

TOWN OF WEST GREENWICH

TOWN COUNCIL

REGULAR MEETING

NOVEMBER 5, 2014

A regular meeting of the West Greenwich Town Council was held on November 5, 2014. Present were Mark D. Tourgee, Susan Woloohojian, Robert Andrews, Gregory Coutcher and Thomas Mulcahey. Also present were Town Administrator Kevin Breene and Town Solicitor Michael Ursillo.

A. CALL TO ORDER - 7:00 P.M.

Council President Tourgee called the meeting to order at 7:00 P.M.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ANNOUNCEMENTS

Council President Tourgee made the following announcement regarding Thanksgiving basket dinner appeals: For more than 20 years, the West Greenwich Office of Human Services has put together dinner baskets for families in town who find themselves in need of assistance. If you or your organization would like to donate; or if you find yourself needing some assistance, please contact Marge Gartelman at 397- 4234.

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

Councilman Mulcahey moved to approve the Consent Agenda. Councilman Andrews seconded.

VOTED: Tourgee - aye, Woloohojian– aye, Andrews – aye, Coutcher – aye, Mulcahey – aye

I. MINUTES

1. APPROVAL OF MINUTES OF MEETING OF OCTOBER 8, 2014
2. APPROVAL OF MINUTES OF EXECUTIVE SESSION- OCTOBER 8, 2014 (SEALED)

II. REPORTS

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

1. BUILDING OFFICIAL REPORT – OCTOBER, 2014
2. POLICE DEPT. REPORT – OCTOBER, 2014
3. TAX OFFICE MONTHLY REPORT – OCTOBER, 2014
4. TOWN CLERK REPORT – OCTOBER, 2014
5. PLANNER’S OFFICE MONTHLY REPORT- OCTOBER, 2014

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III. CORRESPONDENCE

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

1. CONSERVATION COMMISSION – MINUTES OF MEETING OF SEPTEMBER 3, 2014
2. CONSERVATION COMMISSION – MINUTES OF MEETING OF OCTOBER 9, 2014
3. COPY OF 2014 THANKSGIVING DINNER BASKET APPEAL
FROM: MARGE GARTELMAN, HUMAN SERVICES DIRECTOR
4. COPY OF TOWN OF GLOCESTER RESOLUTION 2014-10
RE: IN OPPOSITION TO R.I. GENERAL LAW 44-3-3(9) TAXATION
5. COPY OF LETTER TO: WEST GREENWICH TOWN COUNCIL
FROM: HEATHER EKLOF, TREASURER EWGGS
OCTOBER 24, 2014
RE: THANK YOU FOR FUNDING
6. COPY OF LETTER TO: NADEAU WADOVICK, LLP
FROM: MICHAEL A. URSILLO, TOWN SOLICITOR
OCTOBER 29, 2014
RE: TOWN OF WEST GREENWICH YEAR ENDING JUNE 30, 2014
7. COPY OF LETTER TO: HONORABLE TOWN COUNCIL
FROM: CHIEF RAMSAY
OCTOBER 31, 2014
RE: PURCHASE OF A NEW PATROL VEHICLE

IV. ADDITIONS, ABATEMENTS, REBATES & UNCOLLECTABLE

1. REQUEST OF TAX ASSESSOR/TAX COLLECTOR FOR SPECIFIC UNCOLLECTABLE AND VOTE REGARDING SAME – OCTOBER, 2014

NOVEMBER

ACCT #	NAME	AMOUNT	CODE
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ABATEMENTS

03-0297-06	CONTRERAS, SHARON L	\$15.14	06
05-0040-85	EMANUEL, JOHN CAROLL L	\$319.27	06
08-0088-72	HARRIS, MEGHAN A	\$291.96	06
12-0095-51	LAVIN, KEITH M & BAXTER, GERALDINE A	\$11,114.13	24
12-0178-00	LEPAK, WILLIAM R & SUSAN L	\$5,575.49	24

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13-0244-78	MCKEEN, DOUGLAS (2014 TAX ROLL)	\$35.64	13
13-0244-78	MCKEEN, DOUGLAS (2012 TAX ROLL)	\$49.80	13
13-0244-78	MCKEEN, DOUGLAS (2011 TAX ROLL)	\$45.49	13
16/0120-97	PELTIER, JOHN J & KAREN L	\$5,845.05	24

ADDITIONS

05-0040-85	EMANUEL, JOHN CAROLL L	\$170.17	06
08-0088-72	HARRIS, MEGHAN A	\$223.96	06
12-0095-51	LAVIN, KEITH M & BAXTER, GERALDINE A	\$9,465.73	24
12-0178-00	LEPAK, WILLIAM R & SUSAN L	\$5,016.97	24
16-0120-97	PELTIER, JOHN J & KAREN L	\$5,719.00	24

UNCOLLECTABLES

06-0111-24	FORDHAM, THOMAS (2010 TAX ROLL)	\$7.23	38
06-0111-24	FORDHAM, THOMAS (2008 TAX ROLL)	\$5.88	38
06-0111-24	FORDHAM, THOMAS (2007 TAX ROLL)	\$6.18	38
13-0275-49	MCNEES, JULIE D (2013 TAX ROLL)	\$283.82	38
13-0275-53	MCNEES, THOMAS R (2013 TAX ROLL)	\$126.43	38
13-0275-53	MCNEES, THOMAS R (2012 TAX ROLL)	\$219.93	38
13-0275-53	MCNEES, THOMAS R (2011 TAX ROLL)	\$207.75	38

V. CHECK SUMMARY REPORT

1. RECEIPT OF CHECK SUMMARY REPORT FOR
MONTH OF SEPTEMBER, 2014
FROM TOWN TREASURER

VI. POLE PLACEMENT

1. REQUEST OF VERIZON NEW ENGLAND INC. AND THE NARRAGANSETT
ELECTRIC COMPANY- PETITION (NE #RI 2014-26)
RE: TO PLACE ONE (1) NEW JOINTLY OWNED POLE #21S ON THE NORTHERLY SIDE OF
SHARPE STREET AT A POINT ACROSS SHARPE STREET FROM EXISTING POLE #21
2. REQUEST OF VERIZON NEW ENGLAND INC. AND THE NARRAGANSETT
ELECTRIC COMPANY- PETITION (NE #RI 2014-27)
RE: TO PLACE ONE (1) NEW JOINTLY OWNED STUB POLE #2S ON THE NORTHERLY SIDE OF
HARRY ANDREWS ROAD

E. UNFINISHED BUSINESS

F. NEW BUSINESS

1. PUBLIC HEARING – DISCUSSION AND VOTE ON RENEWAL 24 HR. VICTUALING LICENSES

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LEGAL NOTICE

TOWN OF WEST GREENWICH

Notice is hereby given that a public hearing will be held relative to the granting of a 24 Hr. VICTUALER'S LICENSE.

Applicant: COLBEA Enterprises, LLC.
Location: Eastside Food Mart
95 Nooseneck Hill Road
West Greenwich, RI 02817

Applicant: TA Operating, LLC
Location: Travel Centers of America
849 Victory Highway
West Greenwich, RI 02817

Applicant: C&L Diners, LLC d/b/a C&L Rhode Island, LLC
Location: Denny's Classic Diner
795 Centre of New England Boulevard
West Greenwich, RI 02817

Applicant: James Lynch
Location: Dunkin' Donuts
111 Hopkins Hill Road
West Greenwich, RI 02817

The above applications will be in order for hearing at a meeting of the West Greenwich Town Council being the licensing board for said town on the 5th day of November, A.D., 2014 at 7:00 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
Erin F. Liese, CMC
Town Clerk

Town Solicitor Ursillo advised 24 Hr. victualing licenses require a public hearing.

Councilman Andrews questioned the establishment Colbea? Town Administrator Breene advised Colbea was the Sunoco located on Nooseneck Hill Road.

Council Vice President Woloohojian moved to approve the renewal of 24 Hr. victualing licenses subject to compliance with all local and state ordinances and statues relative to victualing license and payment of taxes. Councilman Andrews seconded.

VOTED: Tourgee - aye, Woloohojian – aye, Andrews – aye, Coutcher – aye, Mulcahey – aye

2. DISCUSSION AND VOTE ON RENEWAL VICTUALING LICENSES

Council Vice President Woloohojian moved to approve the renewal of victualing licenses as presented subject to compliance with all local and state ordinances and statues relative to victualing license and payment of taxes. Councilman Mulcahey seconded.

VOTED: Tourgee - aye, Woloohojian – aye, Andrews – aye, Coutcher – aye, Mulcahey – aye

3. DISCUSSION AND VOTE ON RENEWAL HOLIDAY LICENSES

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Council Vice President Woloohojian moved to approve the renewal of holiday licenses as presented subject to compliance with all local and state ordinances and statues relative to holiday license and payment of taxes. Councilman Coutcher seconded.

VOTED: Tourgee - aye, Woloohojian – aye, Andrews – aye, Coutcher – aye, Mulcahey – aye

4. DISCUSSION AND VOTE ON RENEWAL OF GAMING LICENSE

Council President Tourgee reviewed the application from Coventry-West Greenwich Elks Lodge #2285 for gaming license renewal.

Town Administrator Breene stated this license was not for gambling and explained the license is required if the establishment has pool tables.

Councilman Andrews moved to approve the renewal of gaming license for Coventry- West Greenwich Elks subject to compliance with all local and state ordinances and statues relative to gaming license and payment of taxes. Councilman Mulcahey seconded.

VOTED: Tourgee- aye, Woloohojian – aye, Andrews – aye, Coutcher – aye, Mulcahey – aye

5. DISCUSSION AND VOTE ON RENEWAL OF CAMPGROUND LICENSE

Council President Tourgee reviewed the applications from Stepping Stone Stables and Oak Embers Owner's Association, LLC for a campground license renewal.

Council Vice President Woloohojian moved to approve the renewal of campground licenses subject to compliance with all local and state ordinances and statues relative to campground license and payment of taxes. Councilman Andrews seconded.

VOTED: Tourgee- aye, Woloohojian – aye, Andrews – aye, Coutcher – aye, Mulcahey – aye

6. DISCUSSION AND VOTE ON RENEWAL OF HAWKERS/PEDDLERS LICENSE

Council President Tourgee reviewed the applications from Bruce Delucia, Del's Lemonade & Refreshment, Inc and Daniel Drew Dan- Lin Sales for hawkers/peddlers license renewals.

Council Vice President Woloohojian questioned BCI requirements. Town Solicitor Ursillo advised requirements such as BCI is covered under compliance with all local and state ordinances. He also advised the Town Clerk is not authorized to issue the licenses even though the Council approves, until all requirements are met.

Council President Tourgee advised on locations of Del's and Dan- Lin Sales.

Council Vice President Woloohojian moved to approve the renewal of Hawkers/Peddlers Licenses subject to compliance with all local and state ordinances and statues relative to Hawkers/Peddlers license and payment of taxes. Councilman Mulcahey seconded.

VOTED: Tourgee - aye, Woloohojian – aye, Andrews -aye, Coutcher – aye, Mulcahey – aye

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Council Vice President Woloohojian moved to adjourn as the Town Council and convene as the Liquor Licensing Board at 7:08 P.M. Councilman Andrews seconded.

VOTED: Tourgee - aye, Woloohojian – aye, Andrews – aye, Coutcher – aye, Mulcahey – aye

7. LIQUOR LICENSING BOARD

A. PUBLIC HEARING – DISCUSSION AND VOTE ON RENEWAL LIQUOR LICENSES

LEGAL NOTICE

TOWN OF WEST GREENWICH

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 Renewal Alcoholic Beverage License under said title, which precedes the name of the applicant:

Class A

Pond Beverage Corp.
Big River Spirits
6 Nooseneck Hill Road.
West Greenwich, RI 02817

R. E. White, Inc.
West Greenwich Package Store
780 Victory Highway
West Greenwich, RI 02817

Class B-Victualer

Lake Mishnock Grove, Inc.
200 Mishnock Road
West Greenwich, RI 02817

The Nutz on Nooseneck, LLC
d/b/a Tavern on the Hill
809 Nooseneck Hill Road
West Greenwich, RI 02817

RI Council on Postsecondary Education
University of Rhode Island
W. Alton Jones Campus
401 Victory Highway
West Greenwich, RI 02817

M & J Enterprises Inc.
The Woods Tavern
45 Nooseneck Hill Road
West Greenwich, RI 02817

Stepping Stone Ranch at Escoheag, LLC
Stepping Stone Stables
201 Escoheag Hill Road
West Greenwich, RI 02817

DCH1, Inc.
Dan's Place
880 Victory Highway
West Greenwich, RI 02817

Class D - Club

Coventry-West Greenwich Elks Lodge #2285
42 Nooseneck Hill Road
West Greenwich, RI 02817

The above applications will be in order for hearing at a meeting of the West Greenwich Town Council being the licensing board for said town on the 5th day of November, A.D., 2014 at 7:00 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
Erin F Liese, CMC
Town Clerk

Councilman Andrews moved to approve the renewal of liquor licenses as presented subject to compliance with all local and state ordinances and statues relative to liquor license and payment of taxes.

Councilman Coutcher seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

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B. DISCUSSION AND VOTE ON REQUESTS FOR 2:00 A.M. CLOSING – NEW YEAR’S EVE- LAKE MISHNOCK GROVE, INC. – MISHNOCK BARN- 200 MISHNOCK ROAD

Councilman Andrews moved to approve the request of Lake Mishnock Grove for 2 A.M. closing on December 31, 2014. Councilman Coutcher seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

Council Vice President Woloohojian moved to adjourn as the Liquor Licensing Board and reconvene as the Town Council at 7:11P.M. Councilman Mulcahey seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

8. DISCUSSION AND VOTE ON AWARDING BID FOR WINTER SAND

**INVITATION TO BID
TOWN OF WEST GREENWICH**

The Town of West Greenwich is soliciting sealed bids for the purchase of the following:

“Winter Sand”

Sealed bids will be received at the Office of the Town Clerk, Town of West Greenwich, 280 Victory Highway, West Greenwich, RI 02817 until 4:00 p.m. on October 24, 2014. Bids will be opened at the West Greenwich Town Hall on October 27, 2014 at 10:00 A.M. The awarding of the bid will be made as soon thereafter as practical.

Specifications are available at the Office the Town Clerk at the Town Hall. All bids should be clearly marked **“Winter Sand”**. The Town of West Greenwich reserves the right to reject any or all bids, to waive any informalities in a bid, to make awards to separate bidders, to make awards to more than one bidder or to accept the bid or bids which in the judgment of the awarding authority are in the best interest of the Town.

The Town of West Greenwich will provide interpreters for the hearing impaired at any meeting provided a request is received three (3) business days prior to said meeting.

By order the West Greenwich Town Council
Erin F Liese, CMC
Town Clerk

Claude Wright, Public Works Director reviewed the following bids received for winter sand and recommended the bid be awarded to the Estate of John Koszela:

1. Estate of John Koszela \$10.95 a ton delivered
2. Walter E. Reynolds \$12.50 a ton delivered

Councilman Mulcahey moved to award the bid for winter sand to the Estate of John Koszela.

Councilman Andrews seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

Town Administrator Breene advised they used \$100,000 last year for winter sand.

9. DISCUSSION AND VOTE ON REQUEST OF FIRE BOARD OF ENGINEERS FOR REQUEST OF FUND EXPENDITURE FROM THE FIRE APPARATUS FUND

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Council President Tourgee read the following letter from Chief Hoxsie: Attached, please find documentation from the West Greenwich Fire Board of Engineers to forward to the Honorable Town Council, for their consideration, a request for expenditure from the Fire Apparatus Fund in the amount of \$40,000.00 for the Hianloland Fire Company towards the purchase of a new Emergency Medical Services Rescue, and \$20,000.00 for the Lake Mishnock Fire Company for the purchase of a used Fire Engine. For your convenience, I have also attached a copy of the resolution creating the Fire Apparatus Fund. Both departments seem to have fulfilled the requirements of the resolution, and this action was approved unanimously by the Board of Engineers, as noted in the attached minutes, at a meeting held on 10/20/2014. Please feel free to contact Chairman Rick Parkinson, or myself, at any time with any concerns.

Council President Tourgee clarified the Fire Apparatus Resolution was created by Councilman Mulcahey and was voted on at the Financial Town Meeting.

Councilman Mulcahey clarified the intent of the Fire Apparatus Resolution to allow the departments to build up their own fire apparatus fund, to fund their own capitol. The loans to purchase equipment would be under the control of the Fire Board of Engineers.

Chief Parkinson clarified the request of the Fire Board of Engineers and further explained intended purchases.

Discussion ensued on purchases.

Councilman Mulcahey moved to approve the appropriation from the Fire Apparatus Fund as recommended by Fire Board of Engineers. Councilman Andrews seconded.

VOTED: Tourgee- aye, Woloochojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

10. DISCUSSION AND VOTE ON RIDOT HIGH RISK RURAL CONTRACT 2- ROUTE 3 & WEAVER HILL ROAD

Town Administrator Breene explained the meeting with DOT regarding a federal grant and funds available.

Chief Ramsay commented on stop signs and flashers.

Town Administrator Breene advised there were no houses near the intersection.

Councilman Andrews recommended warning flashers at Sharpe Street. Town Administrator questioned the location on Sharpe Street due to the amount of houses.

Chief Parkinson stated he agreed with Councilman Andrews with regard to Sharpe Street and Plain Meeting House Road. He also questioned if they could put a dangerous intersection signs at that intersection.

Chief Ramsay advised the worry is all traffic and not just residents. He also advised they did a study and the visibility of the location is poor due to the set back.

Town Administrator Breene advised he could submit a letter to RI DOT to review the dangerous intersections.

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Council President Tourgee commented on concern with signs being placed everywhere.

Councilman Andrews moved to authorize Town Administrator Breene to send a letter to DOT requesting a road study. Councilman Coutcher seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

11. DISCUSSION AND VOTE ON RHODE ISLAND CLEAN WATER FINANCE AGENCY, REVENUE BOND SECURED BY THE TOWN OF WEST WARWICK

Town Administrator Breene advised the town is a small owner in the sewer facility and is responsible for funding a portion.

Council President Tourgee advised on the payment of \$4,655.55 payable to the Town of West Warwick.

Discussion ensued on use of the system.

Councilman Mulcahey moved to authorize payment in the amount of \$4,655.55 to the Town of West Warwick for RI Clean Water Finance Agency Revenue Bond . Councilman Coutcher seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

G. PUBLIC FORUM

No public comment made.

H. EXECUTIVE SESSION

- 1. PURSUANT TO RIGL 42-46-5, (A), 2 POTENTIAL LITIGATION-
DEPARTMENT OF BUSINESS REGULATION ACTION INVOLVING JUNKYARDS**
- 2. PURSUANT TO RIGL 42-46-5, (A), LITIGATION – SWAP INC. VS. TOWN OF WEST GREENWICH
PLANNING BOARD SHAB 2013-01**

Council Vice President Woloohojian moved to close the meeting and to go into Executive Session at 7:34 P.M. pursuant to RIGL 42-46-5, (A), 2 for Potential Litigation with Department of Business Regulation Action Involving Junk Yards and Swap Inc. Vs. Town of West Greenwich. Councilman Coutcher seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

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Council Vice President Woloohojian moved to come out of Executive Session and seal the minutes at 8:22 P.M. Councilman Andrews seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

Council Vice President Woloohojian moved to adjourn at 8:23P.M. Councilman Andrews seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Coutcher – aye, Mulcahey – aye

ERIN F. LIESE, CMC

TOWN CLERK