

**WORKSHOP SESSION of the Town Council to be held Monday, January 23, 2006 at 7:00 P.M. in the Council Chamber, Town Building, Harrisville for and within the Town of Burrillville.**

**MEMBERS PRESENT: Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Margaret L. Dudley and Ronald E. Faford.**

**Note: Councilor Ronald E. Faford arrived at 7:18 P.M.**

**MEMBERS ABSENT: Councilors Nancy F. Binns and William E. Gonyea were excused**

**OTHERS PRESENT: Barbara A. VonVillas, Ph.D., Superintendent of Schools; Members of the School Committee Joan Cote, Peter Lambert and Raymond Trinque; Finance Director John P. Mainville; Assessor James R. Drew; and Assistant Assessor Raymond Doughty**

**1. Relative to discussing the 2006 Legislative Agenda, issues and concerns that may impact the Town, and any pending or proposed legislation that pertains to the Town.**

**Council President Wallace F. Lees called the workshop to order at 7:00 P.M. Council President Lees asked Michael C. Wood, Town Manager, to begin the discussion. Mr. Wood suggested a review of each item on the 2005 Legislative Agenda, which could then be**

**amended to reflect the Town Council's plan for 2006. Mr. Wood reviewed the issues, which were discussed. The Council discussed the issues, making additions and deletions to the existing agenda as needed, received input from the administration for items to be added to the agenda. The discussion resulted in the following 2006 Legislative Agenda.**

**Registry – Resolution or Legislation:**

**Legislators to give us the most effective recommendation to locate a Registry branch in Burrillville. Please file legislation and pursue any other relevant options (short and long-term).**

**National Criminal Records Checks:**

**Cities and Towns should be able to recoup the costs to perform these checks from each applicant. Please file appropriate legislation.**

**Unclaimed Property:**

**Income from Town-held tangible and intangible property should belong to the City or Town, not the State. Please file appropriate legislation.**

**Burrillville Sewer Commission:**

**Consider amending the enabling legislation that empowers the Burrillville Sewer Commission so that the Town Council has a role in setting or approving sewer assessments (betterment rates).**

### **Commercial/Retail Tax Credit Program:**

**Consider a local tax incentive credit program for commercial/retail establishment within the redevelopment districts and/or target neighborhood areas. (May require special legislation.)**

### **Education – Level School Support:**

**Amend §16-7-44. School housing project costs to allow interest payments in project costs for bonds issued through communities with a stand alone investment grade rating of at least A as established by Fitch Ratings, Ltd., Moody’s Investors Service, Inc., or Standard & Poor’s Rating Service.**

### **Joint and Several Liability Law:**

**The Town supports amendments to §10-5.1-1 and §10-5-2 that would provide that the liability of a defendant for damages would be several only and not be joint where the defendant’s act or omission constituted no more than 25% of the causes of damages sustained by the plaintiff. This action would balance the municipalities’ liability.**

### **Statutory Interest Rates:**

**The Town supports amendments to §9-21-10 that would change the rate of interest assessed on civil judgments from 12% to 6% to better reflect reasonable interest rates.**

### **Tax Sales:**

**The Town requests that the legislators respond unemotionally to pressures to amend the tax sale laws. It is the Town's belief that the existing process works well and should not be changed.**

**Change in Revaluation Cycle:**

**Consider introducing legislation that would allow the Town of Burrillville to conduct annual revaluation updates.**

**Comprehensive Solid Waste Management Plan:**

**Objections to the plan include raising the tip fee, artificial lowering of the solid waste cap, and the exclusion of private waste haulers.**

**Economic Development:**

**If any other Cities and Towns file progressive or innovative legislation intended to enhance economic development programs, please notify the Town Manager.**

**Eminent Domain: It appears that legislation relative to eminent domain will be submitted. The legislators were encouraged to be careful in considering such legislation as it relates to the Affordable Housing and the Town of Burrillville. The Town opposes any legislation that would compromise the Stillwater Mill project.**

**Historic Tax Credits: There has been discussion of reducing the Historic Tax Credits. These credits are critically important to make projects (such as the Stillwater Mill project) viable for developers.**

### **Affordable Housing:**

**This has the potential to be a very significant issue for the town. Burrillville has many acres of vacant land that can be targeted by developers which are intent on taking advantage of the existing laws allowing comprehensive permits. The Town opposes any legislation that would permit developers to by-pass the local planning and/or zoning authorities.**

### **Town Right of Ways and Utility Poles:**

**Please submit legislation to shift the financial burden of moving utility infrastructure within town owned rights of way from the cities and towns to the utility companies.**

**When municipalities undertake road/sidewalk work, we frequently encounter problems with the location of utility poles and the wires, cables, etc. that are on these poles. Many times the poles are located such that reasonable construction standards and regulations such as ADA compliance cannot be achieved without relocating the poles, etc. The poles, etc. are usually within Town owned rights of ways.**

**The cost (charges) to relocate these facilities is astronomical and the process is very time consuming and cumbersome. We would like to know why municipalities must bear this excessive cost, especially when laws such as the ADA regulations may require us to move these facilities.**

**Charges for these relocation projects seem extremely high. Fees and charges should be based on reasonable, verifiable estimates of the actual cost for the service provided. It might be prudent to investigate how these charges are determined and who guards against potential abuses.**

#### **Users' Fee for School Athletics:**

**Consider proposing legislation that would allow the school department to charge users' fees for school athletics programs.**

#### **Zambarano Hospital:**

**The Town's interest is to maintain the hospital and make sure that it is not used for the wrong purposes. The Commission to study additional uses of the facility has begun meeting.**

#### **School Mandates:**

**Elimination of school mandates is important in these difficult financial times. Mandates rarely accomplish their intended objective and the funds originally targeted or set aside for these programs should be freed up so that each school district can determine the best use of its financial resources based on their own individual priorities; i.e.**

#### **330 minute instruction time per week:**

**The increase in instructional time per week will result in a wage**

**increase.**

**School Departments' Budget Appeals:**

**Legislation must not be enacted which would effectively allowed School Committees to bypass local budget authorities (Town Councils, Town meetings, etc.) and appeal their final budget to a public official in the Commissioner of Education's Office. This abrogates all local taxpayers' rights and effective control over their own local tax levies.**

**Police – Bill of Rights:**

**The Town believes that there should be a re-balancing of the makeup of the hearing committees. Please inform the Town Council of any legislation that would affect this issue.**

**Please oppose any statewide police unions' efforts to file new legislation that further erodes the ability of the local Police Chiefs/Cities and Towns to manage their personnel.**

**Excise Tax Phase Out:**

**It is possible that monies needed to compensate the Cities and Towns for the revenue losses will not be available as the phase out timetable nears its end. We do not believe it is appropriate to cut back or reduce these funds because it simply shifts the tax burden from the State to cities and towns.**

**Library Funding:**

**The Town Libraries are currently moving ahead with plans to build a new Town wide facility. Please make every effort to ensure that OLIS funding remains in place. Are there any other similar State/Federal or private foundation programs that the Town may be able to utilize to help us achieve our goals?**

**MTBE:**

**Please continue to support removal of MTBE from Rhode Island gasoline suppliers and to oppose any federal measures that would limit or eliminate the liability of manufacturers of MTBE**

**NFPA-1500:**

**The Town opposes implementation of this Federal mandate. Please do not support any legislation implementing this law.**

**Pascoag Reservoir:**

**Track activities related to past litigation.**

**Energy Facilities Siting Board:**

**The EFSB was established at a time prior to deregulation and prior to the State's requirement for comprehensive planning. At a minimum, the powers of the EFSB need to be reviewed, especially in the areas where they conflict with local zoning and comprehensive planning. Although a complete review of the validity of the EFSB probably needs to be done given that deregulation has changed the dynamics of how power plants serve our State, at minimum, the related laws**

**should be changed immediately so that the EFSB does not have authority to site power plants in areas that are not properly zoned and/or not in compliance with a municipality's comprehensive plan.**

**VOTED to adjourn at 8:54 P.M.**

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

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

**Louise R. Phaneuf, Town Clerk**