

REGULAR MEETING of the Town Council held on Wednesday, August 25, 2004 at 7:00 o'clock P.M. in the Council Chamber, Town Building, 105 Harrisville Main Street, Harrisville, for and within the Town of Burrillville.

MEMBERS PRESENT: Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

MEMBERS ABSENT: Council President Wallace F. Lees was excused due to illness; Councilor Jacqueline Zahn was excused due to vacation.

Councilor William A. Andrews called the meeting to order at 7:00 P.M.

1. Councilor William A. Andrews led those present in pledging allegiance to the flag.

Councilor William A. Andrews announced that the request for executive session would be addressed at the end of the meeting.

2. **VOTED** to accept the minutes of the regular meeting held July 28, 2004; and dispense with the reading of said minutes.

Motion by Councilor Louis Bleiweis. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

3. **Public Comment:**

Roland Huguenin of Douglas Turnpike, Harrisville, addressed the Town Council regarding the July 28, 2004 regular meeting of the Town Council. Mr. Huguenin stated his belief that the junked vehicle ordinance adopted on July 28, 2004 is unconstitutional, according to the Rhode Island Constitution. Mr. Huguenin further said that he did not believe that Councilor Zahn had the floor to close discussion. Mr. Huguenin stated that he had attended the meeting to address the Town Council relative to the ordinance and that he should have been allowed to address the issue, since he had not be in attendance at the public hearing during which the Town Council had taken public comment. Mr. Huguenin briefly expanded upon his objection to the ordinance.

4. **General Good and Welfare of the Town of Burrillville.**

Councilor Ronald E. Faford commended the police department on a recent drug raid.

Michael C. Wood, Town Manager, thanked Richard Peck and the veterans' association for the donation of a flag and accessories for the Town Council chamber. The clerk was instructed to send a letter of appreciation on behalf of the Town Council.

5. **Petitions:** None

6. **Special Business:**

04-237 **VOTED** to open for discussion the resolution urging RIPTA to reconsider any proposal to eliminate public transportation.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** Councilor William A. Andrews read the following resolution for the record:

*BURRILLVILLE TOWN COUNCIL  
RESOLUTION*

*WHEREAS, it has been reported that the Rhode Island Public Transit Authority is considering the elimination of the #9 Pascoag - Wallum Lake line; and*

*WHEREAS, the Council of the Town of Burrillville recognizes suburban/rural communities such as the Town of Burrillville must be integrated with public transportations systems if we are to provide housing, jobs and a reasonable quality of life for our residents and employment opportunities for our local businesses; and*

*WHEREAS, the Town Council of the Town of Burrillville is concerned for the employees and patients of Zambarano Hospital, who depend on the #9 Pascoag - Wallum Lake line, which is the only public transportation to and from the state medical facility; and*

*WHEREAS, the Town of Burrillville has two new industrial parks that will benefit from public transportation, as will the Town's redevelopment initiatives in Harrisville, Pascoag and the Route 102 Corridor; and*

*WHEREAS, residents of existing and proposed elderly housing rely upon public transportation systems to access major grocery and retail stores; and*

*WHEREAS, the #9 Pascoag - Wallum Lake line services Harrisville, which has been designated a "growth center" by the Governor's Growth Planning Council, and public transportation is necessary to support this concept.*

*NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville strongly urge that the Rhode Island Public Transit Authority recognize the importance of the #9 Line to the residents and businesses of the Town of Burrillville and reconsider any proposal to eliminate public transportation in the Town.*

*Adopted this 25<sup>th</sup> day of August 2004*

**VOTED** to adopt the resolution urging RIPTA to reconsider any proposal to eliminate public transportation.

Motion by Councilor Louis Bleiweis. Seconded by Councilor William E. Gonyea. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** Michael C. Wood, Town Manager, noted that public hearings had been scheduled on this matter, saying that one of the representatives had asked that a hearing be scheduled in Burrillville or

nearby. Mr. Wood suggested that a letter should be sent, supporting this request. It was noted that the Town Council and administration should attend the public hearings.

04-238 **VOTED** to open discussion on an application for a Sunday & Holiday License to apply at All Star Video, 35 East Avenue, Harrisville, Map 160, Lot 79, in a building owned by Bruce Monfils.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Edward F. Bonczek. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** It was noted that there are no problems with the application.

**VOTED** to grant a Sunday & Holiday License to apply at All Star Video, 35 East Avenue, Harrisville, Map 160, Lot 79, in a building owned by Bruce Monfils.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Louis Bleiweis. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-239 **VOTED** to grant a victualing license and a Class F liquor license from Oakland Mapleville Fire Department for the Field Day/Muster to be held on September 5, 2004 (rain date September 6, 2004) on property owned by Adler Brothers, Smithfield, RI.

Motion by Councilor William E. Gonyea. Seconded by Councilor Louis Bleiweis. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-240 **VOTED** to continue the matter of the application for a new Private Detective License from Jennifer Parkin d/b/a Industrial Security & Investigators, 58 Waterman Avenue, North Providence, RI 02911. **Note:** Residence at Whipple Road, Pascoag.

Motion by Councilor William E. Gonyea. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** Councilor William A. Andrews noted that the administration recommended continuing the matter due to an incomplete application.

04-241 **VOTED** to grant the renewal of Private Detective License #04 to Gerald L. Lapierre, 669 Douglas Pike, Harrisville, RI 02830.

Motion by Councilor William E. Gonyea. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

7. **Unfinished Business:** None

8. **New Business:**

04-242 **VOTED** to open the discussion of setting a workshop for late October 2004 to review and discuss tax credits for retail/small commercial businesses.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** There was a brief discussion of the most appropriate time to schedule the workshop.

**VOTED** to hold a workshop at the call of the chair.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor William E. Gonyea. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-243 **VOTED** to open for discussion the request to declare surplus certain items, as listed.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Edward F. Bonczek. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** It was noted that the items listed were from the Planning Department and that, by charter, it is necessary for the Town Council to declare items surplus before they are discarded.

**VOTED** to declare surplus certain items, as listed.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Louis Bleiweis. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-244 **VOTED** to schedule a public hearing for September 22, 2004 at 7:00 P.M. to consider a resolution declaring Brook Street and Frederick Street in the Town of Burrillville public highways.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Edward F. Bonczek. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-245 Correspondence from Jacqueline Zahn, Chairwoman of the Screening Subcommittee, regarding the subcommittee's recommendations.

**VOTED** to appoint Sandra Cooney as an alternate member of the Zoning Board to complete the unexpired term of Robert Mellion; term to expire March 31, 2005.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**VOTED** to appoint Michael Molloy to the Budget Board for a three-year term to expire June 30, 2007.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**VOTED** to appoint Warren Hebert to the Conservation Commission to complete the unexpired term of Robert Richards; term to expire March 31, 2006.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**VOTED** to appoint Richard Lemoi to the Juvenile Hearing Board to complete the unexpired term of Jacqueline Forgue; term to expire January 31, 2005.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Louis Bleiweis. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**VOTED** to appoint Robert Peloquin as an alternate member of the Redevelopment Agency to complete an unexpired term.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor William E. Gonyea. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-246      **VOTED** to open discussion of an award of professional services for construction of the school administration building to Northeast Engineers of Middletown, RI in the amount of \$45,800 (which includes a five percent contingency amount). The funds for this project are to be appropriated from the major capital account.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** Michael C. Wood, Town Manager, pointed out that the Pascoag Grammar School is being renovated for housing and that within a year the school administration must be relocated. Mr. Wood said

that school and municipal administrations recommend a modular building project to be located on the Middle School property. Companies that are under contract to the town submitted proposals for engineering services. Approximately \$500,00 had been appropriated earlier for the project, though the project will exceed this amount, due to construction issues. Mr. Wood pointed out that this project is reimbursable under the school construction aid program. This project would be economical, efficient and expandable.

**VOTED** to award professional services for construction of the school administration building to Northeast Engineers of Middletown, RI in the amount of \$45,800 (which includes a five percent contingency amount). The funds for this project are to be appropriated from the major capital account.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-247      **VOTED** to open discussion and consideration of the sunset provision of §3-1 of the ordinances of the Town of Burrillville entitled Noise, for possible referral to the ordinance subcommittee.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Edward F. Bonczek. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** There was brief discussion that the ordinance has been in place for two years without problems. The ordinance has a sunset provision that must be addressed. Councilor William A. Andrews, chairman of the Screening Subcommittee suggested that, since the ordinance is effective, there might be no reason to refer this item to the ordinance subcommittee.

**VOTED** to include this item on the agenda for the regular meeting of September 8, 2004 to vote to extend.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Edward F. Bonczek. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-248      **VOTED** to refer to the School Committee the appointment of a representative to NRI Cooperative Extension.

Motion by Councilor Louis Bleiweis. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-249      **VOTED** to table the correspondence from the East Greenwich Town Council requesting a letter of support of the Governor's veto so that the casino measure will not be on the ballot in November 2004.

Motion by Councilor Louis Bleiweis. Seconded by Councilor William E. Gonyea. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-250 **VOTED** to receive and open the correspondence from Colonel Bernard E. Gannon, Chief of Police, regarding an update on the noise and safety complaint at East Avenue and Broncos Highway.

Motion by Councilor Ronald E. Faford. Seconded by Councilor William E. Gonyea. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** Michael C. Wood, Town Manager, briefly described the efforts of the police department to address this complaint. Additional updates would be forthcoming as further information becomes available.

**VOTED** to receive and file the correspondence from Colonel Bernard E. Gannon, Chief of Police, regarding an update on the noise and safety complaint at East Avenue and Broncos Highway.

Motion by Councilor Louis Bleiweis. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** Councilor William A. Andrews suggested an ordinance banning the use of Jake Brakes®. Walter J. Kane, Town Solicitor, suggested that, since Routes 102 and 107 are state roads, a town ordinance would not alleviate this particular problem. Michael C. Wood, Town Manager, said that the administration would review the matter for the ordinance subcommittee's consideration.

## **9. Town Clerk/Communication:**

04-251 **VOTED** to receive and open the correspondence from Cheri R. Hall, Director of Parks & Recreation, regarding upcoming special events.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Louis Bleiweis. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** There was a brief discussion of the Adopt-A-Duck Race to be held on September 12, 2004 at 2:00 P.M.

**VOTED** to support, receive and file.

Motion by Councilor William E. Gonyea. Seconded by Councilor Edward F. Bonczek. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-252 **VOTED** to formally appoint the two alternate members of the Redevelopment Agency, Howard Covitz and Cheryl Choquette, as full members of the Redevelopment Agency, to fill unexpired terms.

Motion by Councilor Louis Bleiweis. Seconded by Councilor Edward F. Bonczek. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-253 **VOTED** to open for discussion of liquor license fees, as listed.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** Councilor Edward F. Bonczek asked whether the fee schedule would lower fees. The clerk indicated that the general assembly had voted in the 2004 session to allow the municipalities to set fees within a range and that the fee schedule provided the lowest fee allowed by law. The fees, she said, would revert to the fees adopted before the 2003 changes in state law.

**VOTED** to adopt the fee schedule, as follows:

Class A	\$500.00 per year
Class B(Ltd)	200.00 per year
Class B(V)	400.00 per year
Class C	400.00 per year
Class D	200.00 per year
Class F	15.00 per day
Class F-1	35.00 per day

Motion by Councilor Ronald E. Faford. Seconded by Councilor Louis Bleiweis. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-254 **VOTED** to open for discussion a lease by and between Monfils Enterprises, LLC and the Town of Burrillville relative to 35 East Avenue, Harrisville.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Edward F. Bonczek. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** Michael C. Wood, Town Manager, indicated that the lease was for the property at 35 East Avenue, to which some town offices have been moved. The Town Council, he said, had authorized the negotiation and signature of the lease at an earlier meeting.

**VOTED** to receive and file a lease by and between Monfils Enterprises, LLC and the Town of Burrillville relative to 35 East Avenue, Harrisville.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Edward F. Bonczek. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-255 **VOTED** to open for discussion the correspondence from the Department of Administration regarding the approval of the Town of Burrillville Comprehensive Plan Amendment for Housing and Affordable Housing Strategy.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**Discussion:** Councilor William A. Andrews explained that the letter related the acceptance of the town's affordable housing plan. Michael C. Wood, Town Manager, noted that Burrillville is one of only two communities that has completed the affordable housing component. Mr. Wood explained the importance of this acceptance and commended Thomas J. Kravitz, Director of Economic Development and Planning, as well the Town Council and Walter J. Kane, Town Solicitor, for their foresight and effort in developing this plan. Walter J. Kane, Town Solicitor, pointed out that many communities have hired consultants, at great cost, to develop their plans, and none has been more successful than Burrillville. Mr. Kane discussed the time and effort involved in preparing the plan and recommended that Mr. Kravitz receive formal recognition for his outstanding effort.

**VOTED** to receive and file the correspondence from the Department of Administration regarding the approval of the Town of Burrillville Comprehensive Plan Amendment for Housing and Affordable Housing Strategy; and to adopt a resolution commending Thomas J. Kravitz, Director of Economic Development and Planning, for his outstanding performance in developing the affordable housing component of the Comprehensive Plan.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Edward F. Bonczek. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-256 **VOTED** to receive and file a press release regarding a design award granted to CME Associates for the Tarkiln Road Bridge.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Edward F. Bonczek. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-257 **VOTED** to receive and file the correspondence from Martin D. Wencek, Permitting Supervisor, D.E.M. regarding insignificant alteration permit – application #04-222.

Motion by Councilor William E. Gonyea. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

04-258      **VOTED** to receive and file the correspondence from Charles A. Horbert, Permitting Supervisor, D.E.M. regarding insignificant alteration permit – application #04-0242.

Motion by Councilor Ronald E. Faford. Seconded by Councilor William E. Gonyea. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**10.      VOTED** to receive the following reports:

1. Town Treasurer: July 2004
2. Burrillville Sewer Commission: Meeting of July 13, 2004
3. Tax Collector: July 2004
4. Department of Public Works: June & July 2004
5. Chief of Police: July 2004
6. Office of Building Official: July 2004
7. Animal Control Officer: July 2004
8. Burrillville Housing Authority: Meetings of July 9 & July 14, 2004
9. Planning Board: Meeting of June 12, 2004
10. Zoning Board of Review: No report
11. Town Planner: No report
12. Parks and Recreation Department: August 2004
13. Information Systems Department: August 2004
14. Burrillville Conservation Commission: No report
15. Juvenile Hearing Board: No report
16. Ordinance Subcommittee: Meetings of April 7, April 21, May 19 & June 2, 2004
17. Redevelopment Agency: No report
18. Route 102 Study Commission: No report
19. BOSAP: No report
20. Personnel Board: Meeting of June 28, 2004
21. Screening Subcommittee: No report
22. Downtown Pascoag and Neighborhood Association: No report
23. Budget Board: No report

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**11.      Additional New Business:**

04-236      **VOTED** to grant an Executive Session.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**VOTED** to amend the motion to grant the executive session, to include that the request was made pursuant to Rhode Island Open Meeting Law [42-46-5 (a)(2)] for discussions related to collective bargaining with IBPO, Local 369; [42-46-5 (a)(5)] for discussions or considerations related to the

acquisition, sale and exchange of real property; and [42-46-5 (a)(2)] for discussions relating to litigation matters - Open Meetings complaint.

Amendment by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

The Council returned to open session at 8:04 P.M.

Councilor Edward F. Bonczek moved that three votes were taken in Executive Session, as follows:

- 1) To unseal the records of the April 10, 2002 Executive Session as it relates to an Option Agreement with Community Builders to purchase the "Santoro property";
- 2) To authorize the Town Manager to sign the deed transferring the property to Community Builders, or its assignee, and to execute any other documents necessary to effectuate the transaction set forth in the Option Agreement;
- 3) To seal the record regarding the collective bargaining discussion.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

**VOTED** to adjourn at 8:05 P.M.

Motion by Councilor Ronald E. Faford. Seconded by Councilor William E. Gonyea. The vote was unanimous by the five members present. Voting in favor of the motion were Councilors William A. Andrews, Louis Bleiweis, Edward F. Bonczek, William E. Gonyea and Ronald E. Faford. Council President Wallace F. Lees and Councilor Jacqueline Zahn were excused.

The meeting was taped. The tape is on file with the minutes.

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Louise R. Phaneuf, Town Clerk