

REGULAR MEETING of the Town Council held on Wednesday, November 9, 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 William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

MEMBERS ABSENT: Councilor Jacqueline Zahn was excused due to illness.

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 October 26, 2005, the emergency meeting of October 15, 2005 and the public hearing held October 12, 2005; and dispense with the reading of said minutes.

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

3. Public Comment: None

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

Council President Wallace F. Lees announced a Veterans' Day Ceremony at The Bridgeway on Friday, November 11, 2005 at 11:00 A.M.

Michael C. Wood, Town Manager, noted that there was a request for an executive session discussion relative to the tentative IPBO contract, and that at the conclusion of the executive session any votes related to the contract would be publicly disclosed.

5. Petitions: None

6. Special Business:

05-347 Proclamation honoring the Burrillville Garden Club for their dedication to the beautification of the community.

Pauline Lima and Karen Taylor of the Burrillville Garden Club were in attendance at the meeting. Council President Wallace F. Lees presented the proclamation and thanked the Garden Club for their efforts.

7. Unfinished Business: None

8. New Business:

05-348 VOTED to open the correspondence from Richard A. Bernardo, P.E., Director of Public Works and Engineering Services, regarding the street sign replacement program.

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

Discussion: Michael C. Wood, Town Manager, displayed two alternative street signs for the Town Council to consider, one standard sign, the other which would have the Burrillville Town seal added. The cost of the sign with the seal would be greater. Mr. Wood indicated that the program would be implemented over a period of several years. The Town Council preferred the sign with the seal.

VOTED to receive and file.

Motion by Councilor William A. Andrews. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members present. Voting in favor of the motion were Council President

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

05-349 VOTED to grant the requests of the Berard-Desjarlais Post 88 American Legion to:

a) erect a night-light to illuminate the American flag at Veterans' Park, The Bridgeway; and

b) erect a monument in Veterans' Park, The Bridgeway, dedicated to the men and women who have answered the call to Enduring Freedom, Iraqi Freedom and the Global War on Terrorism.

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

Discussion: Kevin Blais of Harrisville offered to make a contribution to fund these projects. Council President Wallace F. Lees thanked Mr. Blais. It was noted for the record that a grant had been received to pay for the monument.

05-350 Correspondence from Councilor Jacqueline Zahn, Chair, Screening Subcommittee, regarding the Subcommittee's recommendations.

VOTED to reappoint G. Wayne Miller to the Jesse Smith Library Board of Trustees for a five-year term to expire on June 30, 2010.

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

VOTED to appoint Richard Nolan to the Bicentennial Committee.

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

VOTED to appoint Christopher Blakely to the Library Building Committee.

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

05-351 VOTED to receive and open the correspondence from John P. Mainville, Finance Director, regarding financing – Callahan, Library and other projects.

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

Discussion: Michael C. Wood, Town Manager, noted that the administration had considered it timely to move forward with the library and the balance of the waste water treatment funding, due to the current financial climate. Mr. Wood explained that short-term borrowing would be necessary if the projects did not go out to bond and that, due to changes in state law, the Callahan School bond must be handled in conjunction with other school bond issues.

Mr. Wood said that, based on the construction bid for the Callahan School, it appeared that the project would be manageable and would move forward. He suggested that the Council could consider proceeding.

Michael C. Wood, Town Manager indicated that the library construction had not yet been bid. Mr. Wood discussed the cost of the bonds at varying rates and terms. Mr. Wood said that a five million dollar bond had been approved and discussed possible ancillary costs related to the Stillwater plan. Mr. Wood discussed the possibility of securing the bond but then receiving prohibitive construction bids.

John P. Mainville, Finance Director, discussed the timeframe for securing bonds. Mr. Mainville explained that there was authority to go out to bond without further vote of the Council but that the Council would ratify the terms on the date of the sale. He anticipated ratification at the first Council meeting of January and explained that several issues would be packaged (i.e. the library, sewer and refinancing bonds).

Councilor William A. Andrews asked about the opening of the Callahan bids. Mr. Mainville indicated that the bid appeared to be feasible and that the Building Committee was in the process of negotiating with the bidder.

Councilor William A. Andrews reviewed the variable interest rates indicated on the report distributed. Mr. Mainville said that the rates used were based on current rates, as provided by the Town's fiscal advisor. The timeframe for borrowing, the cost of short-term borrowing, and the cost report (a copy of which is on file with the record of the meeting) were discussed.

Michael C. Wood, Town Manager, elaborated on the financing for the library project, as discussed at earlier meetings. Mr. Wood reviewed the process which would require the Town to commit the total cost of the project, anticipating that a substantial amount of that money would be reimbursed through OLIS (Office of Library and Information Services). Mr. Wood said that the Council could loan the project money from the debt reduction fund and that details of this possibility would be provided for Council consideration at a future meeting.

VOTED to go out as early as possible to secure the bonding for the library funding, wastewater treatment, Callahan and reissuance.

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

05-352 VOTED to refer to the Screening Subcommittee the application from Mark S. Brizard for reappointment to the Budget Board.

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

05-353 VOTED to receive and open the correspondence from Kevin F. Bowen, Breggia, Bowen, Grande, regarding notice of claim pursuant to R.I.G.L. §45-15-5 (inspection of 365 Town Farm Road, Pascoag).

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

VOTED to refer to The Trust.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous by the six members present. Voting in favor of the motion were Council President

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

9. Town Clerk/Communication:

05-354 VOTED to receive and open the correspondence from Jonathan B. Loring of the June Rockwell Levy Foundation Fiduciary Trust Company regarding a grant in the amount of \$50,000 for the Library Project.

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

VOTED to authorize the Town Council President to sign the receipt of the authorization and to send a letter to the Foundation thanking them tremendously for their support.

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

Margaret L. Dudley, Ronald E. Faford and William E. Gonyea. Councilor Jacqueline Zahn was excused.

05-055 VOTED to receive and file the correspondence from Donna L. Giordano, Town Clerk of the Town of Westerly, regarding the Westerly Town Council's request for consideration of an ordinance relative to e-waste.

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

10. Additional New Business:

05-356 VOTED to grant a request for Executive Session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law [42-46-5 (a)(5)] for discussion and considerations related to the acquisition, sale or exchange of real property; and [42-46-5 (a)(2)] for review and discussions relating to litigation matters and [42-46-5 (a)(2)] for discussions pertaining to IBPO collective bargaining.

Motion by Councilor William E. Gonyea. Seconded by Councilor Margaret L. Dudley. The motion was unanimous by the six members

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

The Council returned to open session at 8:26 P.M.

VOTED to seal the minutes of executive session, with the exception that the votes taken relative to the IBPO contract and the pension changes would not be sealed; it was noted that four votes had been taken during executive session.

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

Discussion: Votes taken during executive session were disclosed as follows:

1. The Town Council approved the new tentative agreement with the IBPO for a three-year period.

2. The Town Council voted to approve an ordinance relative to

increasing the pension from fifty percent to sixty percent upon retirement after twenty years.

05-357 VOTED to refer to the screening subcommittee the correspondence from Ray Levesque, Planning Board Chairman, regarding the resignation of John Larochele from the Planning Board.

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

05-358 VOTED to refer to the Solicitor and the Police Chief the correspondence from Col. Bernard E. Gannon, Chief of Police, regarding an alleged violation of §8-55 (11 & 12) (Class B and C license rules) of the Revised General Ordinances of the Town of Burrillville, as amended, at the Mad Dog Saloon, 98 Pascoag Main Street, Pascoag, to prepare a show cause hearing to be held Monday, November 28, 2005.

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

**Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.
Councilor Jacqueline Zahn was excused.**

11. VOTED to adjourn at 8:30 P.M.

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

The meeting was taped. The tape is on file with the record of the meeting.

**Louise R. Phaneuf
Town Clerk**