

REGULAR MEETING of the Town Council held on Wednesday, June 8, 2005 at 7:00 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, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, 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 special meeting held May 18, 2005, the public hearing held May 19, 2005, the regular meeting and public hearing held May 25, 2005; and the question of dispensing with the reading of said minutes.

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

3. Public Comment: None

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

Councilor Jacqueline Zahn commented favorably on the appearance of the skateboard park and hoped that the young people using the park would police themselves. She discussed restrictions on the use of the park and spoke in favor of additional skateboard parks.

5. Petitions: None

6. Special Business:

05-192 VOTED to confirm adoption of the May 24, 2005 proclamation honoring Mr. & Mrs. Albert J. Houle on their 50th wedding anniversary.

Motion by Councilor William A. Andrews. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-193 VOTED to receive and open the application from Jesse Joyner of Joyner Books, independent contractor of the Southwestern Company for a Hawkers & Peddlers license for door-to-door sales of

educational books and software, to apply throughout the Town of Burrillville between June 9, 2005 and August 30, 2005.

Motion by Councilor William A. Andrews. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

Discussion: Councilor William A. Andrews noted that the Council has granted these licenses in the past with stipulations that sales could not be conducted before 10:00 A.M. or after dusk. Council President Wallace F. Lees suggested that the applicant should file their car registrations with the police department.

VOTED to grant a Hawkers and Peddlers License to Jesse Joyner of Joyner Books, independent contractor of the Southwestern Company for door-to-door sales of educational books and software, to apply throughout the Town of Burrillville between June 9, 2005 and August 30, 2005, with the stipulations that 1) sales would be limited to the hours between 10:00 A.M. and dusk and 2) the police department would be informed of the make, model, color and registration of Mr. Joyner's vehicle(s).

Motion by Councilor Jacqueline Zahn. Second by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion

were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-194 VOTED to grant a Hawkers and Peddlers License to Sarah Joyner of Joyner Books, independent contractor of the Southwestern Company for door-to-door sales of educational books and software, to apply throughout the Town of Burrillville between June 9, 2005 and August 30, 2005, with the stipulations that 1) sales would be limited to the hours between 10:00 A.M. and dusk and 2) the police department would be informed of the make, model, color and registration of Ms. Joyner's vehicle(s).

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

7. New Business:

05-195 VOTED to receive and open the correspondence from Richard A. Bernardo, P.E., Director of Public Works, regarding his request for funding in the amount of \$3,500 to complete a self-audit of the DPW facility.

Motion by Councilor William A. Andrews. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

Discussion: Michael C. Wood, Town Manager, said that the self-audit was an EPA required program and that the request had been received too late to be included in the budget. Mr. Wood recommended that the funds be taken from the unreserved, undesignated fund balance.

VOTED that the Town Council authorizes the appropriation of \$3,500 from the unreserved, undesignated general fund balance for the purpose of funding an EPA self-audit of the DPW facility. This audit will take place in fiscal year ending June 30, 2006.

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

05-196 VOTED to receive and open the correspondence from Michael C. Wood, Town Manager, regarding his appointment of Raymond Fontenault as Veterans Representative.

Motion by Councilor William A. Andrews. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

Raymond Fontenault was sworn in as the Burrillville's Veteran's Representative. Mr. Fontenault informed the Town Council that he would be available at the Legion Hall, 103 Harrisville Main St., Harrisville from 6:00 – 8:00 P.M. on the First Wednesday of each month.

VOTED to ratify the Manager's appointment.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-197 VOTED to receive and open the correspondence from Michael C. Wood, Town Manager regarding recommended FY2006 Budget Revisions.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

Discussion: Michael C. Wood, Town Manager, reviewed his June 2, 2005 memo which recommended several revisions to his proposed budget. Mr. Wood explained that there were two proposed resolutions: the first covering the original proposal, the second the proposal with the amendments discussed. Mr. Wood said that the budget could be increased by \$28,000, in addition to his recommendations, without changing the proposed tax rate.

Councilor Margaret L. Dudley suggested additions to the Manager's original proposal that would not affect the tax rate. Possible revisions were discussed and the following agreed upon.

Manager Revisions

\$7,439 Police Repair of equipment & maintenance agreements

6,400 Police Dispatcher stipends

5,000 Recreation Spring Lake Beach. (Revenues have been increased \$5,000, to be taken from Spring Lake Revolving Account)

2,340 Planning Adjustment to Planner's Travel/Vehicle allowance

1,500 Pascoag Library

4,000 RSVP

5,000 General Services Annex Utilities & Services

Special Appropriation Additions

2,500 NRI ARC

750 NRI Extension

11,500 NRI Community Services

500 Samaritans

1,500 Sojourner

1,000 TRI HAB Outpatient

2,000 TRI HAB Housing

Other Increases

250 Historical Society

500 Parade

250 RSVP (In addition to the \$4,000 in the Manager's Revision)

Increases from the Administration's Priority List

3,000 Finance Department Interns

4,500 Professional Services

VOTED to change the proposed budget to incorporate the listed changes.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

NOTE: There was a brief recess at 7:27 P.M. to allow for the preparation of the FY2006 Budget Resolution. The Council returned to open session at 7:43 P.M.

VOTED to recess.

Motion by Councilor William A. Andrews. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-198 MOTION to adopt a resolution of the Town of Burrillville adopting the Fiscal Year Ending June 30, 2006 Proposed Operating Budget, as follows:

BUDGET RESOLUTION – Fiscal Year Ending June 30, 2006

SECTION A.

That a resolution of the Town of Burrillville adopting the annual Town Budget for the 2005-2006 Fiscal Year be adopted.

Whereas, the Burrillville Town Charter provides in Article Ten for the budget process and specifically in Section 10.04 (F) for the final adoption of the Town Budget including School Operations.

And whereas, the final budget when adopted shall show a balance between authorized appropriation and anticipated receipts.

Now, therefore, be it resolved that the Town Council adopts a final budget for the 2005-2006 Fiscal Year of \$ 42,018,606. This total budget is divided into the following Sections: \$ 8,510,617 for Municipal Operations, \$ 5,108,962 for Debt Service, \$ 503,069 for Other Transfers, \$ 1,720,958 for Capital Improvements (See **NOTE 2), \$ 25,475,000 for School Operations (See **NOTE 1 & 3), and \$700,000 for the Overlay Variance.

The Total Appropriation of \$ 42,018,606 is broken down as follows:

(1) Total Town Operating Appropriation: \$ 8,510,617

(2) Total Town Indebtedness and Interest Appropriation: \$ 5,108,962

(3) Total Other Transfers: \$ 498,069

(4) Total Town Capital Improvement Appropriation: \$ 1,720,958

**NOTE 2

(5) Total School Department Appropriation: \$ 25,475,000 **NOTE 1
&

NOTE 3

(6) Overlay Variance Appropriation for Tax Abatements,
Refunds and Uncollected Taxes: \$ 700,000

Total Appropriation: \$ 42,018,606

The Total Adopted Departmental Budgets as recommended by the Town Manager, and amended by the Town Council, for the 2005-2006 Fiscal Year is attached and incorporated as part of this resolution.

****NOTE 1. The School Department Expenditure and Revenue Appropriation does not incorporate State Aid targeted for several programs including the following: Student Equity, Technology, Early Childhood, Language Investment, and Professional Development, which shall be received by the Finance Director/Town Treasurer and accounted for separately by the School Department.**

SECTION B.

That the Town Council hereby orders the assessment and collection of a tax on ratable real estate and tangible personal property in a sum not less than \$ 18,672,705 and not more than \$ 19,372,705, based upon current estimated assessed valuations.

The Total Revenues allocated for Town and School Expenditures are broken out as follows:

(1) Total Estimated School Department Revenues:

\$ 12,120,016 **NOTE 1

**(2) Total Estimated Town Non-Property Tax Revenues: \$
10,395,885**

(3) Total Funding Other Sources – Spring Lake Fund: \$ 5,000

(4) Application of General Fund Balance: \$ -0-

****NOTE 2**

(5) Application of School General Fund Balance: \$ 125,000

****NOTE 3**

(6) Total Estimated Amount to be raised from Property Taxes:

Class I Real Estate and Tangible

Personal Property 87.60% \$ 16,970,490

Class II Motor Vehicles 12.40% 2,402,215

Subtotal Estimated Amount –

From Property Taxes \$ 19,372,705

Total Revenues: \$ 42,018,606

Total Estimated Net Assessed Valuations:

Class I Real Estate and Tangible

Personal Property \$ 1,296,558,000

Class II Motor Vehicles \$ 60,024,000

Total Estimated Net Assessed Valuations \$ 1,356,582,000

The Estimated Percentage of the Tax Levy to be raised from:

Class I Property is Projected to be 87.60%

Class II Property is Projected to be 12.40%

The Total Tax Rates to raise the above percentages of the Tax Levy are to be no greater than:

Class I Real Estate & Tangible Personal Property \$13.05

Class II Motor Vehicle \$40.00

Any and all revenue/receipts (prior and current fiscal year ending 2006 shall be considered to be part of the general receipts of the Town and shall not supplement nor increase the amount appropriated to a specific department by the Town Council. This does not apply to direct reimbursements (e.g. insurance, grants, cancelled orders).

Subsequent to the adoption of this budget by the Town Council, should State Aid be higher than anticipated, the amount will be utilized to adjust the tax rate in lieu of increasing the related appropriations for Town and School Operations.

Municipal department expenses incurred during their normal operation that will result in the over expenditure of a given municipal department's appropriation for the given year shall be balanced through transfers from the General Fund Contingency line item by the Finance Director who shall notify the Town Council of any transfer at the next Town Council meeting.

Now, therefore, be it further resolved, that the tax levy WILL NOT exceed the five and one-half percent (5.5%) annual cap as imposed by the Omnibus Property Tax Relief and Replacement Act of 1985, Chapter 44-5-2 of the General Laws of the State of Rhode Island, as amended.

Said Taxes are for ordinary expenses, the payment of Town interest and indebtedness in whole or in part, the payment of the Town's proportion of the State Tax, and for other purposes authorized by law.

The Tax Assessor having assessed and apportioned said tax on the ratable property of said Town as of the 31st day of December 2004 at Twelve o'clock midnight, according to law, and shall on completion of said assessment, date, certify and sign the same and deliver to and deposit the same in the office of the Town Clerk, on or before June 15, 2005.

The Town Clerk on receipt of said assessment, shall forthwith make a copy of the same and deliver it to the Town Treasurer/Finance Director who shall forthwith issue and affix to said copy, a warrant under his hand, directed to the Collector of Taxes of said Town, commanding him to proceed and collect said tax of the persons and estates liable therefore, said tax shall be due and payable on the 15th day of July, 2005.

Said tax may be paid in equal quarterly installments, the first

installment of

25 per centum on or before the 1st day of August 2005 and the remaining installments as follows:

25 per centum on the 1st day of November 2005

25 per centum on the 1st day of February 2006

25 per centum on the 1st day of May 2006

Each installment of taxes if paid on or before the 1st day of each installment period successively and in order shall be free from any charges for interest.

If the first installment or any succeeding installment of taxes is not paid by the last day of the respective period or periods as they occur, then the whole tax or remaining unpaid balance of the tax as the case may be shall immediately become due and payable and shall carry until collected a penalty at the rate of Twelve (12) per centum per annum from August 1, 2005.

This Resolution adopting the Budget for Fiscal Year Ending June 30, 2006 will become effective July 1, 2005 unless amendments are made prior to July 1, 2005.

****NOTE 2.**

The Capital Portion of this budget, which does not include the use of Unreserved, Undesignated General Fund Balance, was adopted in

accordance with the Town Charter Section 3.14 (j) at the Regular Council Meeting held on April 13, 2005. As such, the Capital Budget as voted on April 13, 2005, is hereby incorporated into the overall budget for fiscal year ending June 30, 2006.

****NOTE 3.**

The Recommended School Department Appropriation includes an appropriation of \$25,350,000 and the use of \$125,000 of the School Department's Fund Balance [FYE June 30, 2004 and FYE June 30, 2005]. This brings the Total School Department General Operations Appropriation \$ 25,475,000

Main Motion by Councilor Jacqueline Zahn. Second by Councilor Margaret L. Dudley.

Further Discussion: Councilor William A. Andrews noted that (3) Total Other Transfers on page one of the resolution should be corrected to reflect the \$5,000 transfer from the Spring Lake Revolving Account.

First Amendment to the Main Motion by Councilor William A. Andrews to add \$5,000 to the total other transfers figure of \$498,069, which makes the amount \$503,069. Second by Councilor Ronald E. Faford.

Further Discussion: Michael C. Wood, Town Manager, noted that the School Department appropriation included the use of the \$125,000 of

the School Department's Fund Balance, and that the use of the Fund Balance would require the School Committee to request that the Town Council make the appropriation. Robin Kimation of the School Department indicated that the School Committee had not voted on the matter. Mr. Wood suggested that the budget level could not be effective without the request from the School Committee.

Vote on the First Amendment:

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

Second Amendment to the Main Motion by Councilor Jacqueline Zahn that the School Department appropriation of \$25,350,000 is subject to the School Committee's requesting the appropriation of \$125,000 of the School Department's Fund Balance [FYE June 30, 2004 and FYE June 30, 2005]. Second by Margaret L. Dudley.

Vote on the Second Amendment:

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

Vote on the Main Motion:

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

**BUDGET RESOLUTION – Fiscal Year Ending June 30, 2006
(As Amended and Adopted – June 8, 2005)**

SECTION A.

That a resolution of the Town of Burrillville adopting the annual Town Budget for the 2005-2006 Fiscal Year be adopted.

Whereas, the Burrillville Town Charter provides in Article Ten for the budget process and specifically in Section 10.04 (F) for the final adoption of the Town Budget including School Operations.

And whereas, the final budget when adopted shall show a balance between authorized appropriation and anticipated receipts.

Now, therefore, be it resolved that the Town Council adopts a final budget for the 2005-2006 Fiscal Year of \$ 42,018,606. This total budget is divided into the following Sections: \$ 8,510,617 for Municipal Operations, \$ 5,108,962 for Debt Service, \$ 503,069 for Other Transfers, \$ 1,720,958 for Capital Improvements (See **NOTE 2), \$ 25,475,000 for School Operations (See **NOTE 1 & 3), and \$700,000 for the Overlay Variance.

The Total Appropriation of \$ 42,018,606 is broken down as follows:

(1) Total Town Operating Appropriation: \$ 8,510,617

(2) Total Town Indebtedness and Interest Appropriation: \$ 5,108,962

(3) Total Other Transfers: \$ 503,069

(4) Total Town Capital Improvement Appropriation: \$ 1,720,958

****NOTE 2**

(5) Total School Department Appropriation: \$ 25,475,000 **NOTE 1

&

NOTE 3

(6) Overlay Variance Appropriation for Tax Abatements,

Refunds and Uncollected Taxes: \$ 700,000

Total Appropriation: \$ 42,018,606

The Total Adopted Departmental Budgets as recommended by the Town Manager, and amended by the Town Council, for the 2005-2006 Fiscal Year is attached and incorporated as part of this resolution.

****NOTE 1. The School Department Expenditure and Revenue Appropriation does not incorporate State Aid targeted for several**

programs including the following: Student Equity, Technology, Early Childhood, Language Investment, and Professional Development, which shall be received by the Finance Director/Town Treasurer and accounted for separately by the School Department.

SECTION B.

That the Town Council hereby orders the assessment and collection of a tax on ratable real estate and tangible personal property in a sum not less than \$ 18,672,705 and not more than \$ 19,372,705, based upon current estimated assessed valuations.

The Total Revenues allocated for Town and School Expenditures are broken out as follows:

(1) Total Estimated School Department Revenues: \$ 12,120,016

****NOTE 1**

(2) Total Estimated Town Non-Property Tax Revenues: \$ 10,395,885

(3) Total Funding Other Sources – Spring Lake Fund: \$ 5,000

(4) Application of General Fund Balance: \$ -0-

****NOTE 2**

(5) Application of School General Fund Balance: \$ 125,000

****NOTE 3**

(6) Total Estimated Amount to be raised from Property Taxes:

Class I Real Estate and Tangible

Personal Property 87.60% \$ 16,970,490

Class II Motor Vehicles 12.40% 2,402,215

Subtotal Estimated Amount –

From Property Taxes \$ 19,372,705

Total Revenues: \$ 42,018,606

Total Estimated Net Assessed Valuations:

Class I Real Estate and Tangible

Personal Property \$ 1,296,558,000

Class II Motor Vehicles \$ 60,024,000

Total Estimated Net Assessed Valuations

\$ 1,356,582,000

The Estimated Percentage of the Tax Levy to be raised from:

Class I Property is Projected to be 87.60%

Class II Property is Projected to be 12.40%

The Total Tax Rates to raise the above percentages of the Tax Levy are to be no greater than:

Class I Real Estate & Tangible Personal Property \$13.05

Class II Motor Vehicle \$40.00

Any and all revenue/receipts (prior and current fiscal year ending 2006 shall be considered to be part of the general receipts of the Town and shall not supplement nor increase the amount appropriated to a specific department by the Town Council. This does not apply to direct reimbursements (e.g. insurance, grants, cancelled orders).

Subsequent to the adoption of this budget by the Town Council, should State Aid be higher than anticipated, the amount will be utilized to adjust the tax rate in lieu of increasing the related appropriations for Town and School Operations.

Municipal department expenses incurred during their normal operation that will result in the over expenditure of a given municipal department's appropriation for the given year shall be balanced through transfers from the General Fund Contingency line item by the Finance Director who shall notify the Town Council of any transfer at the next Town Council meeting.

Now, therefore, be it further resolved, that the tax levy WILL NOT exceed the five and one-half percent (5.5%) annual cap as imposed by the Omnibus Property Tax Relief and Replacement Act of 1985, Chapter 44-5-2 of the General Laws of the State of Rhode Island, as amended.

Said Taxes are for ordinary expenses, the payment of Town interest and indebtedness in whole or in part, the payment of the Town's proportion of the State Tax, and for other purposes authorized by law.

The Tax Assessor having assessed and apportioned said tax on the ratable property of said Town as of the 31st day of December 2004 at Twelve o'clock midnight, according to law, and shall on completion of said assessment, date, certify and sign the same and deliver to and deposit the same in the office of the Town Clerk, on or before June 15, 2005.

The Town Clerk on receipt of said assessment, shall forthwith make a copy of the same and deliver it to the Town Treasurer/Finance Director who shall forthwith issue and affix to said copy, a warrant under his hand, directed to the Collector of Taxes of said Town, commanding him to proceed and collect said tax of the persons and estates liable therefore, said tax shall be due and payable on the 15th day of July, 2005.

Said tax may be paid in equal quarterly installments, the first installment of 25 per centum on or before the 1st day of August 2005 and the remaining installments as follows:

25 per centum on the 1st day of November 2005

25 per centum on the 1st day of February 2006

25 per centum on the 1st day of May 2006

Each installment of taxes if paid on or before the 1st day of each installment period successively and in order shall be free from any charges for interest.

If the first installment or any succeeding installment of taxes is not paid by the last day of the respective period or periods as they occur, then the whole tax or remaining unpaid balance of the tax as the case may be shall immediately become due and payable and shall carry until collected a penalty at the rate of Twelve (12) per centum per annum from August 1, 2005.

This Resolution adopting the Budget for Fiscal Year Ending June 30, 2006 will become effective July 1, 2005 unless amendments are made prior to July 1, 2005.

****NOTE 2.**

The Capital Portion of this budget, which does not include the use of Unreserved, Undesignated General Fund Balance, was adopted in accordance with the Town Charter Section 3.14 (j) at the Regular Council Meeting held on April 13, 2005. As such, the Capital Budget as voted on April 13, 2005, is hereby incorporated into the overall budget for fiscal year ending June 30, 2006.

****NOTE 3.**

The Recommended School Department Appropriation includes an appropriation of \$25,350,000 and the use of \$125,000 of the School Department's Fund Balance [FYE June 30, 2004 and FYE June 30, 2005]. This brings the Total School Department General Operations Appropriation \$ 25,475,000

SUBJECT TO THE SCHOOL COMMITTEE REQUESTING COUNCIL USE OF THE SCHOOL DEPARTMENT'S FUND BALANCE IN THE AMOUNT OF \$125,000 FROM FYE 2004 AND FYE 2005.

Adopted this 8th day of June 2005

05-199 VOTED to receive and open the resolution establishing an adult education program revolving fund.

Motion by Councilor William A. Andrews. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

Discussion: Councilor William A. Andrews commented that the funds recur annually.

VOTED to adopt a resolution establishing an adult education

program, as follows:

**RESOLUTION ESTABLISHING
AN ADULT EDUCATION PROGRAM REVOLVING FUND**

The Finance Director is hereby authorized to establish an “Adult Education Program Revolving Fund” for the use of the School Department.

(1) Purpose: This Fund is established to allow the School Department to segregate funds received and expended for its Adult Education Program from its operating budget.

(2) Receipts: The School Department may direct that funds appropriated to the School Department operating funds be transferred to the Revolving Fund. In addition, all tuition revenues, grants and other revenue received for vocational services shall be deposited into the Fund.

(3) Disbursement: Money shall be disbursed from the Fund upon receipt by the Treasurer’s Office upon properly documented vouchers from the School Department to the extent that monies are available in the Fund.

(4) Advancements: The School Department may advance funds to the Revolving Fund and request a refund at a later date when funds are available.

(5) Unexpended Funds: All funds not expended from the Fund shall remain in the Fund to be used for future expenditures chargeable to

the Fund. In the event that the Adult Education Program Revolving Fund is terminated, any remaining unencumbered funds shall be transferred to the School Department.

(6) Operating Procedures: The Finance Director or his designee may establish procedures to govern the operation of the Fund.

(7) Expiration Date: The Adult Education Program Revolving Fund authorization will expire June 30, 2006, unless extended by resolution of the Town Council.

Motion by Councilor William A. Andrews. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-200 VOTED to adopt a resolution establishing a summer school revolving fund, as follows:

RESOLUTION ESTABLISHING A SUMMER SCHOOL REVOLVING FUND

The Finance Director is hereby authorized to establish a “Summer School Revolving Fund” for the benefit of the School Department’s Summer School Program.

(1) Purpose: This Fund is established to allow the School Department to segregate funds received and expended for the

operation of the Summer School Program from its operating budget.

(2) Receipts: All revenues from tuition, grants, or other funds received in connection with the Summer School Program shall be deposited in the Fund.

(3) Disbursements: Money shall be disbursed from the Fund upon receipt by the Treasurer's Office upon properly documented vouchers from the School Department to the extent that monies are available in the Fund.

(4) Advancements: The School Department may advance funds to the Revolving Fund and request a refund at a later date when funds are available.

(5) Unexpended Funds: All funds not expended from the Fund shall remain in the Fund to be used for future expenditures chargeable to the Fund. In the event that the Summer School Revolving Fund is terminated, any remaining unencumbered funds shall be transferred to the School Department.

(6) Operating Procedures: The Finance Director or his designee may establish procedures to govern the operation of the Fund.

(7) Expiration Date: The Summer School Program Revolving Fund authorization will expire June 30, 2006, unless extended by resolution of the Town Council.

Adopted this 8th day of June 2005

Motion by Councilor William A. Andrews. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-201 VOTED to adopt a resolution establishing a vocational school program revolving fund, as follows:

**RESOLUTION ESTABLISHING
A VOCATIONAL SCHOOL PROGRAM REVOLVING FUND**

The Finance Director is hereby authorized to establish a “Vocational School Program Revolving Fund” for the use of the School Department.

(1) Purpose: This Fund is established to allow the School Department to segregate funds received and expended for its Vocational School Program from its operating budget.

(2) Receipts: The School Department may direct that funds appropriated to the School Department operating funds be transferred to the Revolving Fund. In addition, all tuition revenues, grants and other revenue received for vocational services shall be deposited into the Fund.

(3) Disbursement: Money shall be disbursed from the Fund upon receipt by the Treasurer’s Office upon properly documented vouchers from the School Department to the extent that monies are available in the Fund.

(4) Advancements: The School Department may advance funds to the Revolving Fund and request a refund at a later date when funds are available.

(5) Unexpended Funds: All funds not expended from the Fund shall remain in the Fund to be used for future expenditures chargeable to the Fund. In the event that the Vocational School Program Revolving Fund is terminated, any remaining unencumbered funds shall be transferred to the School Department.

(6) Operating Procedures: The Finance Director or his designee may establish procedures to govern the operation of the Fund.

(7) Expiration Date: The Vocational School Program Revolving Fund authorization will expire June 30, 2006, unless extended by resolution of the Town Council.

Adopted this 8th day of June 2005

Motion by Councilor William A. Andrews. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-202 Correspondence from John P. Mainville, Finance Director, regarding the transfer of reserve funds. Note: The transfer of these funds requires the affirmative vote of six (6) Council members due to the appropriation of funds from the Unreserved, Undesignated

General Fund Balance [Town Charter §3.14(j)].

VOTED that the following reserve funds be increased via a transfer from the Town's Unreserved, Undesignated General Fund Balance:

Major Capital Fund \$120,000

Economic Development/Redevelopment 25,000

Land Acquisition and Improvement Fund 50,000

Route 102 Fund 8,000

Unfunded Liability & Incentive Pay Fund 25,000

Total \$228,000

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-203 VOTED to receive and open the correspondence from Michael C. Wood, Town Manager, regarding approval of the classification plan.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

Discussion: Michael C. Wood, Town Manager, indicated that the Classification Plan must be approved annually. Mr. Wood discussed the alternatives before the Town Council: to grant the employees a \$1,000 raise effective July 1, 2004, to grant a \$2,000 raise effective January 1, 2006, to take no action or make other amendments to the plan. Mr. Wood said the affect on the 2006 budget would be the same in the first two instances and stated a preference for the second alternative.

Councilor Jacqueline Zahn supported the \$2,000 raise effective January 2006. Councilor Zahn noted her preference that the Manager's pay raise not be delayed to January 2006, as proposed in his April 28, 2005 memo. Mr. Wood said that the raise was not included in the budget and discussed possible alternatives.

Councilor Margaret L. Dudley spoke in opposition to the incentive program and asked whether it could be eliminated and salaries raised. Councilors Jacqueline Zahn and William A. Andrews opposed the suggested. Michael C. Wood, Town Manager, said that the Town Council could consider changing the classification plan and suggested that in that case the Personnel Board should be instructed to review and report on an equitable compensation for the department heads. Mr. Wood also said that, since contracts are in place, negotiation with the employees would be necessary.

VOTED to approve the classification plan, alternative #2, effective

January 1, 2006, with \$2,000 increases effective that date; and to accept Michael C. Wood's offer to delay his salary increase, and to meet with Michael C. Wood to amend his contract accordingly.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-204 VOTED to open the correspondence from Ray Levesque, Chairman, Burrillville Planning Board, regarding the implementation of Phase II of the Route 102 Development Management District.

Motion by Councilor Nancy Binns. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

Discussion: It was noted that the matter should be referred to the Ordinance Subcommittee.

VOTED to refer to the ordinance subcommittee.

Motion by Councilor Jacqueline Zahn. Second by Councilor Margaret

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

05-205 VOTED to receive with regret the correspondence from Howard Covitz regarding his resignation from the Redevelopment Agency, and to refer the matter to the Screening Subcommittee.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-206 Correspondence from Jacqueline Zahn, Chair, Screening Subcommittee, regarding the Screening Subcommittee's recommendations for appointments and reappointments:

VOTED to reappoint Valerie Ann Leduc to the Personnel Board for a three-year term to expire March 31, 2008.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

VOTED to reappoint Cheryl Choquette to the Redevelopment Agency for a five-year term to expire March 31, 2010.

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

VOTED to appoint Silvia St. Pierre to the Bicentennial Commission.

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

VOTED to appoint Harrison McCaughey to serve as an alternate member of the Historic District Commission for a term to expire January 31, 2006.

Note: It is recommended that this term expire January 2006 to correspond with other Commission expirations. The recommendation for subsequent terms for the alternate member would be for one-year terms.

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

8. Unfinished Business:

05-165 VOTED to continued consideration of the correspondence from Richard A. Bernardo, P.E., Director of Public Works, regarding the inquiry from David Shaw, Pascoag Fire Chief, regarding the condition of Olney Keech Trail off Jackson Schoolhouse Road.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

9. Town Clerk/Communication:

05-207 VOTED to receive and file House Bill 2005 – H 5702 relating to public records.

Motion by Councilor William A. Andrews. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-208 VOTED to receive and file the correspondence from HUD regarding the approval of a Special Project grant for the Parks & Recreation Department (Hauser Field project).

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-209 VOTED to support the Exeter Town Council's Resolution in Support of Pension Reform.

Motion by Councilor William A. Andrews. Second by Councilor Ronald E. Faford. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, William E. Gonyea and Ronald E. Faford. Councilor Margaret L. Dudley voted in opposition.

05-210 VOTED to receive and file correspondence from the Town of

North Kingstown regarding the Town Council's Resolution in Support of Funding for the Saratoga Museum.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

05-211 Correspondence from the Town of East Greenwich regarding the Town Council's Resolutions:

VOTED to receive and file the resolution in support of the Governor's proposed pension reforms.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

VOTED to support an increase of real estate conveyance tax to be received by municipalities.

Motion by Councilor William A. Andrews. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

VOTED to support requiring utility companies to pay for relocation costs.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

10. Additional New Business:

05-212 Request for Executive Session from Town Manager Michael C. Wood pursuant to Rhode Island Open Meeting Law [42-46-5 (a)(5)] for discussion and considerations related to the acquisition, sale and exchange of real property, including, but not limited to, the Cardente property (Map 160, Lot 65); [§42-46-5 (a)(2)] for discussions pertaining to litigation.

Note: The request was withdrawn.

VOTED to adjourn at 8:13 P.M.

Motion by Councilor Jacqueline Zahn. Second 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, Nancy F. Binns, Margaret L. Dudley, William E. Gonyea and Ronald E. Faford.

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

Louise R. Phaneuf, Town Clerk