

**TOWN OF WEST GREENWICH
TOWN COUNCIL
REGULAR MEETING
DECEMBER 7, 2011**

A regular meeting of the West Greenwich Town Council was held on December 7, 2011. Present were Mark Tourgee, Susan Woloohojian, Robert Andrews, Paul Kaltschnee and Robert Smith. Also present were Town Administrator Kevin Breene and Town Solicitor Michael Ursillo.

A moment of silence was observed for Pearl Harbor Remembrance Day.

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

The following announcements were made:

On behalf of the council, I'd like to wish everyone a Merry Christmas and a happy, healthy holiday season.

The Christmas tree in the chambers was donated by The Secret Garden in Jamestown.

Elsie said she had a record number of people at the Christmas Tree Lighting at the library on Monday. She said there were over 125 people in attendance.

The EWG arts program has a number of community events in November:

EWG Drama Production - "Lend me a Tenor" show dates:

December 8, 9, 10 & 11. More info is available on the website.

Holiday Art Show & Concert - Wednesday, December 14th at the High School.

The art show starts at 5 pm & the concert starts at 7 pm.

Holiday Band Concert - December 18th at 3 pm in the High School auditorium
Please support our fine Art, Music and Drama departments.

Let "EWG Sports 4 Kids" help you with your holiday shopping. You can order gift cards from the list, saving you time and gas. It is so easy and at no added cost to you. Just complete the order form and return with a check to the office at school and we will order the cards and deliver them to school for your convenience. We will be ordering the cards on the following dates: Dec. 5, 12, and 19 for Christmas giving. Thank you for your continued support. If you have any questions please call Sharon Pelsler at 294-9272. We have blank forms available.

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.

Smith moved to approve the Consent Agenda with Reports Item No. 2 removed for further consideration. Andrews seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

I. MINUTES

1. APPROVAL OF MINUTES OF MEETING OF NOVEMBER 9, 2011
2. APPROVAL OF MINUTES OF EXECUTIVE SESSION – NOVEMBER 9, 2011 (SEALED)

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

1. TOWN CLERK RECEIPTS – NOVEMBER, 2011
2. PLANNING DEPT. MONTHLY REPORT – NOVEMBER, 2011
3. TAX OFFICE MONTHLY REPORT – NOVEMBER, 2011
4. POLICE DEPT. MONTHLY REPORT – NOVEMBER, 2011
5. BUILDING OFFICIAL'S MONTHLY REPORT – NOVEMBER, 2011
6. HIGHWAY DEPT. MONTHLY REPORT - NOVEMBER, 2011
7. TREASURER'S REPORT - NOVEMBER 30, 2011

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

1. CONSERVATION COMMISSION - MINUTES OF NOVEMBER 3, 2011
MEETING
2. WEST GREENWICH LAND TRUST - MINUTES OF OCTOBER 11, 2011 MEETING
3. COPY OF LETTER TO RESIDENTS OF START AND FINLANDIA DRIVES
FROM: TOWN ADMINISTRATOR KEVIN BREENE
NOVEMBER 14, 2011
RE: BRUSH CUTTING
4. COPY OF MEMO TO FIRE BOARD OF ENGINEERS
FROM TOWN ADMINISTRATOR KEVIN BREENE
NOVEMBER 21, 2011
RE: PERMIT FEES FROM HOPKINS HILL FIRE DEPT. FOR WORK AT AMGEN
5. COPY OF MEMO FROM
TOWN PLANNER JENNIFER PAQUET
TO TOWN ADMINISTRATOR KEVIN BREENE
NOVEMBER 16, 2011
RE: FEMA REIMBURSEMENT - PUBLIC DISASTER ASSISTANCE
6. COPY OF LETTER TO
KAREN SCOTT, ASSISTANT CHIEF, RI STATEWIDE PLANNING PROJECT
FROM: TOWN PLANNER JENNIFER PAQUET
NOVEMBER 9, 2011
RE: 2011 PLANNING CHALLENGE GRANT PROPOSAL
TOWN OF WEST GREENWICH EXIT 5 WATER STUDY
7. COPY OF MEMO FROM
TOWN PLANNER JENNIFER PAQUET
TO PLANNING BOARD
NOVEMBER 21, 2011
RE: CALCULATED QUOTA FOR ISSUANCE OF RESIDENTIAL BUILDING PERMITS

IV. ADDITIONS, ABATEMENTS, REBATES & UNCOLLECTABLES

**1. REQUEST OF TAX ASSESSOR/TAX COLLECTOR FOR SPECIFIC
AND VOTE REGARDING SAME – DECEMBER 1, 2011**

UNCOLLECTABLES

November

ACCT #	NAME	AMOUNT	CODE
<u>Abatements 2011 -2012</u>			
01-0175-00	ANDREWS DOROTHY M- LIFE ESTATE;	\$3,091.49	22
03-0337-59	COTE MICHAEL J	\$983.72	03
04-0014-20	DAVID MICHAEL E & LORI L	\$6,129.29	22
04-0185-17	DUSTON FORREST A & CARRALI	\$5,385.18	22
10-0014-55	JACOBSON RACHEL B & IAN M	\$7,036.41	22
10-0048-95	JOHNSON JEFFREY M & ELIZABETH	\$4,549.02	22
14-0037-61	NOWICKI KEVIN & KIMBERLY MITCHELL-	\$4,635.32	22
19-0095-60	SHERMAN DENISE M	\$7,260.79	22
<u>Additions 2011-2012</u>			
01-0175-00	ANDREWS DOROTHY M- LIFE ESTATE;	\$2,995.60	22
03-0337-59	COTE MICHAEL J	\$693.48	03
04-0014-20	DAVID MICHAEL E & LORI L	\$5,210.66	22
04-0185-17	DUSTON FORREST A & CARRALI	\$4,606.56	22
10-0014-55	JACOBSON RACHEL B & IAN M	\$6,723.81	22
10-0048-95	JOHNSON JEFFREY M & ELIZABETH	\$4,036.97	22
14-0037-61	NOWICKI KEVIN & KIMBERLY MITCHELL-	\$4,612.31	22
19-0095-60	SHERMAN DENISE M	\$6,342.16	22
<u>Refund 2011-2012</u>			
04-0185-17	STRYNAR, CARL	\$778.62	22
<u>Past Years - Abatements</u>			
15-0066-50	OSULLIVAN TERESA A	\$78.38	03
<u>Past Years - Additions</u>			
15-0066-50	OSULLIVAN TERESA A	\$56.96	03

V. CHECK SUMMARY REPORT

- RECEIPT OF CHECK SUMMARY REPORT FOR
MONTH OF NOVEMBER, 2011
FROM TOWN TREASURER

The following item that was removed from the Consent Agenda was considered:

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

2. PLANNING DEPT. MONTHLY REPORT – NOVEMBER, 2011

Woloohojian recused herself from the Council for this item.

Smith moved to approve the above item that was removed from the Consent Agenda.
Kaltschnee seconded. VOTED: Tourgee – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

E. OLD BUSINESS

There was no old business.

F. NEW BUSINESS

**1. RECOGNITION OF 2011 STATE CHAMPIONS - EXETER-WEST GREENWICH
GIRL'S SOCCER AND VOLLEYBALL**

Superintendent of Schools Dr. Thomas Geismar and Principal Brian Butler and the coaches joined the Council in congratulating the teams.

The following student athletes from Exeter-West Greenwich were acknowledged and awarded Certificates of Recognition for being 2011 Division II State Champions in Girl's Soccer and Volleyball:

SOCCER

Caroline Humphrey
Megan L. Vincent
Angela Russo
Olivia Tourgee
Kara E. Shaw
Alyssa M. Clements
Allisa Georgio
Erica Vincent
Kathryn Regan
Alexis Clements
Brynn Pignataro
Ashley Tourgee
Emily L. LePage

Katherine L. Millar
Bailee E. Cutler
Nicole A. Cotrone
Kathleen Rafanelli
Lane M. West
Percy C. West
Katelyn McElroy
Head Coach Kevin Fraser
Assistant Coach Steve Marmas

VOLLEYBALL

Haley Bookbinder
Jocelyn Hellested
Laura Homsany
Abbie Greene
Corinn C. Pare
Jennifer E. Donnelly
Taylor Matook
Amber Worthen
Jacelyn Harrington
Ashley Orwitz
Clare Schroeder
Lauren E. Unsworth
Bridget M. Laferriere
Paige Johnson
Head Coach Josh Bednarczyk
Assistant Coach - Jon Watterson

**2. DISCUSSION AND PRESENTATION BY TOWN AUDITOR OF DRAFT FINANCIAL AUDIT - FY
ENDING JUNE 30, 2011**

The town's auditor, Jeff Wadovick of Nadeau Wadovick LLP presented the preliminary draft of the audit for fiscal year ended June 30, 2011.

Kaltschnee moved to send the draft audit to the Financial Advisory Board. Woloohojian seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

**3. PUBLIC HEARING - 2ND READING
DISCUSSION AND VOTE ON ENACTING PROPOSED ORDINANCE NO. 92
REGARDING MOTOR VEHICLE EXCISE TAX CERTIFICATES**

Tourgee opened the following public hearing:

**TOWN OF WEST GREENWICH
NOTICE OF PUBLIC HEARING
ADOPTION OF ORDINANCE**

Notice is hereby given that the Town Council of the Town of West Greenwich will hold a public hearing on Wednesday, December 7, 2011 at 7:00 p.m. in the Council Chambers at the West Greenwich Town Hall, 280Victory Highway, on the adoption of the following town ordinance:

**PROPOSED ORDINANCE NO. 92
AN AMENDMENT TO THE ORDINANCES
OF THE TOWN OF WEST GREENWICH
REGARDING MOTOR VEHICLE EXCISE TAX CERTIFICATES**

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

Section 1. Pursuant to Rhode Island General Laws Section 44-7-11(f), the collector of taxes for the Town of West Greenwich shall, upon application for any municipal lien certificate, include and attach to the certificate at no additional fee, as a separate motor vehicle excise tax certificate setting forth all motor vehicle excise taxes which at the time are due and payable to the Town on account of any owner or any real estate referenced in the application. The closing agent presiding at the closing of any transfer of the real estate shall collect all sums due as set forth on the motor vehicle excise tax certificate and transmit the sums to the tax collector along with the forwarding address of the owner transferring any real estate. This section does apply to refinancing transactions and to transfers of real estate within a family without consideration.

Section 2. This ordinance shall take effect upon 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

Woloohojian moved second reading and passage of the above Ordinance. Kaltschnee seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

**4. LIQUOR LICENSING BOARD
DISCUSSION AND VOTE ON REQUESTS FOR 2:00 A.M. CLOSING - NEW YEAR'S EVE**

**COVENTRY-WEST GREENWICH ELKS LODGE #2285
LAKE MISHNOCK GROVE, INC.
DAN'S PLACE**

Andrews moved to adjourn as the Town Council and convene as the Liquor Licensing Board at 7:55 p.m. Smith seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee – aye, Smith – aye.

Kaltschnee moved to grant the requests of Coventry-West Greenwich Elks Lodge #2285, Lake Mishnock Grove, Inc. and Dan's Place to remain open until 2:00 a.m. on New Year's Eve, December 31, 2011. Andrews seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

Woloohojian moved to adjourn as the Liquor Licensing Board and reconvene as the Town Council at 7:56 p.m. Andrews seconded.

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

**5. DISCUSSION AND VOTE ON NEW GAMING LICENSE -
THE ROCK JUNCTION, 731 CENTRE OF NEW ENGLAND BLVD.**

Smith moved to grant the request of The Rock Junction, 731 Centre of New England Blvd. for a Gaming License. Woloohojian seconded.

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

6. ACTION ON CLAIM BY COMMERCE PARK REALTY

Smith moved to deny the above referenced claim against the Town of West Greenwich and forward it to the RI Interlocal Trust. Andrews seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

7. ACTION ON CLAIM BY SARAH GHAZAL AND JENNIFER MEARS

Smith moved to deny the above referenced claim against the Town of West Greenwich and forward it to the RI Interlocal Trust. Kaltschnee seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye. It was noted that the Town Solicitor had sent a letter regarding this claim as it was against the Lake Mishnock Fire Co.

8. DISCUSSION AND VOTE ON APPOINTMENT TO TILLINGHAST POND MANAGEMENT AREA

Woloohojian recused herself from the Council for this matter.

Kaltschnee moved to reappoint Steven Wright to the Tillinghast Pond Management Council. Smith seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

9. DISCUSSION AND VOTE ON APPOINTMENT OF SCHOOL COMMITTEE MEMBER

Kaltschnee reported on Lee Kissinger's experience and interest in the school system.

Kaltschnee moved to appoint Lee Kissinger to the School Committee to fill the unexpired term of Gregory Coutcher. Andrews seconded. Kaltschnee remarked on Kissinger's qualifications. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

10. DISCUSSION AND VOTE ON SETTING DATES FOR REGULAR TOWN COUNCIL MEETINGS FOR 2012

Kaltschnee moved to approve the following dates for regular Town Council meetings in 2012. Woloohojian seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

- JANUARY 11
- FEBRUARY 8
- MARCH 14
- APRIL 11
- MAY 9
- JUNE 13
- JULY 11
- AUGUST 8
- SEPTEMBER 12

OCTOBER 10
NOVEMBER 14
DECEMBER 12

11. DISCUSSION AND VOTE ON REQUEST OF LAKE MISHNOCK PRESERVATION ASSOC., INC. TO INVITE REPRESENTATIVES OF KENT COUNTY WATER TO ATTEND A FUTURE COUNCIL MEETING TO ADDRESS NEW PUMPS IN MISHNOCK SWAMP

Tourgee noted that he had spoken to Ken Brown, Vice President of Lake Mishnock Preservation Association and had received a letter regarding Kent County Water Authority's new pumps in the Mishnock Swamp.

Kaltschnee moved to have the Town Administrator contact Kent County Water Authority to invite them to a future Council meeting. Woloohojian seconded.

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

G. PUBLIC FORUM

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.

Rep. Lisa Tomasso, District 29 offered to go before the finance board regarding pension reform.

H. EXECUTIVE SESSION

1. 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

WEST GREENWICH FIRE & RESCUE ASSOC. LOCAL 4771

Smith moved to go into Executive Session at 8:14 p.m. 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. Kaltschnee seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee – aye, Smith – aye.

Woloohojian moved to come out of Executive Session and seal the minutes at 9:00 p.m. Andrews seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

Kaltschnee moved to adjourn at 9:00 p.m. Andrews seconded. VOTED: Tourgee – aye, Woloohojian – aye, Andrews - aye, Kaltschnee - aye, Smith - aye.

Janet E. Olsson, CMC
Town Clerk