

REGULAR MEETING of the Town Council held on Wednesday, July 27, 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 regular meeting held June 22, 2005, the public hearings held June 22, 2005, the special meeting held June 29, 2005 and the public hearing held June 29, 2005; and dispense with the reading of said minutes.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

Michael C. Wood, Town Manager, discussed the Summer Entertainment Series, pointing out that a concert on the commons was scheduled for July 28, 2005. Mr. Wood pointed out that the schedule for the series was posted in the Town Building and on the Town's website.

5. Petitions:

05-234 VOTED to receive and open the petition from residents of Lake Shore Drive regarding their request for additional enforcement of the speed limit on Lake Shore Drive.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Col. Bernard E. Gannon, Chief of Police, indicated that patrols and enforcement of the speed limit on Lake Shore Drive had been increase and referenced discussions with residents who appeared satisfied with the results. Gerald Phaneuf, Christine Hammond, Denise Ethier, and Beatrice Wasylean, residents from the

area, address the Town Council. They noted that they appreciated the police departments' efforts, asked that the patrols continue, noted that the problem continues, discussed specific problems with pizza delivery people, requested portable radar periodically and asked whether a speed bump could be installed at the beginning of Lake Shore Drive. Col. Bernard E. Gannon responded that residents could not install speed bumps and said that the police department would follow up on the information provided by the residents.

VOTED to refer to the police department.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

6. Special Business:

05-235 VOTED to adopt a resolution in appreciation of the efforts of elected and administrative officials relative to the repeal of RIGL §45-13-13.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-236 VOTED to grant a special event entertainment license from the Burrillville Arts Association for the 41st Annual Arts & Crafts Festival to be held on September 17 and 18, 2005 on the grounds of The Assembly (Map 160, Lot 183).

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-237 VOTED to grant a special event victualing house license from the Calvary Episcopal Church for the Strawberry Supper, Holiday Bazaar, and Yard Sale to be held on August 20, November 5, September 17 and October 1st in the Good Shepherd Hall, Calvary Episcopal Church (Map 174, Lot 24).

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-238 VOTED to open the application from Michele L. Boucher d/b/a/ Mimi's for a victualing house license to apply at 207 Chapel St., Harrisville (Mat 142, Lot 25) on property owned by Flora Young.

Note: Special Requirements include a request for extended hours.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Councilor Jacqueline Zahn noted that the address should be corrected to read 148 Chapel St. Councilor Zahn pointed out that extended hours had been granted to a previous owner at this location. Walter J. Kane, Town Solicitor, said that because this is a new license a public hearing would be required before the hours could be extended.

VOTED to grant a victualing license to Michele L. Boucher d/b/a/ Mimi's to apply at 148 Chapel St., Harrisville (Mat 142, Lot 25) on property owned by Flora Young.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

Discussion: In response to a question from the public, Walter J. Kane, Town Solicitor, explained that State law sets forth hours of operation but allows the Town Council to grant extended hours.

VOTED to schedule a public hearing for August 24, 2005.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

7. Unfinished Business:

05-099 VOTED to open the correspondence from Thomas E. Hefner, Esq., regarding his request that his earlier petition for a zone change be withdrawn.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Walter J. Kane, Town Solicitor, indicated that although the petition had not been properly before the Town Council, he saw no problem in granting the request to withdraw the petition.

VOTED to grant the request of Thomas E. Hefner, Esq., to withdraw the petition.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-113 VOTED to receive and open the discussion and action on IBPO Local 369 collective bargaining agreement (July 1, 2004 through June 30, 2005).

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Michael C. Wood, Town Manager, indicated that the agreement had been ratified earlier was now ready for signature.

VOTED to authorize Council President Wallace F. Lees to sign the agreement with the IBPO.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

8. New Business:

05-239 Proposed Zoning Changes – Phase 2 – Split Zone Parcels – Bronco Highway (Route 102); for first reading and scheduling of a public hearing.

VOTED to schedule item 05-239 for a public hearing for September 14, 2005.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-240 VOTED to receive and open recommendations for implementation of a Burrillville Farmer's Market, prepared by the Burrillville Department of Planning.

Motion by Councilor William A. Andrews. Seconded 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, Ronald E. Faford and William E. Gonyea.

Discussion: There was general discussion about possible participation, success and failure of other local Farmers' Markets, and Council support for the proposal.

VOTED to refer to the Manager.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

05-241 Recommendations from John P. Mainville, Finance Director, regarding awarding of various bids, as follows:

VOTED to award the purchase of gasoline to Reichert & Sons Fuel Oil Inc. at the cost of \$.0850 per gallon over the low tank car price – Providence port.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

VOTED to award the purchase of Diesel Fuel Oil to Reichert & Sons Fuel Oil Inc. at the cost of \$.085 per gallon over the low tank car price – Providence port.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Nancy F. Binns. 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, Ronald E. Faford and William E. Gonyea.

VOTED to award the purchase of #2 Fuel Oil to Martini's Oil Inc. at the cost of \$.0390 per gallon over the low tank car price – Providence port.

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

VOTED to award the purchase of two (2) replacement Dump Truck Bodies to TENCO in the total amount of \$21,442 (\$10,721 per unit).

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

VOTED to award the purchase of one (1) 25 HP lawnmower to Norfolk Power Equipment in the amount of \$8,025.

Motion by Councilor Nancy F. Binns. Seconded 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, Ronald E. Faford and William E. Gonyea.

VOTED to award the replacement/repair of the Animal Control Shelter's roof at a bid price of \$4,995 plus replacement cost for fascia/plywood as needed but not to exceed \$5,500.

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

Note: The successful bid of \$4,995 plus replacement cost for fascia/plywood was submitted by Colonial Remodeling/Construction.

VOTED to re-bid the generator for Town Hall.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-242 VOTED to receive and open a resolution in support of a request to the State Traffic Commission recommending a posted speed limit of 30 miles per hour on Sherman Farm Road (Route 98) from Shippee Bridge to the Massachusetts state line; to be considered and acted on.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Councilor William A. Andrews explained that he had recently driven Sherman Farm Road at 30 M.P.H., found the speed to be far too slow, and voiced his feeling that the problem is one of enforcement. David Brunetti of Sherman Farm Road discussed accidents on the road and suggested that perhaps the speed limit could be lowered at the curves. Councilor Andrews suggested that the members of the Town Council should test drive the road at 30 m.p.h. Councilor Margaret L. Dudley agreed that 30 M.P.H. is too slow.

MOTION that the police department raise enforcement and further discuss the matter at the September meeting.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford.

Further Discussion: Col. Bernard E. Gannon, Chief of Police, said that the matter came about because of a complaint, described the traffic study that had been conducted, explained the difficulties in enforcing the speed limit on a State road that is poorly posted, and problems with curves along the road. Col. Gannon recommended that the Town Council agree on an appropriate speed and then submit a resolution asking that the speed limit be established and properly

posted.

VOTE: 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, Ronald E. Faford and William E. Gonyea.

05-243 VOTED to open discussion of a resolution in support of a request to the State Traffic Commission recommending a reduction of the speed limit from 50 miles per hour to 35 miles per hour on Bronco Highway (Route 102); to be considered and acted on.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Kathy Jenks of Pascoag asked for the basis for the request to change the speed limit on Route 102. Col. Bernard E. Gannon, Chief of Police, explained that there had been a serious complaint from a resident, that a traffic study had been conducted, that trucks have difficulty stopping at the intersections and are very noisy, that there are many accidents at Route 7 and at Inman Road. Col. Gannon explained that the changed speed limit would result in an increase of about two and one-half minutes to travel the length of

Route 102 in Burrillville. Ms. Jenks voiced opposition to the change, which she regarded regressive, slowing travel time for school buses, people going to work and impeding business traffic. Councilor Margaret L. Dudley suggested that trucks that cannot stop at the intersections are generally exceeding the speed limit. Council President Wallace F. Lees explained the use of Jake brakes and suggested that lowering the speed limit would not change the situation. Councilor William A. Andrews acknowledged increased traffic on Route 102, agreed that decreasing the speed limit on the main road would not be practical and suggested that the problems could be addressed through enforcement.

VOTED to receive and file.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-244 VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding a possible modification to the FY2006 Capital Program to address a proposed reconstruction of a portion of Gazza Road.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Michael C. Wood, Town Manager, referenced the correspondence from Richard A. Bernardo, P.E., Director of Public Works and Engineering Services, in which he recommends repairing Gazza Road which will be used as a detour during the construction of the Gazza Bridge.

VOTED to allow.

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

05-245 VOTED to open the correspondence from Richard A. Bernardo, P.E., Director of Public Works & Engineering Services, to SoftDig Underground Services, Inc., regarding Burrillville Library Water Lateral Crossing.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Michael C. Wood, Town Manager, said that the Town would need approval of a water lateral connection into the Stillwater Mill Complex before the construction on East Avenue/Route 107.

VOTED to authorize \$8,909.86.

Motion by Councilor William A. Andrews. Seconded 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, Ronald E. Faford and William E. Gonyea.

05-246 VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding screening/securing the compost area on Whipple Avenue.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

Discussion: Michael C. Wood, Town Manager, explained that

screening/securing the compost area had arisen from the Goals & Objective session and had subsequently been raised by residents of the area. Mr. Wood said that proposal before the Council was a measured approach: putting the fence shielding in place to be completed by the end of the summer and plant in the fall at a cost of approximately \$3,000.

Marshall Richard of Park Avenue described problems with rats, insects, odors and burning of stumps and debris in the area. Mr. Richard said that DEM would be testing water in the area because of the old landfill at the site Mr. Richard suggested that addressing the appearance of site was insufficient.

Dave Sutherland of Whipple Avenue spoke in favor of a compost facility but discussed changes at the facility during recent years: the addition of the salt storage area, the concrete dividers, storage of propane tanks and electrical equipment, a dumpster for scrap metal, and noise associated with the use of these items. While Mr. Sutherland understood the need for these items, he suggested that perhaps they could be moved out of view. In summary, Mr. Sutherland spoke of his concerns with well water, the smoke generated from burning stumps and the general appearance of the area.

Councilor Margaret L. Dudley raised the question of how often recyclables were picked-up; Michael C. Wood, Town Manager, said he

would check the schedule. Mr. Wood discussed several options and suggested that the Council outline objectives for the administration to execute. Councilor William A. Andrews suggested that the burning be stopped, the fence be installed, and the rat problem be investigated/ addressed. Councilor Margaret L. Dudley asked that the administration review a permit process to prevent people from out-of-state or out-of-town from dumping junk at the site.

MOTION to plant trees, put up the fence, not burn anymore and review the situation in three months.

Motion by Councilor William A. Andrews. There was no second to the motion.

Further discussion: Michael C. Wood, Town Manager, indicated that the original proposal for \$6,800 might be outdated. Councilor William A. Andrews suggested a \$10,000 budget for the project.

VOTED to spend \$10,000 to get the project done, with funds to come from the undesignated, unreserved fund balance.

Motion by Councilor William A. Andrews. Seconded 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, Ronald E. Faford and William E. Gonyea.

05-247 VOTED to open the correspondence from Peder Schaefer, Interim Chief, RI Office of Municipal Affairs, regarding the request from Pascoag Utility District (PUD) for Community Development Block Grant (CDBG) technical assistance fund in the amount of \$14,900.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

Discussion: Michael C. Wood, Town Manager, informed the Town Council that the funds from the technical assistance fund would not reduce CDBG funding of the Town's other projects.

VOTED to endorse the request from Pascoag Utility District for Community Development Block Grant technical assistance fund in the amount of \$14,900.

Motion by Councilor William A. Andrews. Seconded 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, Ronald E. Faford and William E. Gonyea.

05-248 VOTED to reallocate surplus funds in the amount of \$125,000 to the FY2006 budget as requested by Barbara A. VonVillas, Ph.D., Superintendent of Schools.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-249 VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding the Department of Public Work's request for an additional vehicle.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Michael C. Wood, Town Manager, referred to the correspondence from Richard A. Bernardo, P.E., Director of Public Works and Engineering Services. Mr. Wood explained that the truck would be purchased with remaining funds from the equipment purchase budget. Councilor Margaret L. Dudley asked whether the

vehicle had been requested in the department's operating or capital budget; Mr. Wood said it was not. The reason the vehicle was required was discussed.

VOTED to purchase the vehicle in the amount of \$21,074.

Motion by Councilor William A. Andrews. Seconded 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, Ronald E. Faford and William E. Gonyea. Councilor Margaret L. Dudley voted in opposition.

05-250 MOTION to approve the lease with Monfils Enterprises, LLC effective August 1, 2005, and to authorize the Town Manager to execute the lease with Monfils Enterprises, LLC, for office space at 35 East Avenue, Harrisville, RI 02830.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley.

Discussion: Councilor Margaret L. Dudley asked whether the Town had been reimbursed for the paving of the parking lot. Councilor Andrews indicated that the Town had been paid.

VOTE: 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, Ronald E. Faford and William E. Gonyea.

05-251 Correspondence from Councilor Jacqueline Zahn, Chair, Screening Subcommittee, regarding the Subcommittee's recommendations:

VOTED to appoint Andre Auclair, Barry Lowe, Roger Robert, Mark Brizard, Mary Elliott, David Brunetti, and Mike Coutu as regular members, and Karen Ostroff as an ex-officio member, of the Callahan School Renovation Committee.

Motion by Councilor William A. Andrews. Seconded by Councilor Nancy F. Binns. 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, Ronald E. Faford and William E. Gonyea.

Discussion: Michael C. Wood, Town Manager, announced that a meeting had been scheduled between the interim committee and the newly appointed building committee to effectuate a smooth transition.

VOTED to appoint Cindy Ketcham and William Beatson to the Library

Fundraising Committee.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Councilor Jacqueline Zahn pointed out the difficulties in recruiting people for fundraising and commended those who had volunteered.

VOTED to appoint Jennifer Bergin and David Beauchemin to the Narcotics Guidance Council for a three-year term to expire November 30, 2007.

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

VOTED to appoint Thomas Sylvester as an alternate member to the Budget Board for a one-year term to expire June 30, 2006.

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

Discussion: Councilor Jacqueline Zahn supported the idea of appointing alternate members to the boards and commissions and spoke of the importance of that role.

MOTION to appoint Don Wolfe and Wallace Auclair to the Sewer Commission and to recommend the appointment of Raymond George to serve in an ex-officio capacity.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn.

Discussion: Councilor Margaret L. Dudley suggested that this appointment would result in three inexperienced board members. Councilor Dudley recommended one new appointment immediately, the second appointment in January 2006, which would allow time for members to develop experience.

AMENDED MOTION that Mr. Wolfe be appointed effective immediately and Mr. Auclair be appointed effective January 1, 2006.

Motion by Councilor Margaret L. Dudley.

AMENDMENT TO THE AMENDED MOTION that Mr. Wolfe be appointed effective immediately, that the second position be readvertised down the road when Mr. George retires from his position.

Motion by Councilor William E. Gonyea.

Discussion: Councilor Ronald E. Faford supported the immediate appointment of Mr. Wolfe and recommended that Mr. George serve until the current sewer projects are complete. Councilor Faford suggested that meanwhile Mr. Auclair serve as an alternate. Walter J. Kane, Town Solicitor, suggested that the Town Council did not have the authority to appoint an alternate or an ex officio member to the Sewer Commission.

Councilor Jacqueline Zahn explained that the Screening Subcommittee had advertised for members of the Sewer Commission, interviewed several applicants, that Mr. Auclair had come highly recommended and that she stood behind the recommendation.

Councilor William A. Andrews withdrew his motion and supported the amendment made by Councilor Margaret L. Dudley. There was no second to the amendment to the amended motion made by Councilor Gonyea.

VOTED to appoint Mr. Wolfe effective immediately and Mr. Auclair effective January 1, 2006 to the Sewer Commission.

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

Discussion: The Town Clerk administered the oath of office to newly appointed board members Andre Auclair, Barry Lowe, Roger Robert, Mark Brizard, Mary Elliott, David Brunetti, and Mike Coutu as regular members, Karen Ostroffj, Thomas Sylvester, and Don Wolfe.

05-252 VOTED to grant the charge to the Callahan School Building Committee.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

05-253 VOTED to open the correspondence from Councilor

Jacqueline Zahn regarding her request that the Council consider, discuss and act on providing direction to the Library Fundraising Committee; and her request to be appointed Council liaison to the Committee.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

Discussion: Councilor Jacqueline Zahn explained that applicants for the Library Fundraising Committee had raised questions about their role: i.e., whether they would supplement the bond issue and whether they would have a budget to begin their process. Councilor William A. Andrews pointed out that the bond would not be sufficient: therefore, monies raised by this committee would supplement the bond. Councilor Andrews supported a start-up budget for supplies and expenses such as postage. Michael C. Wood, Town Manager, suggested that the committee should also prepare a budget.

VOTED to allocate \$500.00 to the Library Fundraising Committee.

Motion by Councilor William A. Andrews. Seconded 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, Ronald E. Faford and William E. Gonyea.

VOTED to appoint Councilor Jacqueline Zahn as liaison to the Library Fundraising Committee.

Motion by Councilor William A. Andrews. Seconded 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, Ronald E. Faford and William E. Gonyea.

05-254 VOTED to accept the resignation of Nancy L. Angell from the Burrillville Conservation Commission and refer the matter to the Screening Subcommittee.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

05-255 VOTED to accept with regret the resignation of Donald C. Mehrtens from the position of Emergency Management Director for the Town of Burrillville and to send a letter of appreciation.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-256 VOTED to accept the Summary Report – Burrillville Planning Charette and to incorporate the report in the Goals & Objectives.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

Discussion: Michael C. Wood, Town Manager, recommended that the report be distributed town wide. The Council concurred.

9. Town Clerk/Communication:

Note: Councilor Margaret L. Dudley recused from discussed of item #05-118.

05-118 VOTED to open the resolution regarding a tax stabilization

program for Crystal Lake Golf Course.

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

VOTED to receive and file.

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

05-257 VOTED to open correspondence from Louise R. Phaneuf, Town Clerk, regarding legislation that requires all businesses licensed by the Town Council to carry liability insurance.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

Discussion: Walter J. Kane, Town Solicitor, suggested that the Town Council might consider an ordinance to increase the minimum amount of liability insurance. Michael C. Wood, Town Manager, commended the Clerk's efforts on tracking this legislation and discussed the importance to the community. Mr. Wood said that requiring businesses to have liability insurance protects patrons of the establishments and potentially saves the taxpayers substantial expenses.

VOTED to refer to the ordinance subcommittee.

Motion by Councilor William A. Andrews. Seconded by Councilor Nancy F. Binns. 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, Ronald E. Faford and William E. Gonyea.

05-258 Correspondence from Col. Bernard E. Gannon, Chief of Police, regarding the replacement of Kramer, the Narcotic Detection K-9.

VOTED to buy a dog.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

VOTED that the Town Council consider a resolution honoring Kramer to be given to Officer Blais at the next meeting.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-259 VOTED to open the correspondence from Col. Bernard E. Gannon, Chief of Police, regarding his concerns and recommendations as they relate to humane methods of euthanizing domestic animals.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Michael C. Wood, Town Manager, suggested that the administration prepare a policy recommendation that addressed the

effect of the changes in State law related to euthanizing domestic animals, including resources and options. Col. Bernard E. Gannon, Chief of Police, reviewed that the Town had been using carbon monoxide to euthanize animals. Col. Gannon agreed that lethal injection would be more humane and had recommended phasing in a program. Legislation enacted in 2005 prohibits the use of carbon monoxide, resulting in concerns related to both humanity and economy. Col. Gannon indicated that he would prepare a report recommending changes policies and procedures. Michael C. Wood, Town Manager, elaborated on the consequences of the legislation, suggesting that it might be necessary to handle fewer animals.

VOTED to let the Chief look into it and then come back and talk to us.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-260 VOTED to open the correspondence from John P. Mainville, Finance Director, regarding the tax sale held Thursday, June 30, 2005.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

VOTED to receive and file.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-261 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 #04-0572.

Motion by Councilor William A. Andrews. Seconded 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, Ronald E. Faford and William E. Gonyea.

05-262 VOTED to receive and file the response from Congressman James R. Langevin, regarding the Town Council's request for support of federal historic preservation programs.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

05-263 VOTED to receive and file the correspondence from Representative Amy G. Rice, District 72, regarding her request for a resolution asking that the Big River Reservoir Area not be used as the planned site for the new state police headquarters.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

05-264 VOTED to receive and file the correspondence from the City of Providence regarding the City Council's Resolution in Support of Funding for the Saratoga Museum.

Motion by Councilor Jacqueline Zahn. Seconded 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, Ronald E. Faford and William E. Gonyea.

10. VOTED to receive the following reports:

- 1. Town Treasurer: No report**
- 2. Burrillville Sewer Commission: Meetings of May 10, June 21 and June 28, 2005. Report of June 2005**
- 3. Tax Collector: June 2005**
- 4. Department of Public Works: June 2005**
- 5. Chief of Police: June 2005**
- 6. Office of Building Official: June 2005**
- 7. Animal Control Officer: June 2005**
- 8. Burrillville Housing Authority: Meeting of June 3, 2005**
- 9. Planning Board: Meeting of June 6, 2005**
- 10. Zoning Board of Review: No report**
- 11. Town Planner: No report**
- 12. Parks and Recreation Department: June and July 2005**
- 13. Information Systems Department: No report**
- 14. Burrillville Conservation Commission: Meetings of April 12 and May 10, 2005**
- 15. Juvenile Hearing Board: No report**
- 16. Ordinance Subcommittee: No report**
- 17. Redevelopment Agency: Meetings of April 26 and May 24, 2005**
- 18. Route 102 Study Commission: No report**
- 19. BOSAP: No report**
- 20. Personnel Board: No report**
- 21. Screening Subcommittee: Meetings of May 24, June 2 and June 24, 2005**

22. Downtown Pascoag and Neighborhood Association: No report

23. Budget Board: No report

24. Library Building Committee: No report

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Discussion: Councilor Jacqueline Zahn asked that the Police Department monthly report include the number of children referred to the Juvenile Hearing Board.

11. Additional New Business:

05-265 VOTED to grant the request for Executive Session from Councilor Jacqueline Zahn, Council Vice President, pursuant to Rhode Island Open Meeting Law [42-46-5 (a)(1)] for discussion related to job performance*; ; and 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 sale or exchange of real property owned by the Town of Burrillville (Map 160, Lot 80); and from Walter J. Kane, Town Solicitor, pursuant to Rhode Island Open Meeting Law [§42-46-5 (a)(2)] for discussions pertaining to litigation.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Notes:

- The affected person(s) received advanced written notice advising that they may require the meeting to be held in open session.**
- The request for discussion related to job performance was withdrawn by Councilor Jacqueline Zahn.**

The Town Council returned to open session at 9:28 P.M.

VOTED to seal the minutes of the executive session, noting that two votes were taken.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

VOTED to adjourn at 9:28 P.M.

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, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

Louise R. Phaneuf, Town Clerk