

TOWN OF WEST GREENWICH
TOWN COUNCIL

REGULAR MEETING
APRIL 6, 2016

A regular meeting of the West Greenwich Town Council was held on April 6, 2016. Present were Mark Tourgee, Linda Rekas Sloan, Robert Andrews, and Thomas Mulcahey. Also present 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 announcements: The EWG School District All Day Referendum will be held April 11th. West Greenwich Residents vote at our Town Hall. The polls are open from 7 A.M. until 8 P.M. The West Greenwich Land Trust Annual Earth Day Cleanup in cooperation with the Conservation Commission will be on Saturday, April 23rd from 8:30 A.M. until noon. They will meet at 8:30 A.M. at the Town Hall. Volunteers will be supplied with green safety t-shirts, work gloves and garbage bags. Pizza and refreshments will be after the event at 12:30 P.M. The Rabies Clinic will be held at the Highway Garage behind Town Hall on April 24th from 10 A.M. to 12 P.M. and it's time to register your dogs. The Presidential Preference Primary will be held April 26th. Voting will take place at the community room behind Louttit Library. Polls are open from 7 A.M. until 8 P.M. The EWG Drama presents "The Little Mermaid" at the high school auditorium on April 7th, 8th, 9th & 10th. Check out the town's website for times and ticket pricing.

Council President Tourgee also read the following article from the Providence Journal: What's the hardest-working town in Rhode Island? By one measure tallied by the U.S. Census, that honor goes to West Greenwich, where 88.5 percent of households derive at least some of their income from salary or wages earned at a job, according to the Census Bureau's 2014 American Community Survey, the latest detailed data about all 39 cities and towns in Rhode Island.

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

Council Vice President Rekas Sloan requested Correspondence items 9 and 10 to be pulled for further consideration.

The Tax Assessors March report was also pulled.

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Councilman Mulcahey moved to approve the Consent Agenda with Correspondence items 9 & 10 and the Tax Assessors March report pulled for further consideration. Councilman Andrews seconded.

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

I. MINUTES

1. APPROVAL OF MINUTES OF MEETING OF MARCH 9, 2016
2. APPROVAL OF MINUTES OF EXECUTIVE SESSION- MARCH 9, 2016 (SEALED)
3. APPROVAL OF MINUTES OF MEETING OF MARCH 14, 2016
4. APPROVAL OF MINUTES OF MEETING OF MARCH 28, 2016

II. REPORTS

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

1. BUILDING OFFICIAL REPORT – MARCH, 2016
2. POLICE DEPT. REPORT - MARCH, 2016
4. TOWN CLERK REPORT - MARCH, 2016
5. PLANNER’S OFFICE MONTHLY REPORT- MARCH, 2016

III. CORRESPONDENCE

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

1. LAND TRUST – MINUTES OF MEETING OF FEBRUARY 9, 2016
2. CELEBRATE WEST GREENWICH/275TH ANNIVERSARY- MINUTES OF MEETING OF MARCH 16, 2016
3. COPY OF LETTER TO: MARK TOURGEE, TOWN COUNCIL PRESIDENT
FROM: CAROL VENTURA, DEPUTY DIRECTOR
FEBRUARY 26, 2016
RE: GRANTS FOR FISCAL YEAR 2016
4. COPY OF LETTER TO: MARK TOURGEE, TOWN COUNCIL PRESIDENT
FROM: ROBIN K. HEDGES, CLEAN WATER SR. PROGRAM MANAGER
MARCH 11, 2016
RE: RHODE ISLAND INFRASTRUCTURE BANK

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5. COPY OF EXETER TOWN COUNCIL RESOLUTION 2016-05
RE: HOUSE BILL 2016-H7078 RELATING TO EXETER-WEST GREENWICH
SCHOOL DISTRICT
6. COPY OF EXETER TOWN COUNCIL RESOLUTION 2016-06
RE: IN SUPPORT OF TRANSPORTATION CATEGORICAL AID TO REGIONAL
SCHOOL DISTRICTS
7. COPY OF EXETER- WEST GREENWICH REGIONAL SCHOOL COMMITTEE RESOLUTION
RE: PERTAINING TO HOUSE BILL 7078
8. COPY OF EMAIL TO: KEVIN A. BREENE, TOWN ADMINISTRATOR
FROM: SANJAY PANDE, EWG SOFTBALL
MARCH 29, 2016
RE: THANK YOU TO HIGHWAY DEPARTMENT
11. COPY OF LETTER TO: JONATHAN KENT, CEDAR RIDGE WEST GREENWICH LLC
FROM: JENNIFER PAQUET, TOWN PLANNER
MARCH 11, 2016
RE: CEDAR RIDGE FINAL APPLICATION/ AS-BUILT PLAN

IV. ADDITIONS, ABATEMENTS, REBATES & UNCOLLECTABLE

1. REQUEST OF TAX ASSESSOR/TAX COLLECTOR FOR SPECIFIC UNCOLLECTABLE
AND VOTE REGARDING SAME – MARCH, 2016

<u>ACCT #</u>	<u>APRIL NAME</u>	<u>AMOUNT</u>	<u>CODE</u>
<u>ABATEMENTS</u>			
06-0166-70	FRATUS, CHAD J (2014 TAX ROLL)	27.20	06
06-0166-70	FRATUS, CHAD J (2015 TAX ROLL)	7.38	06
<u>REFUNDS</u>			
20-0111-24	TOYOTA MOTOR CREDIT CORPORATION	166.43	06

V. CHECK SUMMARY REPORT

1. RECEIPT OF CHECK SUMMARY REPORT FOR
MONTH OF MARCH, 2016
FROM TOWN TREASURER

The following was pulled from the Consent Agenda for consideration:

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9. COPY OF LETTER TO: CHIEF RICHARD RAMSAY AND SERGEANT RICHARD BROWN
FROM: CHIEF BRIAN HOXSIE
MARCH 29, 2016
RE: THANK YOU FOR SOCIAL MEDIA TRAINING
10. COPY OF WEST GREENWICH FIRE AND RESCUE GENERAL ORDER
FROM: CHIEF OF DEPARTMENT
MARCH 30, 2016
RE: SOCIAL MEDIA POLICY

Council Vice President Rekas Sloan thanked Chief Ramsay for the training conducted.

Councilman Andrews questioned if the general order was only for one fire department.

Councilman Mulcahey advised all departments will be implementing a similar order.

3. TAX OFFICE MONTHLY REPORT - MARCH, 2016

Tax Assessor Randall explained the senior survey conducted and response.

Council Vice President Rekas Sloan moved to approve Correspondence items 9 and 10 and Town Report 3 pulled for further consideration. Councilman Mulcahey seconded.

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

E. UNFINISHED BUSINESS

F. NEW BUSINESS

1. **RECOGNITION OF MARGARET GARTELMAN FOR 25 YEAR'S OF SERVICE TO THE TOWN OF WEST GREENWICH AS HUMAN SERVICES DIRECTOR**

Town Administrator Breene announced Margaret was unable to attend tonight and requested it be moved to next month.

Council Vice President Rekas Sloan moved the recognition of Margaret Gartelman to the May Town Council Meeting. Councilman Mulcahey seconded.

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

7. **DISCUSSION AND VOTE ON AWARDING THE REVALUATION BID
(This item was taken out of order)**

Tax Assessor Randall reviewed the one bid received for the revaluation and recommended Northeast Revaluation.

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Richard Nagle, President from North East Revaluation was present.

Discussion ensued on proposed legislation regarding revaluations.

Discussion ensued on statistical and full revaluation differences and timeline.

Council Vice President Rekas Sloan moved to award the revaluation bid to Northeast Revaluation Group in the amount of \$60,000 based on Tax Assessor Randall's recommendation.

Councilman Andrews seconded.

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

2. PUBLIC HEARING
DISCUSSION AND VOTE ON PROPOSED AMENDMENT TO ZONING USE MATRIX-
TYPES OF POWER

TOWN OF WEST GREENWICH
NOTICE OF PUBLIC HEARING

Notice is hereby given that there will be held the following Public Hearing:

Zoning Ordinance Amendment heard before the Town Council on **Wednesday, April 6, 2016 at 7:00 p.m.**

The hearing is in regard to a certain amendment to the Zoning Ordinance Use Matrix, as shown below, to address specific types of utility power.

The meeting will be held at the West Greenwich Town Hall, 280 Victory Highway, West Greenwich, Rhode Island. Copies of the application may be examined at the Office of the Town Clerk, Town Hall, 280 Victory Highway, West Greenwich, Rhode Island Monday - Friday from 8:30 a.m. to 4:00 p.m., and on the Town's website at www.wgtownri.org. The proposed amendments may be revised by the Town Council 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 meetings.

The Town of West Greenwich will provide interpreter services for the hearing impaired provided a request is received by the Town Clerk's office at 392-3800 three (3) business days prior to said hearing date.

By order of the West Greenwich Town Council
Mark Tourgee, President

USE CATEGORY	RFR -2	RFR-1	OSPL	NBHD BUS	HIWAY BUS	EXIT 7 SMD	INDUST A	INDUST B	CORP DISTRICT
482 Fuel & Power	S	X	X	S	S	S	S	S	X
<u>4821 Solar Power Utility</u>	<u>S</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>S</u>	<u>X</u>
<u>4822 Wind Power Utility</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>4823 Reserved</u>									
<u>4824 Fossil Fuel Power Utility</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

Key: S= Special Use Permit, X= Prohibited, P=Permitted
Proposed Changes denoted in Underline for proposed new text
and in ~~Strikethrough~~ for proposed deletions

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Town Planner Paquet commented on the proposed changes to the Zoning Ordinance regarding types of utility power. The proposal is to break out certain types of power sources fuel, solar, wind, and fossil. She also advised the reserved section is for wood burning. She also stated the Planning Board did review the proposed changes at their regular meeting.

Discussion ensued on wind power and locations in town.

No public comment.

Town Solicitor Ursillo advised on the procedure for adopting amendments to the Zoning Ordinance and stated this requires a second reading.

Council Vice President Rekas Sloan moved to set the second hearing date on proposed changes to the Zoning Ordinance Matrix on types of utility power for April 20, 2016.

Councilman Mulcahey seconded.

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

Councilman Andrews questioned the Conservation Commissions review. Town Administrator Breene explained the review of the Conservation Commission.

3. DISCUSSION AND VOTE ON APPOINTMENTS TO CONSERVATION COMMISSION

Council Vice President Rekas Sloan moved to reappoint Sandra Bockes (3), Claudia Chappelle (1), Clifton Sundelin (2), and Robert Zuleger (3) to the Conservation Commission for their respective terms.

Councilman Mulcahey seconded.

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

**4. DISCUSSION AND VOTE ON GAMING LICENSE - NUTZ ON NOOSENECK LLC-DBA
TAVERN ON THE HILL**

Councilman Mulcahey moved to approve the Gaming License for Tavern on the Hill subject to compliance with all local and state ordinances and statues relative to gaming license and payment of taxes. Councilman Andrews seconded.

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

**5. DISCUSSION AND VOTE ON ENTERTAINMENT/EVENT LICENSE- GOOD TO GROW CUSTOMER
APPRECIATION DAY**

Chief Ramsay explained the Good to Grow customer appreciation event. He further explained Good to Grow has held this event previously with no issue and the police officers on duty will patrol the area.

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Councilman Mulcahey moved to approve the Event License for Good to Grow subject to compliance with all local and state ordinances and statues relative. Councilman Andrews seconded.

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

6. DISCUSSION AND VOTE ON TANGIBLE TAX POLICY

Tax Assessor Randall proposed that any business that has less that \$3,000 in tangibles, be exempt from the tangible tax. This would benefit small business and the town would be more business friendly.

Town Clerk Liese questioned if they would still be required to obtain a business license. Tax Assessor Randall stated they would still need to file their tangible declaration and obtain a business license.

Councilman Mulcahey moved to approve Tangible Tax Policy to be drafted by the Town Solicitor. Councilman Andrews seconded.

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

8. DISCUSSION AND VOTE ON JUDGE ELMER J. RATHBUN SCHOLARSHIP

Council President Tourgee stated he was advised the Judge Elmer J. Rathbun Scholarship was unavailable.

Discussion ensued on eligibility of West Greenwich students to receive the Judge Elmer J. Rathbun Scholarship and preference of West Greenwich students.

Town Solicitor Ursillo advised this is not a merit based scholarship and discussed the eligibility requirements. He suggested sending a letter requesting who receives the scholarship with the annual report.

Discussion ensued on the scholarship.

9. DISCUSSION AND VOTE ON RESOLUTION REGARDING H-7985 RELATING TO LOW AND MODERATE INCOME HOUSING

Council President Tourgee commented on the legislation proposed and if passed would be a substantial hardship for the town.

Discussion ensued on the penalty.

Town Planner Paquet advised on the affordable units in town and what is still required. She also remarked if implemented the penalty in West Greenwich would be \$800,000 yearly.

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Discussion ensued on the definition of affordable housing.

Council Vice President Rekas Sloan moved to send a Resolution to our Senators and Representatives in opposition of H-7985 relating to low and moderate income housing.

Councilman Mulcahey seconded.

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

10. DISCUSSION AND VOTE REGARDING GOVERNOR RAIMONDO'S SCHOOL CHOICE PROGRAM

Town President Tourgee commented on the proposed program by Governor Raimondo regarding school choice. He further explained students could attend out of district if space was available.

Town Administrator Breene commented on logistics of a student coming from Westerly to attend school in Barrington.

Discussion ensued on transportation.

Discussion ensued on programs and student population.

G. PUBLIC FORUM

No public comment

Council Vice President Rekas Sloan moved to close the meeting to go into Executive Session at 7:57 P.M. pursuant to, RIGL 42-46-5, (A), 2 Litigation- Swap Inc. Vs. Town of West Greenwich Planning Board SHAB 2013-01 and pursuant to, RIGL 42-46-5, (A) Potential Litigation with Highway Auto Parts.

Councilman Mulcahey seconded.

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

H. EXECUTIVE SESSION

1. PURSUANT TO RIGL 42-46-5, (A), 2 LITIGATION-

SWAP INC. VS. TOWN OF WEST GREENWICH PLANNING BOARD SHAB 2013-01

2. PURSUANT TO RIGL 42-46-5, (A), 2 POTENTIAL LITIGATION- HIGHWAY AUTO PARTS

Councilman Mulcahey moved to come out of Executive Session and seal the minutes at 8:27 P.M.

Councilman Andrews seconded.

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

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No action was taken.

Councilman Mulcahey moved to adjourn at 8:28 P.M.

Councilman Andrews seconded.

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

**ERIN F. LIESE, CMC
TOWN CLERK**