areas; abut Route 102; are in close proximity to the interchange of I-95; and are in the south-central portion of the Town of West Greenwich.
4. The development proposal for this area will be required to go before the Planning Board for Major Land Development Project review.

Consistency with Comprehensive Plan:

The amendment is found to be consistent with the Comprehensive Plan as follows:

Economic Development:

Goal #1 To Promote preservation of the Town’s rural character, while encouraging limited economic expansion designed to augment the concepts of self-sufficiency and self-reliance.

Goal #2 To prevent commercial “strip development” from evolving adjacent to arterial or secondary roads.

Goal #3 Encourage compatible economic activities that compliment the rural character of the Town based on the independent principle of self-reliance.

Goal #7 To promote varied economic base and diversity of employment opportunities, recognizing utility limitations where applicable.

Policy #9 The East side of Victory Highway at the I-95 interchange shall be analyzed as a potential site for future Industrial A expansion.

Policy #15 Encourage restricted Industrial/Commercial development appropriate to a site in consideration of environmental factors, accessibility, and adjacent land uses.

Policy #16 Due to utility limitations, high volume water and/or wastewater discharge users are not recommended in areas without public water and sewer availability.

Policy #19 The Town shall only promote Permitted land use activities for the I-95 Cloverleaf Area

Policy #21 Industrial A zoned land by the I-95 Cloverleaf Area should be re-evaluated for its potential to incorporate natural resources based Planned Commercial-Recreation activity to act as a catalyst, and also to act as a buffer strip between industrial/commercial and residential activity in the area.

Circulation Element

Goal # 10: Insure that new large developments adequately address their impact on the surrounding area roadways and intersections.

Land Use Element

Policy #2 The preservation of the rural character of West Greenwich demands careful consideration of visual factors. The visual diversity of West Greenwich is an important component of the scenic rural quality of the community

Conditions of Approval (required by State Law):

1. This amendment shall not become effective for the purpose of guiding the State of Rhode Island or any of its agencies until it has been approved by the State of Rhode Island, in accordance with the manner prescribed in the Comprehensive Community planning and Land Use Regulation Act, or pursuant to any rules and regulations as adopted pursuant thereto; and,
2. The plan amendment shall become effective for the purpose of conforming municipal land use decision upon adoption by both the Planning Board and the Town Council.

Other Conditions of Approval:

1. That the applicant reimburse the Town for the costs of Public Hearing meeting notice requirements (6 notices in Providence Journal) and for the costs of notice to abutting properties.
2. This approval shall be limited to the specified proposed project for the use of a periodic heavy equipment auction only, in the Industrial A zone. Any other uses proposed in the Industrial A zone shall be reviewed by the Town Council and other appropriate Town Boards. Uses proposed for the Highway Business zone shall be in accordance with the West Greenwich Zoning Ordinance.
3. That this zone change shall not preclude the Town from initiating any future zone changes or amendments to the Future Land Use Map for the parcels under this application to allow for future use in accordance with the Town's long range plans.
4. The proposed development shall maintain a minimum of a 100 foot vegetated buffer to all Residential Zone boundaries; and shall maintain landscaping and vegetated buffers along the view from Victory Highway, so as to prevent a clear-cut vista into the site.

Motion 2: Amendment to Zoning Map

Butler moved the following motion:

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

Motion to approve the application of Ritchie Bros. Properties Inc. to rezone parcels according to Exhibit A, that plan entitled, “Ritchie Bros. Auction Facility, Zoning Change Approval,” sheets 1 through 3, dated October 18, 2007, prepared by VHB; and as shown on Exhibit C, “Table of Proposed Zoning for Ritchie Bros. Auctioneers Project,” attached hereto and incorporated herein, based on the following findings of fact, findings of consistency with the Comprehensive Plan, recognition and consideration of the applicable purposes of the Zoning Ordinance, and subject to the restrictions stated herein:

Findings of Fact:

1. That the proposed Zoning Map amendments are consistent with the recently amended Comprehensive Plan, specifically the Future Land Use Map and Economic Development Element.
2. That the proposed amendments to the Zoning Map are consistent with the following Goals and Policies of the Comprehensive Plan Economic Development Element:
 - a. The Future Land Use Map, as amended.
 - b. Goal #1 To Promote preservation of the Town’s rural character, while encouraging limited economic expansion designed to augment the concepts of self-sufficiency and self-reliance.
 - c. Goal #2 To prevent commercial “strip development” from evolving adjacent to arterial or secondary roads.
 - d. Goal #3 Encourage compatible economic activities that compliment the rural character of the Town based on the independent principle of self-reliance.
 - e. Goal #7 To promote varied economic base and diversity of employment opportunities, recognizing utility limitations where applicable.
 - f. Policy #9 The East side of Victory Highway at the I-95 interchange shall be analyzed as a potential site for future Industrial A expansion.
 - g. Policy #15 Encourage restricted Industrial/Commercial development appropriate to a site in consideration of environmental factors, accessibility, and adjacent land uses.
 - h. Policy #16 Due to utility limitations, high volume water and/or wastewater discharge users are not recommended in areas without public water and sewer availability.
 - i. Policy #19 The Town shall only promote Permitted land use activities for the I-95 Cloverleaf Area
 - j. Policy #21 Industrial A zoned land by the I-95 Cloverleaf Area should be re-evaluated for its potential to incorporate natural resources based Planned Commercial-Recreation activity to act as a catalyst, and also to act as a buffer strip between industrial/commercial and residential activity in the area.
 - k. Land Use Policy #2 The preservation of the rural character of West Greenwich demands careful consideration of visual factors. The visual diversity of West Greenwich is an important component of the scenic rural quality of the community.

3. That the proposed Zoning Map amendments are consistent with the following purposes of the Zoning Ordinance:
 - 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.
 - b. Promote a high level of quality in design in the development of private and public facilities.
 - c. Promote implementation of the Town's Comprehensive Plan as adopted and as may be amended.
4. The Applicant conducts periodic used heavy equipment auctions (4 to 6 times per year), and refurbishes and stores equipment on site prior to each auction event. Refurbishing includes power washing, (sand blasting?), and painting within an enclosed, environmentally certified building. Equipment is stored outdoors, and is on display prior to and during the auction. Equipment is transported off-site in the following weeks after each event. Auction takes place indoors, inside a climate-controlled auction building, with theater seating. Event parking is on-site. The majority of the site is not paved, and dust control measures are taken. An auction cycle lasts about 6 weeks, to bring equipment into the site, refurbish equipment, hold auction, and remove equipment off-site.
5. The site is in close proximity to Exit 5 on I-95 and has direct access via Route 102. Improvements are anticipated to Victory Highway to maximize access and minimize traffic impact to the local area.
6. The proposed Industrial A expansion and limited Highway Business expansion encompasses areas that are considered to be geographically and topographically suitable for the proposed use.
7. The proposed project will be a single-use development on one large site, which prevents 'strip development' from evolving adjacent to arterial or secondary roads
8. The majority of the parcels under consideration for rezoning are currently undeveloped, vacant, or in use, or formerly in use as a gravel operation; are part of a larger site already partially zoned Industrial A; contain large tracts of vacant areas; abut Route 102; are in close proximity to the interchange of I-95; and are in the south-central portion of the Town of West Greenwich.
9. The development proposal for this area will be required to go before the Planning Board for Major Land Development Project review.
10. The Town Council does not find the proposed zone change, nor the proposed use to be offensive or inimical to the public health, safety and welfare.

Restrictions and Conditions of Approval;

1. This approval shall be limited to the specified proposed project for the use of a periodic heavy equipment auction only, in the Industrial A zone. Any other uses proposed in the Industrial A zone shall be reviewed by the Town Council and other appropriate Town Boards. Uses proposed for the Highway Business zone shall be in accordance with the West Greenwich Zoning Ordinance.

2. That this zone change shall not preclude the Town from initiating any future zone changes or amendments to the Future Land Use Map for the parcels under this application to allow for future use in accordance with the Town's long range plans.
3. The proposed development shall maintain a minimum of a 100 foot vegetated buffer to all Residential Zone boundaries; and shall maintain landscaping and vegetated buffers along the view from Victory Highway, so as to prevent a clear-cut vista into the site.
4. That the applicant reimburse the Town for the costs of Public Hearing meeting notice requirements (6 notices in Providence Journal) and for the costs of notice to abutting properties.

Andrews moved to authorize the Town Administrator to work with Ritchie Bros. to set aside an area for open space. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

A short recess was taken.

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” (CONTINUED FROM OCTOBER 10, 2007, NOVEMBER 14, 2007)

Discussion was held on changing the date for the January, 2008 meeting. Andrews moved to hold the January, 2008 meeting on Tuesday, January 8, 2008. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

Woloohojian moved to continue hearing on this matter until Tuesday, January 8, 2008. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

RESOLUTION REGARDING REQUEST FOR ADDITIONAL RESERVE SEWER CAPACITY FOR CENTRE OF NEW ENGLAND AND LAWSON SITE

Mr. John Pagliarini, Esq. was present and explained that this matter needed to forward regardless of the use of the Lawson property.

Butler moved the following resolution. Tourgee seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

The Town Council of the Town of West Greenwich, Rhode Island hereby resolves the following:

Whereas, those developments known as the Centre of New England and the Lawson Site shall provide both economic development and various housing choices to the Town of West Greenwich on some one hundred (100) acres of land located near Exit 7 off Interstate 95; and,

Whereas, the Centre of New England and the Lawson Site are the largest contiguous tracts of undeveloped land in West Greenwich with access to natural gas, a public water supply, and to the West Warwick Regional Sewer Treatment Facility; and,

Whereas, Commerce Park Realty, LLC, owner of the Centre of New England, and Commerce Park Associates 12, LLC, owner of the Lawson Site, desire to commence development; and,

Whereas, the Town of West Greenwich has, on February 9, 2005, granted the Commerce Park Realty, LLC the right to purchase an additional 25,000 gallons per day of reserve sewer capacity from the Town of West Warwick; and,

Whereas, the Town of West Greenwich has, on August 3, 2005, reaffirmed the above grants and further granted Commerce Park Realty, LLC the right to purchase an additional 60,000 gallons per day and reserve sewer capacity from the Town of West Warwick (for a total of 175,000 gallons per day) and,

Whereas, the Town of West Greenwich has additional reserve capacity that they will sell to the Town of West Greenwich; and,

Nowtherefore, the West Greenwich Town Council hereby resolves and requests that the West Greenwich Town Administrator contact the West Warwick Regional Sewer Treatment Facility and secure an amount of additional reserve capacity, not to exceed a total of 85,000 gallons per day, in the name of the Town of West Greenwich, for the sole and dedicated use of Commerce Park Realty, LLC and Commerce Park Associates 12, LLC, and their assigns and successors. Further, and notwithstanding previous expiration dates, and the reservation of the West Greenwich reserve sewer capacity, 90,000 gallons per day, is hereby extended until December 31, 2009.

This act shall take effect upon passage.

By: /s/ Thaylen H. Waltonen, President

Date: December 12, 2007

Attest To: /s/ Janet E. Olsson, CMC, Town Clerk

Date: December 12, 2007

REQUEST FOR TEMPORARY TRAILER PERMIT – MALCOLM & DIANE MCCUTCHEON – 579 PLAIN METING HOUSE ROAD

Mr. and Mrs. McCutcheon were present.

Andrews moved to grant their request for a temporary trailer permit for 579 Plain Meeting House Road, one renewal permitted and the camper is to be disconnected upon issuance of the Certificate of Occupancy. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

**RHODE ISLAND CAMPAIGN FOR FAIR ELECTIONS
DOROTHY TEGELER**

No action was taken on this matter.

**FIRST READING - AMENDMENT TO ORDINANCE NO. 59 – TRUCKS,
COMMERCIAL VEHICLES THROUGH OPERATION PROHIBITED ON CERTAIN
PUBLIC WAYS – ADDITION OF FALLS RIVER ROAD**

Butler moved first reading on the following amendment to Ordinance No. 59 with second reading to be held on January 8, 2008. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

ORDINANCE NO. 2007 -

**AN ORDINANCE REGARDING
Truck Operation
AND AMENDMENT TO THE ORDINANCES
OF THE TOWN OF WEST GREENWICH**

WHEREAS, the Town of West Greenwich, desires to amend the Ordinances and provide for the prohibition of trucks on certain roads.

IT IS HEREBY ORDAINED by the Town Council of the Town of West Greenwich, Rhode Island, that Ordinance #59 be amended as follows:

**TRUCKS, COMMERCIAL VEHICLES
THROUGH OPERATION PROHIBITED ON CERTAIN PUBLIC WAYS**

- A. The through operation of trucks or other commercial vehicles with gross weight over 5 tons is hereby prohibited on the following named public highways situated in the Town of West Greenwich:

* * *

FALLS RIVER ROAD in its entirety.

* * *

SECTION 2. This ordinance shall take effect upon passage.

LIQUOR LICENSING BOARD

**REQUEST FOR 2:00 A.M. CLOSING – NEW YEAR’S EVE - LAKE MISHNOCK
GROVE, INC.**

Andrews moved to adjourn as the Town Council and convene as the Liquor Licensing Board at 11:48 p.m. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye Butler – aye, Andrews– aye, Woloohojian – aye

Butler moved to grant the request of the Mishnock Barn to remain open until 2:00 a.m. (January 1, 2008) on New Year’s Eve, December 31, 2007. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye Butler – aye, Andrews– aye, Woloohojian – aye.

Butler moved to adjourn as the Liquor Licensing Board and reconvene as the Town Council at 11:50 p.m. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye Butler – aye, Andrews– aye, Woloohojian – aye.

ACCEPTANCE OF EXTENSION OF FOX RUN

Butler moved to accept the extension of Fox Run as a Town Road. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

ROAD ABANDONMENT – PORTION OF DEER RUN

Tourgee moved to authorize Town Council President Waltonen to sign the deed conveying a portion of Deer Run to Francis D. Belanger. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

APPROVAL OF PROPOSAL FOR WINDOWS FOR TOWN HALL

No action was taken on this matter.

ADOPTION OF 457 (B) DEFERRED COMPENSATION PLAN AGREEMENT

Tourgee moved to adopt the 456 (B) Deferred Compensation Plan Agreement as presented. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

RATIFICATION OF CONTRACT WITH DISPATCHER’S UNION 1322

This matter was considered in Executive Session action was taken in open session afterwards.

PUBLIC FORUM

No one spoke in Public Forum.

No action was taken on the following Correspondence that was removed from the Consent Agenda. Butler who had asked that these items be removed noted it had been for informational purposes for the TV camera, which had not been present.

6. LAKE MISHNOCK FORE DEPARTMENT
DECEMBER 5, 2007
RE: PLANS REVIEW FEES
7. NEWSPAPER ARTICLE
THE MUNICIPAL EMPLOYER
“AN ACT OF JUDICIAL COURAGE”
8. TOWN PLANNER JENNIFER PAQUET
NOVEMBER 26, 2007
RE: HOPKINS HILL SAND & STONE – ANNUAL REVIEW OF
SETTLEMENT AGREEMENT AND EXCAVATION OPERATION

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

Butler moved to go into Executive Session for matters of Collective Bargaining pursuant to RIGL 42-46—5,a, 2 at 11:58 p.m. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

Butler moved to come out of Executive Session and seal the minutes at 12:26 a.m. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Andrews– aye, Woloohojian – aye.

Andrews moved to approve the contract as presented. Tourgee seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler –nay, Andrews– aye, Woloohojian – nay.

Tourgee moved to adjourn at 12:40 a.m. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye, Andrews– aye, Woloohojian – aye.

Janet E. Olsson, CMC
Town Clerk