

REGULAR MEETING of the Town Council held on Wednesday, May 25, 2005 at 7:25 o'clock P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main St., Harrisville, for and within the Town of Burrillville.

MEMBERS PRESENT: Council President Wallace F. Lees; Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

MEMBERS ABSENT: Councilor William A. Andrews was excused due to a work commitment.

- 1. Members of Pascoag Boy Scout Troop 100, Pascoag, led those present in pledging allegiance to the flag.**
- 2. VOTED to accept the minutes of the continued regular meeting held May 4, 2005, the regular meeting held Wednesday, May 11, 2005 and dispense with the reading of said minutes.**

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

3. Public Comment: None

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

Council President Wallace F. Lees announced the May 26, 2005, 10:00 A.M. ribbon cutting ceremony at the Mapleville Bridge and invited participation by the Town Council and the public.

Michael C. Wood, Town Manager, congratulated Councilor William E. Gonyea on his birthday.

Councilor Jacqueline Zahn addressed the Scouts of Troop 100 about her recent trip to Philadelphia. She spoke of the historic significance and encouraged the scouts to visit the city should they have an opportunity.

5. Petitions

05-099 VOTED to receive and open the correspondence from Louise R. Phaneuf, Town Clerk regarding the request for amendments to the zoning ordinance/zoning map from Thomas E. Hefner, Esq.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns,

Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

Discussion: Walter J. Kane, Town Solicitor, suggested that the Council could grant the request of Mr. Hefner to continue the matter until June. However, Mr. Kane pointed out that since the filing fee had not been submitted, then the matter was not properly before the Town Council. According to Mr. Kane, the public hearing could not be scheduled until fees had been filed.

VOTED to continue at the call of the chair.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

Further Discussion: Michael C. Wood, Town Manager, requested that Mr. Hefner be advised of the vote.

05-176 Petition from Verizon New England, Inc. and the Narragansett Electric Company to place three new joint poles (P.55, 56 & 57) and anchor guy locations on Colwell Road as shown on attached plan in the Town of Burrillville; and the recommendation of Richard A Bernardo, P.E., Director of Public Works.

VOTED to approve, with the stipulation that if the poles need to be moved it would be at the expense of Verizon and Narragansett Electric.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

6. Special Business:

05-177 VOTED to grant a Special Event Victualing license to Pascoag Boy Scout Troop 100 to apply for the June 11, 2005 spaghetti supper to be held at St. Joseph Church, 183 Sayles Avenue, Pascoag.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

7. Unfinished Business: None

8. New Business:

05-178 VOTED to open correspondence from Richard A. Bernardo, P.E., Director of Public Works, regarding his request for funding in the amount of \$5,760.00 for interns required for the roadway inspection phase of the Road Surface Management Survey.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

Discussion: Michael C. Wood, Town Manager, explained that a Road Surface Management Survey (RSMS) that had been approved in the capital improvement program and would require that the condition of the roads be reviewed and inventoried. The plan, he said, is to share an intern with the Town of North Smithfield. Because the project falls in two fiscal years, there were several funding options were presented. Mr. Wood recommended an option that would appropriate funds from the unreserved, undesignated fund and pointed out that this option would require the affirmative vote of six Councilors.

VOTED that the following amounts be appropriated from the Town's Unreserved, Undesignated Fund Balance for the purpose of hiring

summer interns to assist in the roadway inspection phase of the Road Surface Management Survey: \$2,160 for this FYE 2005 and \$3,600 for next FYE 2006.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

05-179 VOTED to open the correspondence from Brad Perry regarding his request for an abatement of interest; and the recommendation of John P. Mainville, Finance Director.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

It was noted that Brad Perry was not in attendance.

VOTED to deny.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Nancy F. Binns. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

05-180 VOTED to deny the request from James Alpaio regarding for an abatement of interest.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

05-181 VOTED to open proposed amendment to the Burrillville Code of Ordinance, Chapter 25, §43 entitled Disabled Persons; for first reading and scheduling of a public hearing.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Councilor William A. Andrews was excused.

Discussion: It was noted that it had been recommended by the clerk to schedule the public hearing for June 22, 2005.

VOTED to schedule the public hearing for Wednesday, June 22, 2005 at 7:00 P.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

05-182 Proposed ordinances to the Burrillville Code of Ordinance, Chapter 16, adding §16-5 Disorderly Conduct; for first reading and scheduling of a public hearing.

VOTED to schedule the public hearing for Wednesday, June 22, 2005 at 7:00 P.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns,

**Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.
Councilor William A. Andrews was excused.**

05-183 Proposed amendment to the Burrillville Code of Ordinance, Chapter 2 entitled Administration, addition §2-52 Personnel Screening and Hearing; for first reading and scheduling of a public hearing.

VOTED to schedule the public hearing for Wednesday, June 22, 2005 at 7:00 P.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

05-184 VOTED to open correspondence from David Brunetti, Executive Committee Member, Environment Council of Rhode Island, regarding his request to make a presentation of the booklet Warming Signs, Winning Solutions.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns,

Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

Discussion: David Brunetti, Executive Committee Member, Environment Council of Rhode Island, distributed copies of the booklet Global Warming in Rhode Island – Warning Signs, Winning Solutions to Councilors. Mr. Brunetti described the coalition whose goal is to address environmental issues. Mr. Brunetti spoke about the impact of global warming in the State of Rhode Island and outlined possible actions to address the causes of the problems. Mr. Brunetti called upon elected officials to consider environmental issues when making decisions related to areas such as building designs, building maintenance and fuel choices. Mr. Brunetti offered the support of the Environment Council of Rhode Island and noted that contact information could be found in the booklet. Mr. Brunetti announced an Environment Council of Rhode Island conference to be held in November 2005. Councilor Jacqueline Zahn suggested that Mr. Brunetti also speak to the Conservation Commission on this matter. Michael C. Wood, Town Manager, suggested that Mr. Brunetti contact the Town Clerk to establish a link between the Environment Council and Town of Burrillville’s websites.

VOTED to receive and file.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members

present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

05-185 VOTED to open the correspondence from Roger Bourbonniere, President of the Downtown Pascoag Neighborhood Association regarding a sidewalk sale and village-wide yard sale to be held on June 18, 2005 from 9:00 A.M. to 3:00 P.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

Roger Bourbonniere, President of the Downtown Pascoag Neighborhood Association (DPNA), invited all to the second annual sidewalk sale and discussed the planned events. Councilor Nancy F. Binns strongly urged people to participate in the event and spoke of the DPNA plans and efforts in revitalizing the downtown area.

VOTED to receive and file.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor

Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

05-186 VOTED to open correspondence from Wallace F. Lees, Town Council President, regarding discussion and action on setting the Town Council's 2005 summer schedule.

Motion by Councilor Ronald E. Faford. Seconded by Councilor Jacqueline Zahn. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

Discussion: It was noted that reports are received at the second meeting of each month.

VOTED to cancel the first meeting of July and the first meeting of August.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees,

Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

05-187 VOTED to receive and file the correspondence from Warren M. Towne, P.E., Supervising Sanitary Engineer, D.E.M., regarding the Burrillville WWTF Compliance Evaluation Inspection of April 20, 2005; and the response of John E. Martin, III, Supervisor, Burrillville WWFT.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

9. Town Clerk/Communication:

05-188 VOTED to receive and file the correspondence from Martin D. Wencek, Permitting Supervisor, Office of Water Resources/Permitting Section, Freshwater Wetlands Program to Richard Kullander regarding the Notice of Denial of application No. 03-0418.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley,

Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

05-189 VOTED to receive and file the correspondence from Charles A. Horbert, Permitting Supervisor, Office of Water Resources, Freshwater Wetlands Program regarding insignificant alteration permit application #05-0081.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

05-190 VOTED to receive and file the correspondence from Mark C. Jewell, Expedition Captain, regarding the Blackstone Expedition 2005, to be held from June 15 through June 18, 2005.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

10. VOTED to receive the following reports:

- 1. Town Treasurer: April 2005**
- 2. Burrillville Sewer Commission: April 2005 and Meeting of April 12, 2005**
- 3. Tax Collector: April 2005**
- 4. Department of Public Works: April 2005**
- 5. Chief of Police: April 2005**
- 6. Office of Building Official: April 2005**
- 7. Animal Control Officer: April 2005**
- 8. Burrillville Housing Authority: Meeting of March 8, 2005**
- 9. Planning Board: Meeting of April 4, 2005**
- 10. Zoning Board of Review: No report**
- 11. Town Planner: No report**
- 12. Parks and Recreation Department: May 2005**
- 13. Information Systems Department: May 2005**
- 14. Burrillville Conservation Commission: Meeting of March 15, 2005**
- 15. Juvenile Hearing Board: No report**
- 16. Ordinance Subcommittee: No report**
- 17. Redevelopment Agency: Meeting of February 22, 2005**
- 18. Route 102 Study Commission: Meeting of March 28, 2005**
- 19. BOSAP: Coordinator/Consultant Report of March 2005 and April 2005**
- 20. Personnel Board: Meeting of March 29, 2005**
- 21. Screening Subcommittee: No report**
- 22. Downtown Pascoag and Neighborhood Association: No report**

23. Budget Board: No report

11. Additional New Business:

05-191 VOTED to grant the request for Executive Session from Town Manager Michael C. Wood pursuant to Rhode Island Open Meeting Law [§42-46-5 (a)(2)] for discussions pertaining to Council 94 collective bargaining; and [§42-46-5 (a)(2)] for discussions pertaining to IBPO collective bargaining and [§42-46-5 (a)(2)] for discussions pertaining to litigation; and [42-46-5 (a)(5)] for discussion and considerations related to the acquisition, sale and exchange of real property (Champion Realty Map 160, Lot 65).

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

There was a brief recess before the Town Council convened in Executive Session.

The Town Council returned to open session at 8:30 P.M.

VOTED to seal the minutes of the executive session, noting that there

were four (4) votes taken.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

VOTED to adjourn at 8:30 P.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews was excused.

Louise R. Phaneuf, Town Clerk