

REGULAR MEETING of the Town Council held on Wednesday, September 8, 2004 at 8:04 o'clock P.M. in the Council Chamber, Town Building, 105 Harrisville Main Street, Harrisville, for and within the Town of Burrillville.

MEMBERS PRESENT: Council President Wallace F. Lees; Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

MEMBERS ABSENT: None

1. Council President Wallace F. Lees led those present in pledging allegiance to the flag.
2. VOTED to accept the minutes of the regular meetings held August 25, 2004 and dispense with the reading of said minutes.

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

3. Public Comment:

Shirley M. Hodson, President, Burrillville Senior Citizens Association, read the following letter into the record:

Dear Council President:

This letter is written to request that the Burrillville Town Council appoint a voluntary five-member Senior Center Task Force.

We are making this request because the Burrillville Seniors have no Senior Center where they may meet or hold events.

The following members have volunteered to serve on this Task Force:

Mr. Albert Lapierre

Mrs. Mona Minutelli

Mr. Raymond Menard

Mrs. Shirley Hodson

and also Councilman Ron Faford.

A request is also made to address the Council, briefly, at the September eighth meeting regarding this matter.

We thank you for your attention to this request.

Respectfully yours,

Shirley M. Hodson

President - Burrillville Senior Citizens' Association

101 Marion Avenue

Pascoag, RI 02859

Copies sent to State Representative Richard Aubin, State Representative Robert Lowe and State Senator Paul Fogarty.

Mrs. Hodson briefly elaborated on the request. Council President Wallace F. Lees indicated that the letter would be included on the agenda of the September 22, 2004 meeting. He explained that, through an oversight, the letter had not been submitted to the clerk for the present agenda. Council President Lees apologized for the error. Mrs. Hodson said that she would be present at the next meeting.

4. **General Good and Welfare of the Town of Burrillville:** None

5. **Petitions to be considered and acted upon:** None

6. **Special Business:**

04-240 **VOTED** to receive and open 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 Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

Discussion: Walter J. Kane, Town Solicitor, indicated that he had raised certain concerns when the application was initially received. The affidavit submitted on August 26, 2004 by Jennifer Park d/b/a Industrial Security & Investigators sufficiently addressed they concerns, he said.

VOTED to grant a new Private Detective License to Jennifer Parkin d/b/a Industrial Security & Investigators, 58 Waterman Avenue, North Providence, RI 02911.

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

04-259 **VOTED** to grant an Entertainment License to the Burrillville Arts & Crafts Festival for the Arts & Crafts Festival to be held on September 18 and 19, 2004.

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

7. **Unfinished Business:**

04-237 **VOTED** to receive and open the correspondence from Louise R. Phaneuf, Town Clerk, regarding a meeting with RIPTA regarding the proposal to reduce public transportation to the Town of Burrillville.

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

Discussion: Councilor Jacqueline Zahn noted that the Rhode Island Public Transportation Authority (RIPTA) has scheduled a meeting for Wednesday, September 15, 2004 at 6:00 p.m. at the Burrillville

High School relative to the proposed elimination of the Pascoag bus line. Councilor Zahn encouraged attendance at this meeting.

VOTED to receive and file the correspondence from Louise R. Phaneuf, Town Clerk, regarding a meeting with RIPTA regarding the proposal to reduce public transportation to the Town of Burrillville.

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

8. New Business:

04-260 **VOTED** to receive and open the correspondence from Walter J. Kane, Esq., regarding Sprint Spectrum L.P. V Town of Burrillville.

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

Discussion: Walter J. Kane, Town Solicitor, explained that, after the zoning board had denied a request for a special use permit, Sprint Spectrum had appealed to the federal courts. The courts overruled the position of the zoning board and agreement was reached. Sprint Spectrum then determined that the proposed site might hold significance to the Narragansett Indian Tribe. Walter J. Kane, Town Solicitor, indicated that Sprint Spectrum needs an agreement of the Town Council to request the court's approval of the relocated facility. Mr. Kane indicated that the Building/Zoning Official sees no objection.

VOTED to allow the solicitor to enter into an altered judgment to relocate on the same site.

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

04-261 **VOTED** to declare surplus certain items, as listed, as requested by Edward J. Pienkos, Information Systems Manager.

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

04-262 **VOTED** to receive and open a resolution to exempt the valuation from taxation of the real property owned by the Columbus Club of Burrillville.

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

Discussion: Ronald Parenteau of the Columbus Club thanked the Town Council for considering this matter. Mr. Parenteau asked that the Council consider making the exemption effective in tax year 2003. Walter J. Kane, Town Solicitor, indicated that the Town Council did not have authority to grant an exemption retroactively.

VOTED to adopt the following resolution:

Resolution

The Town Council hereby resolves to exempt the valuation from taxation of the real property owned by the Columbus Club of Burrillville, Council 383, located at Roosevelt Avenue, Pascoag, RI, Assessor's Lot 140, Map 085.

The valuation exempt from taxation is hereby authorized in an amount not to exceed seven hundred fifty thousand dollars (\$750,000).

This exemption shall take effect as of the December 31, 2004 assessment date and shall remain in effect for two (2) years, at which time the Burrillville Town Council may review and consider renewal of the exemption and at three (3) year increments thereafter, coinciding with the required statistical revaluations.

This action is authorized by §44-3-56 of the General Laws of the State of Rhode Island, as amended.

Passed as a resolution of the Burrillville Town Council this 8th day of September 2004.

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

04-263 **VOTED** to adopt a resolution to authorize Louise R. Phaneuf and John P. Mainville as agents of the Levy Burial account.

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

9. Town Clerk/Communication:

04-264 **VOTED** to open for discussion the correspondence from Donald L. Carcieri, Governor of the State of Rhode Island, regarding the award of \$84,000 from the Rhode Island Small Cities Community Development Block Grant Program.

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

Discussion: Councilor Jacqueline Zahn asked for elaboration on the amount of the award. Michael C. Wood, Town Manager, explained that request for the renovation of the Pascoag Grammar School had

been denied, but that the project will move forward. Mr. Wood said that, in his opinion, the Town has been very successful in securing CDBG funding. He pointed out that, in recent years, the Town has received funds through the CDBG program for the Stillwater project, the Harrisville well project and to address the Pascoag water crisis.

VOTED to receive and file correspondence from Donald L. Carcieri, Governor of the State of Rhode Island, regarding the award of \$84,000 from the Rhode Island Small Cities Community Development Block Grant Program.

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

04-265 **VOTED** to support the Cranston City Council resolution in support of the Arthritis Prevention, Control and Cure Act of 2004.

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

04-266 **VOTED** to support the Newport City Council resolution in support of the Open Space and Recreation Bond.

Motion by Councilor William E. Gonyea. Seconded by Councilor Ronald E. Faford. The motion was carried, six in favor, one opposed. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Ronald E. Faford and William E. Gonyea. Councilor Edward F. Bonczek voted in opposition.

04-267 **VOTED** to receive and file the correspondence from the Westerly Town Council requesting support of their resolution in opposition to a new gambling facility.

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

10. Additional New Business:

04-268 **VOTED** to grant the request for Executive Session from Council Vice President Jacqueline Zahn for September 8, 2004, pursuant to Rhode Island Open Meeting Law [42-46-5 (a)(1)] to discuss job performance, relative to the annual evaluation and employment contract of Michael C. Wood, Town Manager; and correspondence from Michael C. Wood waiving his rights to have this discussion held in open session. **Note:** Michael C. Wood was duly notified in advance in writing of this request for Executive Session; he was notified and advised that he could require that the discussion be held at an open meeting; and the

Request for Executive Session from Michael C. Wood, Town Manager, pursuant to

Rhode Island Open Meeting Law [42-46-5 (a)(5)] for discussions or considerations related to the acquisition, sale and exchange of real property.

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

The Town Council returned to open session at 8:50 P.M.

VOTED to seal the minutes of the executive session; there was one vote taken.

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

VOTED to adjourn at 8:50 P.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present at the time of the vote. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, and William E. Gonyea. Councilor Ronald E. Faford was not present at the time of the vote.

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

Louise R. Phaneuf, Town Clerk