

**REGULAR MEETING of the Burrillville Town Council held Wednesday, September 26, 2007 at 7:20 P.M. in the Town Council Chambers, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.**

**PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe**

**MEMBERS ABSENT: None**

**1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.**

**2. VOTED to accept the minutes of the regular meeting, workshop and public hearings held September 12, 2007; and dispense with the reading of said minutes.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**3. Public Comment: None**

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

**Councilor Norman C. Mainville reported on the rink project. He discussed the achievement of the goals and his concerns about vandalism and the need for added security.**

**Councilor Margaret L. Dudley announced the Historical Society's open house scheduled for October 4, 2007.**

**Councilor Dudley noted that applications for the Snakes Alive Road Race were available through the Department of Parks & Recreation.**

**Councilor Dudley reminded those present that cookbooks are available at the library in support of the library project. She discussed other library fund raising options; naming rights, the square foot project and replicas of the current library.**

**Councilor Blais acknowledged correspondence that he had received. Councilor Blais suggested that the Council needed to be apprised of important issues in Town, referencing a recent newspaper article. Michael C. Wood, Town Manager, spoke of the important of maintaining protocol.**

**John P. Mainville, Finance Director, reported on the October 1, 2007 implementation of the credit card option for residents to pay taxes on-line.**

**5. Petitions: None**

**6. Special Business: None**

**7. Unfinished Business:**

**07-279 Correspondence from Michael C. Wood, Town Manager, regarding his absence from the state and the appointment of an acting town manager in his absence.**

**Note: Councilors John M. Karmozyn, Jr. and Norman C. Mainville recused from discussion**

**MOTION that the Town Council authorize Town Manager Michael Wood to appoint a person to fill his position in his absence; or if he has to go beyond one, to give him authority to go to whomever he sees fit.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley.**

**Discussion: Councilor Kevin M. Blais asked that the record show that he was the person who brought this matter to the attention of the Town Manager and that he believed that the Council had been working in violation of the Town Charter. Michael C. Wood, Town Manager, noted that he had in the past requested and received the Town Council's approval to appoint John P. Mainville as Acting**

**Manager in his absence. He submitted for the record a copy of the minutes of the regular meeting held February 26, 1997 at which the approval was given, as follows:**

**VOTED: 97-57 Motion to appoint John P. Mainville as Acting Town Manager pursuant to Section 5.03 of the Town Charter.**

**Councilman William E. Gonyea made the motion. Councilman Wallace F. Lees seconded the motion. The vote was unanimous.**

**TO: Town Council**

**FROM: Michael C. Wood, Town Manager**

**DATE: February 21, 1997**

**RE: Appointment of Acting Town Manager**

**Pursuant to Section 5.03 of the Town Charter, I am requesting your approval on the appointment of John P. Mainville as Acting Town Manager. He will perform the duties of manager in my absence.**

**Timothy F. Kane, Town Solicitor, reviewed §5.03 of the Charter and recommended that the motion be amended to specify the individual appointed by the Manager. Councilor Cynthia L. Roe and Council President Nancy F. Binns explained why they believed that the appointment of Mr. Mainville over many years was appropriate and not in violation of the Charter.**

**AMENDED MOTION that the Town Council authorize Town Manager Michael Wood to appoint John P. Mainville to fill his position in his absence; or if he has to go beyond one, to give him authorization to go to whomever he sees fit.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The motion carried, five in favor, two recusals. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, and Cynthia L. Roe. Councilors John M. Karmozyn Jr. and Norman C. Mainville recused.**

**8. New Business:**

**07-282 VOTED to open the correspondence from Ernesto Perez Rios regarding his request for an abatement of interest; and the recommendation of John P. Mainville, Finance Director.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**Discussion: It was noted that Mr. Perez Rios was not present.**

**VOTED to deny.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**07-283 VOTED to open the correspondence from David C. Ketcham, Vice Chair, Library Building Committee, regarding his request to provide an update on the budget and progress for the library construction project.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**Discussion: David C. Ketcham, Vice Chair of the Library Building Committee, provided an update on the progress of the construction and budget for the library. Dr. Ketcham noted that construction is well ahead of schedule, reviewed the budget (a copy of which is on file with the record of the meeting) and discussed fundraising efforts.**

- There was discussion of money allocated by the Town Council for**

**professional services in the early stages of the project and whether proceeds from the bond had been used to repay that allocation.**

- There was discussion that the cost of the entrance and driveway was included in the Burman base bid.**
- It was noted that funds remaining at the conclusion of the project would be returned to the general fund.**

**07-284 VOTED to declare surplus certain items, as listed, as requested by John P. Mainville, Finance Director.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Cynthia L. Roe. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**07-285 VOTED to refer to the Screening Subcommittee the application from Kelly C. Hunt for reappointment to the Housing Authority.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr. The motion carried, six in favor, one recusal. Voting in favor of the motion were Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Council President Nancy F. Binns recused.**

**07-286 VOTED to refer to the Screening Subcommittee the applications from Alan Gerew, Alice M. Lavigne and Juliette Lopez for reappointment to the Recreation Commission; and the recommendations of the Recreation Commission.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**07-287 VOTED to reappoint Mark Brizard as an alternate member of the Redevelopment Agency for a one-year term to expire on July 31, 2008, as recommended by the Screening Subcommittee.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**07-288 Correspondence from David W. Rossi, regarding his request to recommend a course of action relative to obtaining video tapes of the Council meetings.**

**Discussion: David W. Rossi noted that the Town Manager had**

requested that videotapes of the Council meetings be provided to his office. Mr. Rossi said that he did not have original tapes. Mr. Rossi said that he had discussed the matter with the manager of the studio and that it would be possible to get copies of tapes if blank tapes were provided and if the Town sent a written request for copies. There was discussion of the value of having the videos available to the public.

**VOTED to ask the library Board of Trustees to consider getting copies of the tapes of the Town Council meetings and have them available for loan to the public.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**9. Town Clerk/Communication:**

**07-289 VOTED to receive and file the copy of correspondence from Jarret M. Lafleur to Ocean State Power regarding his appreciation of his OSP Scholarship and an update on his career.**

**Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Norman C. Mainville. The vote was unanimous. Voting in favor of the**

**motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**07-290 Correspondence from Governor Donald L. Carcieri regarding a grant in the amount of \$69,000 from the Rhode Island Community Development Block Grant (CDBG) program.**

**Point of Order: Councilor Blais noted that there was a document included in the folder that was not on the agenda. The clerk noted the fact and indicated that the item would be included on the next agenda.**

**VOTED to receive and file the correspondence from Governor Donald L. Carcieri regarding a grant in the amount of \$69,000 from the Rhode Island Community Development Block Grant (CDBG) program.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**07-291 VOTED to receive and file the correspondence from DEM Freshwater Wetlands Program regarding an Insignificant Alteration**

**Permit, Application #07-0279 in reference to property and proposed project located along Hemlock Road, Bethany Lane, and Whispering Pine Drive, beginning at Reservoir Road (Plat 245/Lot 26).**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**10. VOTED to receive reports 1 – 25, as follows:**

- 1. Town Treasurer: Reports of July & August 2007**
- 2. Burrillville Sewer Commission: Report of August 2007, Meeting of August 14, 2007**
- 3. Tax Collector: Report of August 2007**
- 4. Department of Public Works: Report of August 2007**
- 5. Chief of Police: August 2007**
- 6. Office of Building Official: Report of August 2007**
- 7. Animal Control Officer: Report of August 2007**
- 8. Burrillville Housing Authority: Meeting of August 8, 2007**
- 9. Planning Board: Meeting of August 6, 2007**
- 10. Zoning Board of Review: No report**
- 11. Town Planner: No report**
- 12. Parks and Recreation Department: Report of August & September 2007**

- 13. Information Systems Department: No report**
- 14. Burrillville Conservation Commission: No report**
- 15. Ordinance Subcommittee: No report**
- 16. Redevelopment Agency: No report**
- 17. B-PAC: No report**
- 18. Personnel Board: No report**
- 19. Screening Subcommittee: Report of September 2007 and Meeting of June 18, 2007**
- 20. Budget Board: No report**
- 21. Library Building Committee: Meetings of August 15 & 20, 2007**
- 22. Burrillville School Committee: Meetings of May 30, June 12, and July 10 & 26, 2007**
- 23. Library Fundraising Committee: Meeting of September 5, 2007**
- 24. Callahan School Building Committee: No report**
- 25. Senior Center Feasibility Study Committee: Meetings of August 8 & September 5, 2007**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Cynthia L. Roe. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**11. Additional New Business:**

**07-292 VOTED to grant the request for Executive Session from**

**Michael C. Wood, Town Manager, Timothy F. Kane, Town Solicitor, and Nancy F. Binns, Town Council President, pursuant to Rhode Island Open Meeting Act;**

**[42-46-5 (a)(5)] for review, discussion and consideration related to the acquisition, sale and exchange of real property relative to Assessor's Map 178, Lot 5 [Clear River Road] and Town owned land [Commerce Park].**

**[42-46-5 (a)(2)] for consideration and discussion relative to collective bargaining agreement between the Burrillville School Committee and Burrillville Teachers' Association.**

**[\$42-46-5(a)(2)] to consider, discuss and act on litigation matters – GrowPro/Gaulin V. Burrillville Zoning Board.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**Note: There was a recess before executive session.**

**The Council returned to open session at 9:12 P.M.**

**VOTED to seal the minutes of the executive session, noting that two votes had been taken.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

**12. VOTED to adjourn at 9:13 P.M.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.**

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

**Louise R. Phaneuf, Town Clerk**