

TOWN OF WEST GREENWICH
TOWN COUNCIL

REGULAR MEETING
April 8, 2015

A regular meeting of the West Greenwich Town Council was held on April 8, 2015. Present were Mark Tourgee, Susan Woloochojian, Robert Andrews, Thomas Mulcahey and Linda Rekas Sloan. Also present was Town Administrator Kevin Breene and Town Solicitor Michael Ursillo.

A. CALL TO ORDER - 7:30 P.M.

Council President Tourgee called the meeting to order at 7:30 P.M.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited during the budget hearing held at 7:00 P.M.

C. ANNOUNCEMENTS

Council President Tourgee shared the thank you card from the Louttit Library.

Council President Tourgee made the following announcements: We have two clean up days scheduled in the month of April. Saturday, April 18th the West Greenwich Conservation Commission invites you to participate in West Greenwich Earth Day Cleanup. Please meet at 8:30 A.M. at the Exit 6A Park & Ride. Bags and gloves will be provided. Lunch will be provided for volunteers at Mishnock Barn. On Saturday, April 25th from 9 A.M. until 3 P.M. is the Annual Earth Day Town Cleanup Event sponsored by the Land Trust. Cleanup teams will meet at 9:00 A.M. at the West Greenwich Town Pavilion at 280 Victory Highway where cleanup routes across the town will be pre-assigned by groups. All volunteers will be supplied with green safety tee shirts, work gloves, and garbage bags. Refreshments and a light lunch will be served to all cleanup teams at 3:00 P.M. at the West Greenwich Pavilion located behind Town Hall. All participants should register online by April 14th on the West Greenwich Land Trust website. There will be a Rabies Clinic at the highway garage on Sunday, April 26th from 10 – 12. \$10 cash only for dogs cats and ferrets. Animals must be leashed or in a carrier. Bring your unexpired previous rabies slip in order to get a 3 year vaccination. Hianloland Fire Department Annual Arts & Crafts and Chowder & Clam cakes will be held on Sunday, April 26th starting at 10 A.M. West Greenwich Troop 35 will hold a Pancake Breakfast on Saturday, May 2nd from 8 A.M. until 11 A.M. at the Hianloland Fire Station. The cost for adults is \$8 and seniors and kids under 10 are \$5. The EWG School District Budget All-Day-Referendum will be held on Monday, April 13, 2015 at the West Greenwich Town Hall for West Greenwich voters and Exeter Town Hall for Exeter voters from 7:00 A.M. to 8:00 P.M. The following are library announcements: A Story Laboratory with Storyteller Joe Theroux will be held on Tuesday April 21st at 6:30 P.M. Vacation Week Craft - April 20th through April 25th. Craft materials will be available all week. Stop in and create something fun. There are more library events posted on the town's website. A free

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shredding of sensitive personal documents for West Greenwich Residents will be held on Saturday May 2nd from 9:00 A.M. to Noon behind the Town Hall. We will have a truck with an on-board shredder. We'll allow up to two full green or blue recycling bins (or similar sized boxes or bags) per family. A 'sensitive personal document' is a document that contains personal data like tax returns, bank statements, student aid forms, medical records, credit reports. Examples of documents that are not considered 'sensitive personal documents' and will not be accepted for shredding are magazines, greeting cards, junk mail, and envelopes. This event is being paid for from our profit sharing check from the Rhode Island Resource Recovery for the recycling that our residents do.

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, Mulcahey -aye, Rekas Sloan - aye

I. MINUTES

1. APPROVAL OF MINUTES OF MEETING OF MARCH 2, 2015
2. APPROVAL OF MINUTES OF MEETING OF MARCH 9, 2015
3. APPROVAL OF MINUTES OF MEETING OF MARCH 11, 2015
4. APPROVAL OF MINUTES OF EXECUTIVE SESSION- MARCH 11, 2015 (SEALED)

II. REPORTS

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

1. BUILDING OFFICIAL REPORT – MARCH, 2015
2. POLICE DEPT. REPORT - MARCH, 2015
3. TOWN CLERK REPORT - MARCH, 2015
4. PLANNER'S OFFICE MONTHLY REPORT- MARCH, 2015
5. TREASURER'S OFFICE REPORT- MARCH, 2015

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6. TAX OFFICE MONTHLY REPORT – MARCH, 2015

III. CORRESPONDENCE

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

1. ZONING BOARD – MINUTES OF MEETING OF DECEMBER 16, 2014
2. LAND TRUST – MINUTES OF MEETING OF JANUARY 13, 2015
3. BOARD OF ENGINEERS– MINUTES OF MEETING FEBRUARY 5, 2015
4. COPY OF LETTER TO: KEVIN A. BREENE, TOWN ADMINISTRATOR
FROM: MICHAEL A. URSILLO, ESQ., TOWN SOLICITOR
FEBRUARY 11, 2015
RE: CONSERVATION COMMISSION POWERS AND DUTIES
5. COPY OF PAYMENT TO: TOWN OF WEST GREENWICH
FROM: WBMASON
MARCH 2, 2015
RE: REIMBURSEMENT FOR % OF PURCHASES
6. COPY OF LETTER TO: MARK TOURGEE, TOWN COUNCIL PRESIDENT
FROM: JAY MANNING, P.E. RI DEM
MARCH 3, 2015
RE: PROJECT PRIORITY LIST REQUEST
7. COPY OF LETTER TO: HONORABLE GOVERNOR GINA M. RAIMONDO
FROM: DANIEL L. BEARDSLEY, JR. RI LEAGUE OF CITIES AND TOWNS
MARCH 3, 2015
RE: APPOINTMENT OF TAX ASSESSOR RANDALL TO RI VEHICLE VALUE COMMISSION
8. COPY OF LETTER TO: MARK TOURGEE, TOWN COUNCIL PRESIDENT
FROM: RICHARD VERVILLE, CHIEF FEMA HAZARD MITIGATION
MARCH 17, 2015
RE: FEMA STUDY
9. COPY OF LETTER TO: WEST GREENWICH TOWN COUNCIL
FROM: CLIFTON COMERY
MARCH 22, 2015
RE: THANK YOU TO HIGHWAY DEPT.

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10. COPY OF LETTER TO: WEST GREENWICH TOWN COUNCIL
FROM: ANNETTE FELDMAN & LOUTTIT BOARD OF TRUSTEES
MARCH 25, 2015
RE: THANK YOU FOR FUNDING
11. COPY OF RESOLUTION FROM PORTSMOUTH
RE: RESERVE FUND
12. COPY OF RESOLUTION FROM NORTH KINGSTOWN
RE: REORGANIZATION OF FIRE DEPARTMENTS AND OTHER DEPARTMENTS

IV. ADDITIONS, ABATEMENTS, REBATES & UNCOLLECTABLE

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

APRIL				
ACCT #	NAME	AMOUNT	CODE	
	<u>UNCOLLECTABLE</u>			
01-0135-97	AMERICAN TRUCK & TRAILER REPAIR LLC (2007 TAX ROLL)	\$458.88	31	
03-0376-77	CROMPTON, JOSHUA P DBA: JP CROMPTION HEATING (2005 TAX ROLL)	\$195.20	31	
03-0376-77	CROMPTON, JOSHUA P DBA: JP CROMPTION HEATING (2004 TAX ROLL)	\$185.00	31	
03-0396-98	CURVES FOR WOMEN (2007 TAX ROLL)	\$312.39	31	
12-0000-76	LIL RHODY ICE CREAM II (2008 TAX ROLL)	\$293.71	31	
12-0297-19	LOTUS GARDEN (2011 TAX ROLL)	\$596.16	31	
16-0195-79	PICK, WILLIAM (2007 TAX ROLL)	\$171.34	31	
18-0026-33	RANY JOE DBA: CAMPERS WORLD OF CONNECTICUT (2006 TAX ROLL)	\$502.20	31	
20-0005-13	TANNING OASIS INC (2011 TAX ROLL)	\$1,506.15	31	
20-0005-13	TANNING OASIS INC (2010 TAX ROLL)	\$1,167.96	31	
20-0005-13	TANNING OASIS INC (2009 TAX ROLL)	\$1,143.46	31	
20-0005-13	TANNING OASIS INC (2008 TAX ROLL)	\$18.28	31	

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V. CHECK SUMMARY REPORT

1. RECEIPT OF CHECK SUMMARY REPORT FOR
MONTH OF MARCH, 2015
FROM TOWN TREASURER

E. UNFINISHED BUSINESS

1. DISCUSSION AND VOTE ON RENEWAL OF KENNEL LICENSE FOR JEWELSET KENNEL

Town Administrator Breene explained the complaint regarding the barking dogs.

Animal Control Officer Tavares explained she had received a complaint for barking dogs in 2011.

Julianne Waters from Jewelset approached the Council regarding the history of her license and reasons she holds a license. She explained she understands she does not like the barking dogs and measures she has taken to minimize the barking. She further explained times have changed with the increased development of the area.

Councilman Mulcahey questioned how many dogs she has. Ms. Waters stated five.

Animal Control Officer Tavares explained the ordinance and the allowance of dogs.

Holly Howard, 110 Plain Meeting House Road stated reasons why she sent the complaint and further explained that she does not want to deny the license; however in the last eight years there are barking dogs and with the development of the neighborhood the Council may receive more complaints for there is no signage identifying the kennel.

Animal Control Tavares stated a sign is not required and explained complaints should be directed to the Police Department and fines will be issued after a half hour of continual barking.

Council Vice President Woloohojian requested residents to report complaints.

Animal Control Tavares further explained the protocol with complaints.

Discussion ensued on reporting dog barking.

Council President Tourgee explained the recent changes to the dog ordinance with regards to increase fines.

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Councilwoman Rekas Sloan moved to approve the renewal of kennel licenses for Jewelset Kennels subject to compliance with all local and state ordinances and statues relative to kennel license and payment of taxes. Councilman Mulcahey seconded.

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

F. NEW BUSINESS

1. DISCUSSION AND VOTE ON RENEWAL OF KENNEL LICENSE FOR MARS KENNEL

Town Administrator Breene discussed the history of the license and inactivity.

Animal Control Tavares stated she has an issue granting a license for a kennel that is not active.

Discussion ensued on the kennel license for Mars.

Councilman Mulcahey moved to approve the renewal of kennel licenses for Mars Kennel subject to compliance with all local and state ordinances and statues relative to kennel license and inspection and approval from the Animal Control Officer and payment of taxes.

Councilman Andrews seconded.

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

2. DISCUSSION AND VOTE ON RE-APPOINTMENT OF DANIEL NOVAK TO CONSERVATION COMMISSION

Council President Tourgee stated Dan Novak has served many years on the Conservation Commission.

Council Vice President Woloohojian moved to reappoint Dan Novak to the Conservation Commission for a term expiring March, 2018. Councilwoman Rekas Sloan seconded.

VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Mulcahey –aye, Rekas Sloan - aye

3. DISCUSSION AND VOTE ON HOPKINTON RESOLUTION OPPOSING H 5044, S0559 & H 5173 LEGISLATION RELATING TO LEVY AND ASSESSMENT OF LOCAL TAXES

4. DISCUSSION AND VOTE ON WEST WARWICK RESOLUTION OPPOSING 2015 LEGISLATION RELATING TO TAXATION-LEVY AND ASSESSMENT OF LOCAL TAXES (These items were taken in conjunction)

Tax Assessor Randall stated New Business item 3 and 4 are the same just from different communities. She further explained the effects if enacted. The loss of tax revenue and mandate

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a special exemption for a limited class of properties and developers and cause the current tax payers to bear the financial burden.

Town Administrator Breene further explained effects.

Discussion ensued on action for opposition.

Council Vice President Woloohojian moved to send a letter in opposition of H5044, S0559 & H5173 to our local Senators, Representatives and Governor Raimondo.

Councilman Andrews seconded.

VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Mulcahey –aye, Rekas Sloan - aye

Tax Assessor Randall explained legislation regarding impact fees.

5. DISCUSSION AND VOTE ON PENSION SETTLEMENT

Town Solicitor Ursillo explained the settlement that was reached on the pension; which gives back approximately 2 to 2.5% more in addition to the 7.5%. He further explained the cost of the lawsuit for those who continue to challenge the settlement. He also explained each community could opt out; however would not make sense for municipalities would be paying the 90% instead of the 10%. The general assembly bill will bind the municipalities.

Councilwoman Rekas Sloan questioned what the effect financially would be on West Greenwich. Town Solicitor Ursillo explained the savings.

Discussion ensued on notification of pension settlement.

Councilman Andrews questioned if the Council could approve if Police Union did not. Town Solicitor Ursillo advised the Police Union has no bearing on what the town decides.

Discussion ensued on effects of settlement.

Councilman Mulcahey moved to support the Statewide Pension Settlement.

Councilman Andrews seconded.

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

G. PUBLIC FORUM

Council Vice President Woloohojian explained mailing from the school committee and requested Tax Assessor Randall who served on the Charter Committee to explain the three charter amendments.

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Tax Assessor Randall explained the following Charter amendments of the Exeter-West Greenwich Regional School District: Change the definition of a quorum for regional school committee purposes. If amended, a quorum would now require four members from the committee and that at least one person from each town in the school district be present. Change the annual budget process. The budget process will still require an all-day referendum in both member towns. However, the purpose of the all-day referendum will be to either approve or reject the school committee's proposed budget. There will be no amendments made to the school committee's proposed budget. In the event that the voters reject the school committee budget at the all-day referendum, the school committee will be required to meet, propose a new budget, and submit the same to the voters again utilizing the same all-day referendum process. In the event that the school committee is not able to get a budget approved by the voters, the applicable provisions of RI General Laws will apply. (Per current Rhode Island General Law 16-7-23, the prior year's budget would prevail)Change the payment of the apportioned cost dates from September 1, December 1, February 1 and June 1 to September 15, December 15, March 15 and June 15.

Town Administrator Breene requested Town Planner Paquet and Public Works Director Wright to explain the grants received for the street sweeper.

Town Planner Paquet explained the acquisition of the grant of \$115,000 to obtain a new sweeper.

Public Works Director Wright explained the sweeper will eliminate dust, the roads would be much cleaner and sweeping will be more efficient.

Councilwoman Rekas Sloan questioned the time frame. Public Works Director Wright explained it will take some time to obtain.

Council President Tourgee stated the old sweeper was 22 years old and requested the residents be patient with the delay of sweeping roads.

Council Vice President Woloohojian moved to close the meeting and to go into Executive Session at 8:18 P.M. pursuant to RIGL 42-46-5, (A), 6 Prospective Business or Industry Big John's LLC and West Greenwich Solar LLC; pursuant to RIGL 42-46-5, (A) and RIGL 42-46-5, (A), 2 Potential Litigation with the Town of East Greenwich.

Councilman Mulcahey seconded.

VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Mulcahey -aye, Rekas Sloan - aye

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H. EXECUTIVE SESSION

- 1. PURSUANT TO RIGL 42-46-5, (A), 6 PROSPECTIVE BUSINESS OR INDUSTRY-
BIG JOHN'S LLC AND WEST GREENWICH SOLAR LLC**
- 2. PURSUANT TO RIGL 42-46-5, (A), 2 POTENTIAL LITIGATION- TOWN OF EAST
GREENWICH**

Council Vice President Woloohojian moved to come out of Executive Session and seal the minutes at 8:58 P.M. Councilwoman Rekas Sloan seconded.

VOTED: Tourgee- aye, Woloohojian - aye, Andrews - aye, Mulcahey –aye, Rekas Sloan - aye

No action was taken on either matter.

Council Vice President Woloohojian moved to adjourn 8:59 P.M.

Councilwoman Rekas Sloan seconded.

VOTED: Tourgee - aye, Woloohojian - aye, Andrews - aye, Mulcahey –aye, Rekas Sloan - aye

ERIN F. LIESE, CMC

TOWN CLERK