

REGULAR MEETING of the Town Council held on Wednesday, May 10, 2006 at 7:00 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, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford.

MEMBERS ABSENT: Councilor William A. Andrews was excused due to vacation.

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 April 26, 2006, the public hearing held April 26, 2006, the workshop held April 10, 2006, and the special meeting held March 18, 2006; and dispense with the reading of said minutes.

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

3. Public Comment: None

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

Councilor Jacqueline Zahn:

- **Congratulated Councilor Dudley on her birthday;**
- **Congratulated the School Committee on selecting a Superintendent and acknowledged the efforts of the Personnel Board in organizing the search;**
- **Reported on the band concert and the Gonyea Band Scholarship, granted in memory of the late Councilor William E. Gonyea;**
- **Suggested that, during this Bicentennial year, the entire Council should attend the High School Graduation together and proceed with the graduates;**

Councilor Edward F. Bonczek:

- **Acknowledged and thanked Representative Church for the monthly report.**
- **Cautioned against H7699 – the “Rhode Island Cesspool Act of 2006”.**

Michael C. Wood, Town Manager, reminded those present that Family Fair will be held on May 13, 2006.

5. Petitions: None

6. Special Business:

06-135 VOTED to adopt a proclamation honoring Chief Edward J. Bertholic on his retirement from the Oakland-Mapleville Fire Department.

Motion by Councilor Jacqueline Zahn. 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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

06-136 VOTED to grant the renewal Private Detective License #11 to Thomas F. Lapierre.

Motion by Councilor Jacqueline Zahn. 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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

7. Unfinished Business:

06-076 VOTED to receive and open a resolution regarding financing

the completion of the expansion of the sewer system to the eastern villages.

Motion by Councilor Jacqueline Zahn. 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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

Discussion: Walter J. Kane, Town Solicitor, noted that the Burrillville Sewer Commission had passed a resolution asking the Town Council to adopt a resolution to issue \$3,500,000 in general obligation bonds through the Rhode Island Clean Water Finance Agency. Mr. Kane read the Sewer Commission Resolution.

VOTED to adopt a resolution, as follows:

Burrillville Town Council

Resolution

The Town Council of the Town of Burrillville hereby requests The Rhode Island Clean Water Foundation Financing Agency to issue Three Million Five Hundred Thousand (\$3,500,000.00) Dollars of General Obligation Bonds. The proceeds of the bonds to be used for constructing extensions and improvements to the sewage disposal

system.

Passed as a resolution of the Town Council this 10th day of May 2006.

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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

06-052 VOTED to open the correspondence from Louise R. Phaneuf, Town Clerk, regarding review, consideration and action on various legislative items.

Motion by Councilor Jacqueline Zahn. 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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

Discussion: Michael C. Wood, Town Manager, reviewed the provisions of House Bill 2006 – H 8044, which would amend the requirement that municipalities must bond school projects through the state if interest expenses were to be reimbursable. The matter

was discussed.

VOTED to support House Bill 2006 – H 8044.

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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

Note: Councilor Nancy F. Binns recused from discussion and voting on item 06-138.

06-138 VOTED to open discussion of funding requests, setting priorities and adoption of a resolution relative to the CDBG application for 2006-2007.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion carried, five in favor, one recusal, one excused. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor Nancy F. Binns recused. Councilor William A. Andrews was excused due to vacation.

VOTED to rank the applications as follows:

Rank Program Category Amount

1 Stillwater Mill Redevelopment District Acquisition, Parking & Circulation Improvements Activity which aids in the prevention of slum and blight \$46,000

2 Berean Baptist Church & Burrillville Housing Authority Assistance Programs Public Services 139,000

3 Pascoag Redevelopment Area Acquisition & Circulation Improvements Planning Activity 34,000

4 Community Housing Land Trust, Inc. Housing Operations 5,000

5 Tri-Town Community Action Agency Services Programs Public Services 50,000

6 Maplehill Mobile Home Park – Water System Improvements Public Facilities 50,000

7 Program Administration Planning/Administration 10,000

VOTED to adopt the following resolution:

Burrillville Town Council

Resolution in Support of the CDBG Application

WHEREAS, funds are available under the Rhode Island Small Cities Community Development Block Grant Program, administered by the Community Development Office; and

WHEREAS, the Governor of the State of Rhode Island has authorized the Director of said Community Development Office to disburse such funds; and

WHEREAS, it is in the interest of the citizens of the Town of Burrillville that application be made to undertake a Small Cities Community Development Program.

NOW, THEREFORE, BE IT RESOLVED that we, the Town Council of the Town of Burrillville hereby authorize the filing of this application for the amount of \$334,500 to implement the activities proposed herein and that Wallace F. Lees, Council President, is hereby authorized and directed to file this application with the Community Development Office, to provide any additional information or documents required by said Office, to make any assurances required in connection with this program, to execute an agreement with the State of Rhode Island and to otherwise act as the Representative of the Town of Burrillville in all matters relating to this application and any award which may be based upon this application.

Adopted as a resolution of the Burrillville Town Council on this 10th

day of May 2006.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion carried, five in favor, one recusal, one excused. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor Nancy F. Binns recused. Councilor William A. Andrews was excused due to vacation.

8. New Business:

06-139 VOTED to open discussion of a motion that the Town Council authorize the expenditure of funds up to \$500,000 from the Town's general treasury for the Callahan School Construction Project in advance of receiving the bond proceeds; any advances made will be repaid from the bond proceeds once they are received as provided in Section 6 of the authorizing resolution; to be considered and acted on.

Motion by Councilor Jacqueline Zahn. 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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

Discussion: David Brunetti, Chairman of the Callahan School Building Committee, presented the Town Council with an update of the committee's budget. Mr. Brunetti explained that the proceeds from the sale of the bonds had been delayed because the state postponed the sale. Mr. Brunetti described expenses that must be paid prior to the proceeds being received. The expenditure and repayment were discussed.

VOTED that the Town Council authorize the expenditure of funds up to \$500,000 from the Town's general treasury for the Callahan School Construction Project in advance of receiving the bond proceeds; any advances made will be repaid from the bond proceeds once they are received as provided in Section 6 of the authorizing resolution.

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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

Note: Walter J. Kane, Town Solicitor, requested that the Town Council consider item 05-140B first, followed by item 06-140A.

06-140 Consider and act on Downtown Pascoag Redevelopment:

B) VOTED to introduce and read by title an ordinance designating Downtown Pascoag Redevelopment Area and to schedule a public hearing for June 28, 2006 at 7:00 P.M.

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

Discussion: Michael C. Wood, Town Manager, noted that the Ordinance Subcommittee had reviewed the ordinances related to the Downtown Pascoag Redevelopment and forwarded them to the full Town Council for consideration.

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

A) VOTED to introduce and read by title an ordinance adopting the Downtown Pascoag Redevelopment plan and to schedule a public hearing for June 28, 2006 at 7:00 P.M.

Motion by Councilor Jacqueline Zahn. 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 Jacqueline Zahn, Nancy F. Binns, Edward

F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

9. Town Clerk/Communication:

06-141 VOTED to receive and file the correspondence from Martin D. Wencek, Permitting Supervisor, Freshwater Wetlands Program, Office of Water Resources, regarding insignificant alteration permit – application No. 05-0532.

Motion by Councilor Jacqueline Zahn. 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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

06-142 VOTED to receive and file the correspondence from Martin D. Wencek, Permitting Supervisor, Freshwater Wetlands Program, Office of Water Resources, regarding insignificant alteration permit – application No. 06-0029.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Jacqueline Zahn. The motion was unanimous by the six members present. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Nancy F. Binns, Edward

F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

06-143 VOTED to receive and file the correspondence from Charles A. Horbert, Permitting Supervisor, Freshwater Wetlands Program, Office of Water Resources, regarding insignificant alteration permit – application No. 06-0045.

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

06-144 VOTED to receive and file the correspondence from Fiona Fitzpatrick, CMC, Town Clerk of the Town of New Shoreham, regarding the Town Council's action on Burrillville's resolutions relative to Senate Bills S2049 and S2029.

Motion by Councilor Jacqueline Zahn. 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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

10. Additional New Business:

06-145 VOTED to grant the request for Executive Session from Council Vice President Jacqueline Zahn pursuant to Rhode Island Open Meeting Law [42-46-5(a)(2)] relative to work sessions pertaining to collective bargaining between the Burrillville School Committee and the Burrillville Teachers' Association and from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law [42-46-5 (a)(2)] for discussions relating to litigation matters and [42-46-5 (a)(5)] for review, discussion and considerations related to the acquisition, sale and exchange of real property.

Motion by Councilor Jacqueline Zahn. 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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

The Council returned to open session at 8:00 P.M.

VOTED to seal the minutes of executive session, noting that no votes had been taken.

Motion by Councilor Jacqueline Zahn. 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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

VOTED to adjourn at 8:00 P.M.

Motion by Councilor Jacqueline Zahn. 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 Jacqueline Zahn, Nancy F. Binns, Edward F. Bonczek, Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused due to vacation.

Louise R. Phaneuf, Town Clerk