

**A SPECIAL MEETING of the Burrillville Town Council held Saturday, August 6, 2005 at 9:00 A.M. at 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**

**OTHERS PRESENT: David Block of The Community Builders; Thomas J. Kravitz, Town Planner and Economic Development Coordinator; Joseph Cardente, owner of the clock tower building and Al Costantino, Mr. Cardente's representative.**

**New Business:**

**1. Consider, discuss and act on The Community Builders (TCB) proposed project for the "Clock Tower Building" (Map 160, Lot 65); and TCB proposal for an adjacent senior center.**

**Affordable Housing**

**Michael C. Wood, Town Manager, reviewed the two-year**

consideration of the plan, noted the application period for loans and grants, and reviewed the Redevelopment Agency's authority over the proposal, including considerations of whether the property should be acquired by eminent domain. Mr. Wood outlined the points of discussion related to: affordable housing, exchange of property owned by the Town to complement the project, resolution of the ownership of the building and financial considerations.

David Block of The Community Builders (TCB) distributed copies of his July 25, 2005 memo related to affordable housing income restrictions, the number of affordable units proposed for the clock tower building and financing a community center (a copy of the memo is on file with the record of the minutes). Mr. Block described affordable housing in some detail, explaining that the rent would be set and only those who are able to pay that rent would be eligible.

Mr. Block said that the intention is to develop a facility for Burrillville residents. He said that approximately 34 percent of the households in Burrillville would be eligible for the facility, discussed the "local preference" aspect and described appropriate marketing of the project.

David Block of The Community Builders pointed out that the Town of Burrillville has virtually no rental stock: residences are largely single-family units. Therefore it is difficult to set rents using comparables, Mr. Block said. However it is TCB's belief that the

**affordable rents for this property would not be significantly lower than those that would be paid by residents who have no income restrictions.**

**Mr. Block spoke about the importance of affordable housing tax credits in the realization of this proposal. Michael C. Wood, Town Manager, discussed that the Town must achieve State/Federal affordable housing requirements and that the Stillwater area had been identified as contributing to this purpose.**

**Michael C. Wood, Town Manager, asked that the application process for the rental units be described. Mr. Block suggested that TCB would manage the property, explained the application and review process, reviewed the guidelines governing income tiers and family size, and discussed the result of residents' changing income and options that might be available to those residents.**

## **Community Center**

**David Block of TCB indicated that Town officials had initially raised the question of a community center at the location. TCB had prepared a preliminary plan that would reduce the housing units from 50 to 46 and include a community center with certain amenities including social spaces, dining facilities, arts & craft space and a classroom. Mr. Block said that the plan works physically and addressed concerns related to financing, i.e. there must be revenue**

associated with the space. The proposal would be that the community center would be built as part of the redevelopment project and the Town would make annual payments of approximately \$65,000 for thirty years. Mr. Block said that, at some point during the thirty years, TCB would convey ownership of the community center as a condominium to the Town.

Mr. Block discussed the financial aspects, the benefits to TCB and the economy of this proposal for the Town. Michael C. Wood, Town Manager, pointed out that the plan was in the early stages and that the space could be used for whatever municipal purpose the Town Council deemed appropriate. Mr. Wood also suggested that the library project complements development of the space for Town use since the library will have two large meeting rooms and a kitchen. Councilor Zahn pointed out that the Town had four bond issues in recent years, that the residents might not be supportive of another bond for construction of a community center and that this proposal might achieve the goal without requiring bonding.

Councilor Margaret L. Dudley raised the question of responsibility for maintaining the community center. Mr. Block said that TCB would maintain and repair the space as long as they own it; when the Town acquires the space, maintenance would become the Town's responsibility. Councilor Margaret L. Dudley asked whether the 30-year lease could be prepaid. Mr. Block suggested that the \$65,000 revenue stream would be necessary to pay the mortgage, but that if

**the Town chose to prepay the full amount, then TCB might make financial arrangements to allow for prepayment.**

**Councilor William A. Andrews asked whether the housing development might be sold at the end of the 30-year period. Mr. Block suggested that perhaps the market-rate units would be sold after five-years. The affordable units have a restriction that precludes their being sold for at least thirty to forty years. Mr. Block suggested that the project might be preserved as affordable housing, but it might also be sold.**

**James Langlois, North Hill Road, asked about the management of the ten market-rate units. Mr. Block indicated that there was no conversion of market rate units to affordable units based on the income of the tenant.**

**Don Wolfe, Harrisville, asked about the income tier. Mr. Block indicated that the proposal was for 46 units: 10 market-rate, 10 units at 50 percent area median income (AMI) and 26 units at 60 percent AMI.**

**Mr. Wolfe asked about an environmental study. Mr. Block indicated that the Town had conducted a study using EPA funding; clean-up expenses were anticipated at approximately \$300,000, excluding lead and asbestos abatement. Michael C. Wood, Town Manager, indicated that the Town had been awarded a grant of \$950,000 for**

**environmental clean-up. There was a discussion of the timeframe for all grants and loans associated with this plan.**

**Al Costantino, representative of Joseph Cardente, said that they had met with the Redevelopment Agency and would like the Town Council to walk-through the building and then meet with Mr. Cardente and his associates.**

**Shirley Hodson of Pascoag, President of the Burrillville Senior Citizens, asked whether the decisions related to the community center were being made in haste and whether funding a separate building would be more economical than leasing. Michael C. Wood, Town Manager, indicated that going out to bond for a new building would be more expensive due to the interest on the bond issue. Mr. Wood discussed the costs of redevelopment versus new construction, the costs of borrowing money, and suggested that the leasing option makes economic sense, regardless of the use that the Town Council eventually assigns to that space. Ms. Hodson voiced a concern that the housing units could be sold at some point for purposes that do not complement the Town-owned space. Walter J. Kane, Town Solicitor, explained that current zoning restricts the use of the area. Michael C. Wood, Town Manager, discussed the various options the Town would have in the future should their objective change.**

**Joyce Wolfe pointed out that the proposal included many units in a**

small area and asked whether sufficient outside play area would be provided. David Block of TCB displayed a master plan of the area, indicated the green space, parking area and a possible location for a play area.

Ms. Wolfe asked whether there was another proposal under discussion or whether TCB's proposal was associated with another plan. Michael C. Wood, Town Manager, said that Mr. Cardente, who owns the clock tower building, had recently begun to develop a plan for the space, that Mr. Cardente and his representatives were seeking a developer other than TCB, and that they were in the process of trying to catch up with a plan that had been under development for several years. Mr. Wood discussed the Stillwater complex master plan. He said there had been many public hearings, affordable housing had been included as a component, Mr. Cardente had been approached regarding developing the property, and had known about the plan throughout the discussions and adoption.

Ms. Wolfe was also concerned about the project moving too quickly. Councilor Jacqueline Zahn explained that the Town Council had been working on the project for over two years, discussed the importance of improving the area, reviewed the effort between the Town and TCB and emphasized the deadlines involved. Councilor Zahn agreed that it might have been good to review other plans at some earlier time but pointed out that eventually decisions had to be made and action must be taken. Mr. Wood spoke of grant and loan application deadlines,

suggesting that missing the deadlines could jeopardize the project. Mr. Wood said that Mr. Cardente's alternatives were being reviewed and, while they appeared, to date, unconvincing, the Town Council and Redevelopment Agency could consider accepting an appropriate alternative.

Al Costantino, representative of Joseph Cardente, agreed that Mr. Cardente had decided to develop a proposal only recently. He discussed that qualified people had become involved in the proposal, that they had made a presentation at an administrative meeting, and that subsequently a developer had become interested in the project. Mr. Costantino said that his team was aware of the application schedule. Mr. Costantino requested a meeting with the Town Council in closed session.

In addressing the question of whether these decisions were being made in haste, Walter J. Kane, Town Solicitor, discussed the years during which the Stillwater Complex Master Plan was developed, the public process involved in the adoption of the plan, and the Council resolutions that the Town Council has adopted through the years in support of the development of the clock tower building. Mr. Kane pointed out that the Redevelopment Agency of Burrillville would be responsible for deciding upon a developer for the project. The resolutions to be considered by the Town Council, according to Mr. Kane, would indicate to the Redevelopment Agency what action the Council would consider if the Redevelopment Agency accepts a plan

**and decides to proceed.**

**Al Costantino said that the Town had assured Mr. Cardente that he could develop the project but that he had not wanted to and preferred to work with TCB. Mr. Costantino indicated that there had been negotiations between The Community Builders and the building owner but that those negotiations had broken down. Mr. Costantino spoke of the importance of the project and of the owner's desire for its success.**

**VOTED to adopt the following resolution:**

**Town Council of the Town of Burrillville**

**Resolution**

**At the Special Meeting of the Burrillville Town Council held on Saturday, August 6, 2005 at 9:00 A.M. in the Town Council Chambers, Town Building , 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to authorize the Town Manager to execute all documents related to a final application for funds under the Department of Housing and Urban Development Section 108 Loan Guarantee Program, and to submit that application on behalf of the Town of Burrillville.**

**Passed as a resolution of the Burrillville Town Council this 6th day of**

**August 2005.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilors William A. Andrews and 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 support the following resolution:**

**Town Council of the Town of Burrillville  
Resolution**

**At the Special Meeting of the Burrillville Town Council held on Saturday, August 6, 2005 at 9:00 A.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to endorse through resolution, the inclusion of a Community Center of approximately 10,000 gross square feet in the proposed redevelopment of the Clocktower Building and adjacent former mill facilities at the Stillwater Mill, and hereby authorize the Town Manager and the Town Solicitor to undertake a detailed financial and legal review of the terms and conditions under which such a Community Center will be developed, owned, and managed. The Town Council hereby**

**acknowledges that a lease, mortgage or other periodic payment from the Town of Burrillville to the owner entity of the Clocktower Building will be required to obtain the benefit of the Community Center, and the Town Manager is hereby authorized to negotiate with the developer to structure this payment, up to a maximum of \$65,000 per year for a maximum of 30 years. The Town Council further acknowledges that ownership of the Community Center will rest initially with the owner entity of the Clocktower Building or another owner entity established to own and operate the real estate, but that ownership of the Community Center will be transferred to the Town of Burrillville after a period of time not to exceed 30 years, to be negotiated by the Town Manager. The agreement between the Town and Community Builders, Inc. or its designated owner-entity pertaining to the Community Center shall be ratified by the Town Council prior to execution.**

**Passed as a resolution of the Burrillville Town Council this 6th day of August 2005.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilors Margaret L. Dudley and 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 adopt the following resolution:**

**Town Council of the Town of Burrillville**

**Resolution**

**WHEREAS, The Town Council of the Town of Burrillville has reviewed the development program proposed for the Clocktower Building at the Stillwater Mill by The Community Builders, Inc. and;**

**WHEREAS, The Town Council of the Town of Burrillville hereby acknowledges and endorses the development program as presented, which calls for the inclusion of a Community Center, ten (10) market-rate apartment units, and thirty-six (36) subsidized apartment units.**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville supports the development of the Clocktower Building at the Stillwater Mill by the Community Builders, Inc.**

**Passed as a resolution of the Burrillville Town Council this 6th day of August 2005.**

**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.**

**VOTED to support the following resolution:**

**Town Council of the Town of Burrillville**

**Resolution**

**At the Special Meeting of the Burrillville Town Council held on Saturday, August 6, 2005 at 9:00 A.M. in the Town Council Chambers, Town Building , 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to authorize the Town Manager and the Town Planner to subdivide the parcel of land now owned by the Town of Burrillville known as Plat 160 Lot 80 as appropriate for the implementation of the Stillwater Mill master plan, and to convey that portion of the parcel required by the redevelopment program of the Clocktower Building to The Burrillville Redevelopment Agency, or another owner entity established to own and operate the real estate, provided that the other requirements of the redevelopment program have met to the satisfaction of the Town Manager and Town Planner.**

**Passed as a resolution of the Burrillville Town Council this 6th day of August 2005.**

**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.**

**Additional New Business:**

**VOTED to grant the request for Executive Session from Walter J. Kane, Town Solicitor, pursuant to Rhode Island Open Meeting Law [§42-46-5 (a)(2)] for discussions pertaining to litigation; 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 [§42-46-5 (a)(3)] for discussion regarding security, including but not limited to the deployment of security personnel or devices.**

**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.**

**Note: There was a brief recess before the Council convened in Executive Session.**

**The Town Council returned to open session at 11:21 A.M.**

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

**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 adjourn at 11:21 A.M.**

**Motion by Councilor Ronald E. Faford. 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.**

**Louise R. Phaneuf, Town Clerk**