

**TOWN OF WEST GREENWICH**

**TOWN COUNCIL**

**REGULAR MEETING**

**JANUARY 17, 2018**

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A regular meeting of the West Greenwich Town Council was held on January 17, 2018. Present were Mark Tourgee, Linda Rekas Sloan, Robert Andrews, Mark Boyer 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 7:03 P.M.

**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**C. ANNOUNCEMENTS**

Council President Tourgee read the following announcement: I am the former Head Basketball Coach of the 1997-1998 Exeter-West Greenwich High School Boys' Basketball State Championship Team. This team was the school's first basketball state championship. I have been working with the Exeter-West Greenwich High School Athletic Directors Craig Main and John Krom to plan a Recognition Night to honor the team members on the 20<sup>th</sup> anniversary of their achievement. At the half time of the EWGHS Boys' Team's basketball game on January 26, 2018, the players on that championship team and the people who supported them will be recognized.

**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, Rekas Sloan - aye, Andrews - aye, Boyer- aye, Mulcahey - aye

**I. MINUTES**

1. APPROVAL OF MINUTES OF MEETING OF DECEMBER 13, 2017

**II. REPORTS**

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

1. TOWN CLERK REPORT – DECEMBER, 2017
2. POLICE DEPT. REPORT – DECEMBER, 2017
3. BUILDING OFFICIAL REPORT – DECEMBER, 2017

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4. TAX OFFICE MONTHLY REPORT – DECEMBER, 2017
5. PLANNING DEPT. MONTHLY REPORT – DECEMBER, 2017

**III. CORRESPONDENCE**

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

1. LAND TRUST – MINUTES OF MEETING OF NOVEMBER 14, 2017
2. COPY OF LETTER TO: MARK TOURGEE, TOWN COUNCIL PRESIDENT  
FROM: MELANIE HEWETT ARMY, AICP, RI DOT  
DECEMBER 14, 2017  
RE: TOLL LOCATIONS
3. COPY OF LETTER TO: MR. STEPHEN CARDI, CARDI REALTY ASSOCIATES  
FROM: DAVID E. PROVONSIL, PE; TOWN PLANNER/ENGINEER  
DECEMBER 12, 2017  
RE: YEARLY EXCAVATION OPERATION FEE
4. COPY OF LETTER TO: ALL MEMBERS OF RI LEAGUE OF CITIES AND TOWNS  
FROM: BRIAN M. DANIELS, EXECUTIVE DIRECTOR  
DECEMBER 15, 2017  
RE: RI LEAGUE OF CITIES AND TOWNS FY 2019 DUES
5. COPY OF LETTER TO: ERIN LIESE, TOWN CLERK  
FROM: MICHELLE R. BERG, RI ETHICS COMMISSION  
DECEMBER 20, 2017  
RE: PUBLIC WORKSHOP
6. COPY OF LETTER TO: THE HONORABLE GOVERNOR RAIMONDO  
FROM: GEORGE O. STEERE, JR., PRESIDENT GLOCESTER TOWN COUNCIL  
DECEMBER 21, 2017  
RE: ENERGY FACILITY SITING BOARD RULING
7. COPY OF LETTER TO: WG HORSEMAN’S ASSOCIATION  
FROM: MARGE GARTELMAN, HUMAN SERVICES DIRECTOR  
JANUARY 3, 2018  
RE: THANK YOU FOR DONATION
8. COPY OF LETTER TO: COVENTRY WEST GREENWICH LIONS CLUB  
FROM: MARGE GARTELMAN, HUMAN SERVICES DIRECTOR  
JANUARY 3, 2018  
RE: THANK YOU FOR DONATION

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- 9. COPY OF LETTER TO: RI FISH & GAME PROTECTION ASSOC.  
FROM: MARGE GARTELMAN, HUMAN SERVICES DIRECTOR  
JANUARY 3, 2018  
RE: THANK YOU FOR DONATION
- 10. COPY OF WAWALOAM SCHOOL NEWSLETTER  
JANUARY, 2018
- 11. COPY OF LAKE MISHNOCK VOLUNTEER FIRE COMPANY  
FINANCIAL STATEMENTS  
FY 2016 & FY 2017
- 12. COPY OF LETTER TO: MRS. KAREN MAJEAU  
FROM: MARGE GARTELMAN, HUMAN SERVICES DIRECTOR  
JANUARY 10, 2018  
RE: THANK YOU FOR DONATION
- 13. COPY OF LETTER TO: LOUTTIT LIBRARY  
FROM: MARGE GARTELMAN, HUMAN SERVICES DIRECTOR  
JANUARY 5, 2018  
RE: THANK YOU FOR DONATION
- 14. COPY OF LETTER TO: WEST GREENWICH TOWN COUNCIL  
FROM: T.P. SCHWARTZ-BARCOTT  
JANUARY 8, 2018  
RE: ROAD HAZARDS
- 15. COPY OF LETTER TO: COUNCIL PRESIDENT  
FROM: JOE MAY  
JANUARY 10, 2018  
RE: BASKETBALL RECOGNITION 1997-1998

**IV. ADDITIONS, ABATEMENTS, REBATES & UNCOLLECTABLES**

- 1. REQUEST OF TAX ASSESSOR/TAX COLLECTOR FOR SPECIFIC UNCOLLECTABLES  
AND VOTE REGARDING SAME – JANUARY, 2017

**JANUARY**

<b><u>ACCT #</u></b>	<b><u>NAME</u></b>	<b><u>AMOUNT</u></b>	<b><u>CODE</u></b>
<b><u>ABATEMENTS</u></b>			
03-0044-55	CANNING, THOMAS	\$ 5,582.75	24
		<b>\$ 5,582.75</b>	

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ADDITIONS

01-0153-73	ANDERSON, LINDA	\$ 397.12	39
01-0255-82	APICI, WILLIAM	\$ 1,302.97	39
01-0360-03	AYALA, JUAN	\$ 7,300.96	39
02-0109-74	BATCHELOR, ROBERT	\$ 2,230.23	39
02-0142-72	BELLOWS, GARY	\$ 799.49	39
02-0161-08	BERETTA, WILLIAM	\$ 1,672.68	39
02-0284-97	BREEN, MARY	\$ 655.07	39
02-0358-05	BROWN, PAUL	\$ 2,670.64	39
02-0358-55	BRUCE, MATTHEW	\$ 2,398.49	39
02-0377-24	BUCK, GEORGE	\$ 3,252.45	39
02-0423-12	BUTCHER, MICHAEL	\$ 718.19	39
03-0044-55	CANNING, THOMAS	\$ 5,079.70	24
03-0170-23	CHANDLER, SCOTT	\$ 1,985.44	39
03-0204-99	CHAUVETTE, DIANE	\$ 2,524.73	39
03-0233-69	CLIFFORD, MARCIA	\$ 2,019.06	39
03-0252-74	COELHO, ANN MARIE	\$ 1,639.65	39
03-0319-99	COPPOTELLI, WILLIAM	\$ 1,282.83	39
04-0059-01	DEMELIS, GUIDO	\$ 4,933.72	39
04-0087-17	DERBY, ANTHONY	\$ 1,571.90	39
04-0117-26	DINITTO, AMELIO	\$ 1,978.41	39
05-0014-79	EDSON, DENNIS	\$ 2,547.53	39
06-0033-68	FIELD, ALAN	\$ 888.32	39
06-0187-65	FUESZ, CONRAD	\$ 1,924.20	39
08-0159-64	HEPBURN, CRAIG	\$ 2,003.23	39
08-0160-00	HEUER, WILLIAM	\$ 1,751.18	39
08-0285-96	HWANG, LEE MEI	\$ 1,610.37	39
09-0002-54	IALONGO, ANTHONY	\$ 1,599.00	39
13-0004-12	MACARUSO, HELEN	\$ 1,588.50	39
13-0335-44	MILLARD, LYNN	\$ 2,494.08	39
16-0087-56	PATRICIA M LYNCH LIVING TRUST	\$ 4,444.27	39
16-0092-83	PAZIANZA, STEPHEN	\$ 1,680.29	39
16-0120-38	PELOQUIN, MARK	\$ 1,863.06	39
16-0195-02	PIAMPIANO, MAUREEN	\$ 426.18	39
18-0176-85	REYNOLDS, LAWRENCE	\$ 884.23	39
18-0270-95	ROMEO, THOMAS	\$ 4,963.90	39
18-0283-35	ROSS, JOANNE	\$ 1,364.71	39
19-0019-80	SACCOCCIO, IRENE	\$ 880.81	39
19-0276-31	STORTI, RICKARD	\$ 426.18	39

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20-0035-88	THE 2012 NIERANOWSKI TRUST	\$ 2,710.15	39
20-0094-85	TINGLEY, OTTO	\$ 2,052.71	39
20-0100-03	TOMAZ, ANTONIO	\$ 1,748.05	39
20-0112-98	TRINOVITCH, BERNARD	\$ 2,719.79	39
22-0004-48	VADNAIS, JERRY	\$ 900.71	39
22-0062-94	VOTTO, VICKIANN	\$ 1,578.82	39
23-0008-13	WALLACE, GREGORY	\$ 1,084.06	39
23-0102-06	WHITED, BIRGITTA	\$ 1,931.05	39
23-0177-16	WRAGG RESIDENCE TRUST	\$ 2,285.42	39
		<u>\$ 96,764.53</u>	

**TOTAL REVENUE GAINED: \$ 91,181.78**

**V. CHECK SUMMARY REPORT**

1. RECEIPT OF CHECK SUMMARY REPORT FOR  
MONTH OF DECEMBER, 2017  
FROM TOWN TREASURER

**E. UNFINISHED BUSINESS**

1. **DISCUSSION & VOTE ON RESOLUTION REGARDING THE CDBG PROGRAM AND THE  
FUTURE OF CONSORTIUM**

Town Administrator Breene explained that he thought Geoff Marchant would be in attendance tonight. He further explained that instead of having a CDBG coordinator for each town, that several towns shared the position.

**F. NEW BUSINESS**

1. **DISCUSSION AND VOTE ON RESOLUTION REGARDING BURIAL ON PRIVATE LAND**

Town Administrator Breene explained the request of a resident, who wished to be buried on his own land.

Town Solicitor Ursillo explained the policy regarding burial on private land.

Discussion ensued on handling this on an individual basis or as overall town regulation (if they met all the specifications).

Councilman Boyer stated preference to implement this as a town wide policy.

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Discussion ensued on the following: inspections, burials must be in accordance with state laws and local ordinances, and deed granting for perpetual access.

Council Vice President Rekas Sloan moved to approve the Resolution allowing for burial on private land in West Greenwich, pursuant to the authority granted to it by the Rhode Island Legislature through R.I.G.L. § 23-18-10, hereby grants to any resident of the Town of West Greenwich the ability to bury deceased person(s) on his/her private land, provided that said land complies with the following requirements:

1. The property must consist of a minimum of five (5) acres
2. The burial must take place in accordance with all state laws and regulations and any local ordinances pertaining to burials.
3. The building official must approve the location of the burial site.
4. The property owner shall record a deed identifying the burial site and providing for perpetual access.

Councilman Andrews seconded.

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

**2. DISCUSSION AND VOTE ON RE-APPOINTMENT OF TREE WARDEN**

Council Vice President Rekas Sloan questioned what a Tree Warden does.

Town Administrator Breene explained the Tree Warden advised the Public Works Director and utility companies on what trees should come down and what trees to stay.

Town Administrator Breene advised that Tom Leavitt is currently the Tree Warden and this would be a re-appointment.

Council Vice President Rekas Sloan moved to re appoint Tom Leavitt as Tree Warden.

Councilman Mulcahey seconded.

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

**3. DISCUSSION AND VOTE ON ACCEPTANCE OF RESIGNATION OF JERILYN PIGNATARO FROM THE BOARD OF CANVASSERS**

Council Vice President Rekas Sloan moved to accept the resignation of Jerilyn Pignataro.

Councilman Mulcahey seconded.

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

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**4. DISCUSSION AND VOTE ON APPOINTMENT TO THE BOARD OF CANVASSERS**

Council President Tourgee read the following letter from Marge Gartelman, Chairperson of the West Greenwich Republican Town Committee: Dear Members of the Town Council: Please consider appointing one of the following candidates to fill the unexpired term of Jerilyn Pignataro, as a member of the West Greenwich Board of Canvassers: Barbara A. Passarelli, Myrna Andrews, Mary Jane Ruzzo, Richard Gartelman, and Charlene Butler.

Discussion ensued on the appointment.

Councilman Boyer moved to appoint Barbara Passarelli to fill the unexpired term of Jerilyn Pignataro. Councilman Andrews seconded.

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

**5. DISCUSSION AND VOTE ON AMENDED DRUG AND ALCOHOL POLICY**

Town Solicitor Ursillo advised on the Trust update to the current policy regarding drugs and alcohol.

Council Vice President Rekas Sloan moved to amend the Drug and Alcohol Policy to reflect the suggested changes by the Trust. Councilman Boyer seconded.

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

**6. DISCUSSION AND VOTE ON OPIOID EPIDEMIC LITIGATION**

Town Solicitor Ursillo explained the lawsuit that seeks damages due to the cost of the opioid epidemic.

Discussion ensued on Narcan.

Chief Ramsay explained the donation of Narcan.

Town Solicitor Ursillo stated there is no risk or downside to joining this litigation.

Council Vice President Rekas Sloan moved to join the civil suit against those legally responsible for the wrongful distribution of prescription opiates and damages caused thereby.

Councilman Mulcahey seconded.

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

**7. DISCUSSION AND VOTE ON A POTENTIAL AMENDMENT TO THE ZONING ORDINANCE REGARDING LIMITED SOLAR**

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Town Planner Provonsil explained the memo he provided to the Council and application by Mr. Kent for the possibility of installing a limited commercial solar utility on Plat 6, Lot 21-6. He further explained the history of the project and in October, 2017 he was advised to obtain an advisory opinion from the Planning Board. The Planning Board agreed limited solar utilities in Industrial A Zones have merit, with limitations.

Councilman Boyer questioned the 4 acre minimum and would there be a reversion clause.

Town Planner Provonsil stated it was recommended that it not exceed 4 acres and it could not take up more than 50% of the buildable land of the lot. He advised the next part of the conversation needs to determine where it is allowed by Special Use Permit or would it just be Site Plan Review.

Councilman Boyer stated his preference would be Special Use Permit.

Discussion ensued on vetting and the process of solar utilities for commercial development.

Discussion ensued on the history of the property on Seth Way.

Councilman Andrews questioned if abutters would get approval of the project.

Town Planner Provonsil explained they would receive certified notice and the board would entertain residents concerns.

Town Solicitor Ursillo explained the purpose of today's meeting is to determine if the Council would like to consider such an amendment and further explained the amendment approval process.

Discussion ensued on the history of Industrial land and purpose.

Council President Tourgee advised the Planning Board was 4-0 in favor of the project.

Council Vice President Rekas Sloan moved in favor of the concept and to move forward with a zoning ordinance amendment regarding limited use of commercial solar power utility.

Councilman Boyer seconded.

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

**8. DISCUSSION AND VOTE ON DATE AND ALTERNATE DATE OF FINANCIAL TOWN MEETING**

Town Clerk Liese recommended the following dates for the Financial Town Meeting pursuant to the Town Charter: June 4, 2018 with an alternate of June 11, 2018.



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Council Vice President Rekas Sloan moved to set June 4, 2018 as the date for the Financial Town Meeting date with an alternate date of June 11, 2018. Councilman Mulcahey seconded.

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

**9. DISCUSSION AND VOTE ON DATE FOR TOWN BUDGET HEARING**

Town Clerk Liese advised the Council on potential dates for the Town Budget Hearing pursuant to the Charter.

Council Vice President moved to set April 11, 2018 as the Town Budget Hearing date. Councilman Boyer seconded.

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

**10. DISCUSSION AND VOTE ON BUDGET WORKSHOP DATES**

Discussion ensued on potential dates.

Councilman Mulcahey moved to hold Budget Workshops on March 5<sup>th</sup> and March 19<sup>th</sup>. Council Vice President Rekas Sloan seconded.

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

Council President Tourgee requested that notice of meeting dates be sent to the Boards.

**11. DISCUSSION AND VOTE ON A REQUEST TO SET A DATE FOR A JOINT MEETING WITH THE PLANNING BOARD REGARDING A PROPOSED SOLAR PROJECT AT EXIT 5**

Attorney Pagliarini was present.

Town Administrator Breene discussed the history of the project and advised the Council sent this to the Planning Board for Review. He also advised one of the abutting property owners may sell some land to the proposed exit 5 solar project.

Discussion ensued on the property and the concern of using Industrial A.

Town Administrator Breene commented on access to the land and paper road.

Attorney Pagliarini stated there is a deed to the road and discussed the need for possible road abandonment.

Discussion ensued on access.

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Attorney Pagliarini explained they would like to hold a joint meeting with the Planning Board so that they can do a presentation to both boards at the same time.

Discussion ensued on potential dates.

Council Vice President Rekas Sloan moved to set January 29<sup>th</sup> at 7:00 P.M. for a Joint Meeting with the Planning Board regarding a proposed solar project on Exit 5. Councilman Mulcahey seconded.

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

Council President Tourgee requested a packet be sent for the Joint Meeting. Town Clerk Liese stated they would be mailed.

**G. PUBLIC FORUM**

Jeff Parenteau, 189 Robin Hollow questioned if there would there be a Public Hearing on the Solar Farm.

Town Administrator Breene advised the applicant is quite a ways away from an approval and the Town is just considering changing the zone. He further explained the process for public comment. He explained the proposed property is near the truck stop.

Discussion ensued on the property.

Parenteau questioned if there would be high power lines on Robin Hollow Road.

Council President Tourgee stated there would be no power lines on Robin Hollow Road and no access except for emergency access. He advised the Council would like to keep the project near Dan's Place and power lines along the Dunkin Donuts.

Discussion ensued on the proposed location of the power lines.

Council Vice President Rekas Sloan moved to adjourn at 7:51 P.M. Councilman Andrews seconded.

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

**ERIN F. LIESE, CMC**

**TOWN CLERK**