

**TOWN OF WEST GREENWICH
TOWN COUNCIL
REGULAR MEETING
FEBRUARY 11, 2009**

A regular meeting of the West Greenwich Town Council was held on February 11, 2009. Present were Thaylen Waltonen, Robert Butler, Mark Tourgee, Susan Woloohojian and Kelly Stewart. Also present were Town Administrator Kevin Breene and Town Solicitor Michael Ursillo. Waltonen called the meeting to order at 7:30 p.m.

Waltonen expressed condolences to Kelly Stewart on the death of her grandmother, Florence Potter.

CONSENT AGENDA

Butler moved to approve the Consent Agenda with Correspondence Items 7, 9, 10, 12 & 14 removed for further consideration and corrections noted to the minutes of January 14, 2009. Woloohojian seconded. VOTED: Waltonen – abstain, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

I. MINUTES

1. MINUTES OF MEETING OF JANUARY 14, 2009

II. REPORTS

1. TOWN CLERK RECEIPTS –JANUARY, 2009
2. PLANNING DEPT. MONTHLY REPORT – JANUARY, 2009
3. TOWN CLERK’S MONTHLY REPORT – JANUARY, 2009
4. BUILDING INSPECTORS OFFICE MONTHLY REPORT – JANUARY, 2009
5. POLICE DEPT. MONTHLY REPORT – JANUARY, 2009
6. TOWN TREASURER’S REPORT – DECEMBER 31, 2008
7. HIGHWAY DEPT. MONTHLY REPORT – JANUARY, 2009
8. TAX ASSESSOR’S OFFICE MONTHLY REPORT – JANUARY, 2009
9. MONTHLY/QUARTERLY REPORT FY 2008/2009
SUMMARY
10. PAYROLL REPORT
PAY PERIODS JANUARY 2, 2009 – FEBURARY 5, 2009

III. CORRESPONDENCE

1. ZONING BOARD DECISION
JANUARY 20, 2009
RE: METROPCS MASSACHUSETTS, LLC
2. ZONING BOARD DECISION
JANUARY 20, 2009
RE: THOMAS MARANDOLA/KATHLEEN DUNN
3. ZONING BOARD OF REVIEW
AGENDA FOR FEBRUARY 17, 2009 MEETING
4. ERIN LIESE
JANUARY 28, 2009
RE: MEMO REGARDING BUSINESS LICENSE SOFTWARE BIDS
5. CONSERVATION COMMISSION – MINUTES OF JANUARY 8, 2009 MEETING
6. RI SECRETARY OF STATE
JANUARY 22, 2009
RE: RINET MUNI FUNDING
7. BEACON MUTUAL INSURANCE CO.
JANUARY 9, 2009
RE: LOSS PREVENTION SERVICE VISIT
8. TURN TO 10
JANUARY 29, 2009
RE: ARTICLE REGARDING TEACHERS
9. GOVERNOR DONALD L. CARCIERI
JANUARY 16, 2009
RE: SUPPLEMENTAL BUDGET
10. RI DEM
TRANSFER STATION FIELD INSPECTION REPORT
DECEMBER 9, 2008
- 11: CENTRAL COVENTRY FIRE DISTRICT
DECEMBER 10, 2008
RE: TOTAL RECEIPTS FOR 2008 'TIS THE SEASON BOOT DAY
12. COPY OF LETTER TO LAKE MISHNOCK FIRE CO.
JANUARY 20, 2009
RE: HOUSE NUMBERS ON FISH HILL ROAD
13. STATE PLANNING COUNCIL
PUBLIC NOTICE
AMENDMENT TO THE TRANSPORTATION IMPROVEMENT PROGRAM
14. THOMAS J. GEISMAR, ED.D.

JANUARY 29, 2009
RE: COMPLIMENTARY LETTER REGARDING HIGHWAY SUPERVISOR
CLAUDE WRIGHT

15. BLUEBERRY HEIGHTS HOUSING
COOPERATIVE CORPORATION
DECEMBER 27, 2008
RE: CHANGES TO THE TAX STABILIZATION PROGRAM

IV. ABATEMENTS, ADDITIONS & REBATES

1. REQUEST OF TAX ASSESSOR – FEBRUARY 2, 2009

<u>January</u>			
<u>ACCT #</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>REASON</u>
<u>Real Estate Abatements 2008-2009</u>			
03-0275-84	Commerce Park Realty, LLC	\$661.13	Appeal Approved

V. CHECK SUMMARY REPORT

1. JANUARY, 2009

OLD BUSINESS

PROPERTY VALUE INCREASE VS. 3050 TAX LEVY CAP

Town Administrator Breene noted that this had been discussed at the joint meeting with the School Committee.

Waltonen explained what the impact of the 3050 tax levy cap had on the budget.

NEW BUSINESS

LIQUOR LICENSING BOARD

Butler moved to adjourn as the Town Council and convene as the Liquor Licensing Board at 7:41 p.m. Woloohojian seconded. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

PUBLIC HEARING - APPLICATION TO TRANSFER CLASS BV-LTD.

ALCOHOLIC BEVERAGE LICENSE FROM DCH1, INC. D/B/A WEST GREENWICH TOWN PIZZA TO CLASS BV DCH1, INC. D/B/A DAN'S PLACE

Waltonen opened the following public hearing:

LEGAL NOTICE
TOWN OF WEST GREENWICH
APPLICATION TO TRANSFER
CLASS BV-LTD.
ALCOHOLIC BEVERAGE LICENSE
DCH1, INC. D/B/A WEST GREENWICH TOWN PIZZA
TO
CLASS BV
DCH1, INC. D/B/A DAN'S PLACE

Notice is hereby given by the Town Council of the Town of West Greenwich, being the licensing board in said town, under Title 3 of the General Laws of Rhode Island, 1956 as amended, that the following has applied for Transfer of a Class B-Victualer Limited Alcoholic Beverage License

from DCH1, Inc. d/b/a West Greenwich Town Pizza for premises located at
780 Victory Highway, West Greenwich, RI 02817

To

Class B-Victualer Alcoholic Beverage License DCH1, Inc. d/b/a Dan's Place for premises located
at 880 Victory Highway, West Greenwich, RI 02817.

The above application will be in order for hearing at a meeting of the West Greenwich Town Council being the licensing board for said town on the 11th day of February, A.D., 2009 at 7:30 p.m.

at the Town Hall, 280 Victory Highway, West Greenwich, RI, at which time and place all remonstrants may make their objections. Individuals requesting interpreter services for the hearing impaired must notify the Town Clerk's Office at 392-3800, ext. 100 72 hours in advance of the hearing date.

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

Mr. Dan Hebert was present.

It was noted that this was not technically a transfer but a relocation.

Butler moved to grant the request of DCH1, Inc. d/b/a Dan's Place for a Class B-Victualer Alcoholic Beverage License for premises located at 880 Victory Highway, West Greenwich, RI 02817. Woloohojian seconded. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

REQUEST FOR ONE-DAY CLASS F1 LIQUOR LICENSE
SOUTH COUNTY ROD & GUN CLUB – FEBRUARY 22, 2009

Butler moved to grant the request for Class F1 Liquor License to South County Rod & Gun Club for its annual Game Dinner to be held on February 22, 2009 and waive the fee. Stewart seconded. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

Butler moved to adjourn as the Liquor Licensing Board and convene as the Town Council at 7:46 p.m. Woloohojian seconded. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

TRANSFER OF VICTUALING & HOLIDAY/SUNDAY SALES LICENSE FROM DCH1, INC. D/B/A WEST GREENWICH TOWN PIZZA TO DCH1, INC. D/B/A DAN'S PLACE

Butler moved to transfer Victualing and Holiday/Sunday Sales Licenses from DCH1, Inc. d/b/a West Greenwich Town Pizza for premises located at 780 Victory Highway, West Greenwich, RI 02817 to DCH1, Inc. d/b/a Dan's Place for premises located at 880 Victory Highway, West Greenwich, RI 02817. Woloohojian seconded. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

SET DATE FOR HEARING (MARCH 11, 2009) REQUEST FOR AMENDMENT TO COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR REVERSAL OF ZONE CHANGE FOR PROPERTY OWNED BY JEANNETTE LEPRE, PLAT 1 LOT 13 49 DIVISION ST. AND THOMAS LEPRE, PLAT 1 LOT 15, 53 DIVISION ST.

Butler moved to set a date of March 11, 2009 for hearing the request for amendment to Comprehensive Plan Future Land Use Map for reversal of zone change for property owned by Jeannette Lepre, Plat 1 Lot 13 49 Division St. And Thomas Lepre, Plat 1 Lot 15, 53 Division St. Stewart seconded. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

RESOLUTION SUPPORTING THE FY2009 SUPPLEMENTAL BUDGET

Woloohojian moved to endorse the following resolution of the Town of Hopkinton supporting the FY 2009 Supplemental Budget. Butler seconded.

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

Hopkinton Town Council

Resolution Supporting the FY2009 Supplemental Budget

WHEREAS, at the regular meeting of the Hopkinton Town Council held on January- 20, 2009. at 7jOO_p.m. at the Ashaway Fire Station in Hopkinton Rhode Island, at which time a quorum of the Town Council was present and acting throughout the Town Council discussed various Budget Articles intended to protect the public treasury and result in improved municipal collective bargaining agreements; and

WHEREAS, the Hopkinton Town Council finds that cities and towns are being faced with ever increasing demands upon their finances and that Governor Donald Carcieri has put forth a number of Budget Articles with the intention of reducing the cost of local government:

WHEREAS, the Hopkinton Town Council finds that management tools are needed to help reduce the cost of local government:

WHEREAS, the Hopkinton Town Council finds that the current state of the law in Rhode Island imposes unfair burdens upon municipal government, its public officials and employees, and the taxpayers of Rhode Island's cities and towns due to a statutory scheme that imposes unreasonable liability upon the cities and towns of Rhode Island: and

WHEREAS, Governor Carcieri introduced legislation (H 5019). that would impact municipalities in the following manner:

1. Article 18. School Bus Monitors; This Article will help to reduce the Cbariho regional school budget and is appropriate for rural Hopkinton.
2. Article 20, Statewide Purchase System; Hopkinton has benefited from the statewide purchasing system. Further expansion of this program will be beneficial to the Town.
3. Article 21. School Budget Resolution; This Article will provide incentive to School Departments to work with Town Councils to develop affordable budgets.
4. Article 23 - 6; School related Articles; These Articles will improve the management and operations of the Chariho regional school system.
5. Article 41. School and Municipal Realignment Commission; This is an important initiative for smaller communities like Hopkinton. Shared municipal services are a mechanism to reduce program costs that are difficult for smaller municipalities to carry.
6. Article 42. Firefighters and Municipal Police Arbitration; The allowance of three (3) year arbitration awards and limitation of awards due to the tax levy cap will place municipalities in a much stronger position in collective bargaining.
7. Article 43. Firefighters and Municipal Police Manning; The elimination of minimum manning provisions is an important step to reining in the Hopkinton Police Collective Bargaining agreement
8. Article 44. Municipal Health Insurance Cost Sharing; A State required cost-share eliminates a critical negotiating point in collective bargaining and provides a great financial benefit to the Town of Hopkinton.

9. Article 45. Municipal Retirement; This Article will provide a number of benefits to the Town of Hopkinton.
10. Article 48. Police and Firefighters Injured on Duty; This article will provide financial and managerial benefits to the Town.
11. Article 47. Pre-Judgment Interest; This Article has a number of provisions that will benefit Hopkinton. Presently, the Town Manager, Police Chief and four police officers are now facing personal suits which has greatly increased the cost of legal representation to the Town.

NOW, THEREFORE, BE IT RESOLVED that we, the Hopkinton Town Council respectfully request that the General Assembly support these Articles within House Bill H-5019.

BE IT FURTHER RESOLVED that the Hopkinton Town Clerk is hereby instructed to submit a copy of this resolution to the Town of Hopkinton State Senators and State Representatives in the Rhode Island General Assembly seeking their consideration and support of H-5019.

ADOPTED this 20th day of January, 2009

ATTEST: /s/ Elizabeth J. Cook-Martin, Town Clerk

**REQUEST FOR APPROVAL OF CO-SHARE PAYMENT OF \$1,000
LAW ENFORCEMENT ADVOCATE PROGRAM (VIOLENCE AGAINST WOMEN
ACT)**

Butler moved to grant the request of the Chief of Police for a co-share payment in the amount of \$1,000.00 for a Law Enforcement Advocate Program (Violence Against Woman Act). Stewart seconded. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

The following Correspondence Items that were removed from the Consent Agenda were considered:

7. BEACON MUTUAL INSURANCE CO.
JANUARY 9, 2009
RE: LOSS PREVENTION SERVICE VISIT

Butler commented on the complimentary report.

9. GOVERNOR DONALD L. CARCIERI
JANUARY 16, 2009
RE: SUPPLEMENTAL BUDGET

It was noted that West Greenwich was to loose \$189,000 but had only budgeted \$150,000.

10. RI DEM
TRANSFER STATION FIELD INSPECTION REPORT
DECEMBER 9, 2008

It was noted that there were no deficiencies in the report.

12. COPY OF LETTER TO LAKE MISHNOCK FIRE CO.
JANUARY 20, 2009
RE: HOUSE NUMBERS ON FISH HILL ROAD

It was noted that a problem with the house numbers on Fish Hill Road had been addressed.

14. THOMAS J. GEISMAR, ED.D.
JANUARY 29, 2009
RE: COMPLIMENTARY LETTER REGARDING HIGHWAY SUPERVISOR
CLAUDE WRIGHT

This letter complemented Highway Supervisor Claude Wright.

Butler moved to accept the above correspondence that had been removed from the Consent Agenda. Woloohojian seconded. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

ESTABLISHMENT OF CHARTER COMMISSION

Discussion was held on establishing a 7 member Charter Review Commission.

This matter was to be placed on the March 11, 2009 agenda.

DISCUSSION ON BUDGET WORKSHOPS

Discussion was held on the school budget and on threatened cuts to programs.

Woloohojian moved to send a letter to the School Committee indicating that the Town Council supported its efforts for a fiscally responsible budget but did not want to see programs cut for the students. Butler seconded. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

It was noted that the Budget hearing would be held on April 22, 2009. No workshops were set at this time.

SET DATE FOR FINANCIAL TOWN MEETING

Woloohojian moved to set the date for the Financial Town Meeting for June 8, 2009. Stewart seconded. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

PUBLIC FORUM

Luanne Grafe read a statement regarding the Animal Control Officer appointment.

Adrian Knott questioned the Victualing and Holiday/Sunday Sales Licenses not being done while the Council was acting as the Liquor Licensing Board and was advised that those licenses were not under the jurisdiction of the Liquor Licensing Board.

Mary Kaltschnee questioned the procedure for speaking at a School Committee meeting and the procedure was explained.

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

Tourgee moved to go into Executive Session for matters of Personnel and Litigation and Collective Bargaining pursuant to RIGL 42-46-5,a, 1 & 2 at 8:38 p.m. Butler seconded. .
VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

Butler moved to come out of Executive Session and seal the minutes at 10:16 p.m. Tourgee seconded.. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

Butler moved to adjourn at 10:16 p.m. Tourgee seconded. VOTED: Waltonen – aye, Butler – aye, Tourgee – aye, Woloohojian – aye, Stewart – aye.

Janet E. Olsson, CMC
Town Clerk