

**REGULAR MEETING of the Burrillville Town Council held Wednesday, October 10, 2007 at 7:00 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. MAIN MOTION to accept the minutes of the regular meeting held September 26, 2007; the public hearing held September 26, 2007; and the hearing held October 3, 2007; and dispense with the reading of said minutes.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr.**

**Discussion: Councilor Kevin M. Blais raised a concern related to the lack of detail in the minutes of the hearing held October 3, 2007.**

**MOTION to amend the main motion, to table the October 3rd minutes pursuant to the documentation that I have received in regards to that**

**type of activity from our Town Manager.**

**Motion to amend by Councilor Kevin M. Blais.**

**There being no second to the amendment, the vote was taken on the main motion.**

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

**Councilor Kevin M. Blais noted for the record that his vote in opposition was because he did not think the October 3, 2007 minutes accurately reflected the events of the meeting and he did not have the opportunity to review the tape that he requested through the Town Manager. Michael C. Wood, Town Manager, noted that he was not at the October 3, 2007 hearing, that he had not spoken with Councilor Blais since that date, and that he knew of no request for a tape. Mr. Wood indicated that the administration would provide a copy of the tape upon request.**

**3. Public Comment: None**

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

**Councilor Margaret L. Dudley noted that cookbooks, being sold as a fundraiser for the new library, are still available. She noted that the books are well done. Councilor Dudley also noted that the library project is under budget.**

**5. Petitions: None**

**6. Special Business:**

**07-061 VOTED to open the proclamation honoring Sergeant Albert E. Carlow and Patrolwoman Kathleen Kelley.**

**Motion by Councilor Wallace F. Lees. 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.**

**Discussion: Council President Nancy F. Binns noted that the proclamation had been originally considered in March 2007 but due to a communication issue the Officers had not been present. Council President Binns read the following proclamation:**

**Burrillville Town Council**

**Proclamation**

**WHEREAS, On January 31, 2007 the Burrillville Police Department and Pascoag Fire and Rescue were dispatched to South Shore Road in response to a call for assistance with a victim, Erica Haringa of Douglas, Massachusetts, who had fallen through the ice on Wallum Lake; and**

**WHEREAS, Upon arrival at the scene, police Sergeant Albert E. Carlow along with police officer Kathy Kelley and Lieutenant Alan Russell of the Pascoag Fire Department and several civilians assessed the situation, observing that the victim was struggling in the water about thirty-five yards from the shore; and**

**WHEREAS, The rescuers acted quickly to secure a nearby paddleboat which was slid out to the victim while being guided on shore by civilians Alan Shephard and Joseph Golinski; and**

**WHEREAS, Upon reaching the victim, Haringa was pulled into the boat and Sergeant Carlow along with Lieutenant Russell pulled the boat back to shore using the ropes secured by Shephard and Golinski. Once on shore, the young man was dragged to the police car to wait for arrival of the rescue vehicle; and**

**WHEREAS, Due to the quick thinking and swift action of Sergeant Carlow and Officer Kelley as well as Lieutenant Russell, Alan Shepherd and Joseph Golinski a situation which could have ended in a real tragedy was avoided.**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville on this 14th day of March, 2007 do hereby honor**

**and commend Sergeant Albert E. Carlow and Officer Kathy Kelley for their roles in the handling of a potentially tragic situation. We further honor their commitment to serve the Town of Burrillville as members of the Burrillville Police Department and consider ourselves fortunate to have such dedicated individuals willing to serve our community in such a manner.**

**Sergeant Carlow and Officer Kelley were commended for their actions and presented with the proclamation.**

**07-293 VOTED to open the proclamation honoring the Pascoag Utility District.**

**Motion by Councilor Wallace F. Lees. 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.**

**Council President Binns read the following proclamation:**

**Burrillville Town Council**

**Proclamation**

**WHEREAS, In May, 1887, the RI General Assembly granted a charter to the Pascoag Fire District, authorizing the District to provide fire suppression, water and electric services to its customers; and on**

**April 4, 2001, the Water Department and the Electric Department separated from the Pascoag Fire District and the Pascoag Utility District was Legislatively created as a Quasi Municipality; and**

**WHEREAS, The Pascoag Utility District (PUD) is the only not for profit, public power utility in Rhode Island, with the lowest residential rates in the state and superlative service levels and response times; and**

**WHEREAS, PUD installed specially coated high voltage conductors, helping insure uninterrupted electric service to its ratepayers and, in 1998, the District converted to a more efficient Distribution System, resulting in significant savings and helping attract business to the Town; and**

**WHEREAS, The Northeast Public Power Association's Linemen Apprentice School is now located on PUD grounds, bringing in excess of 100 linemen to classes in Burrillville resulting in their patronage of the businesses of Burrillville; and**

**WHEREAS, PUD, in its commitment to renewable sources of energy, obtains approximately 25% of its power from the St. Lawrence and Niagara Falls Hydro-electric plants. Recently negotiated contracts guarantee the District's rights to this valuable commodity through 2057. This power costs approximately 75% less than today's Market Prices; and**

**WHEREAS, During the MBTE crisis, the Pascoag Utility District distributed thousands of gallons of free bottled water every Thursday, from their offices, to the residents of Pascoag; and**

**WHEREAS, Continuing exploration for new water sources, at no cost**

to Pascoag residents, has resulted in a new well scheduled to come on line in November 2007, which will provide up to 20% of Pascoag's needs; and

**WHEREAS, PUD is an integral and valued member of the Burrillville Community, having provided, in 2007, \$74,000 in rebates to the Town for installation of Energy Efficient equipment and lighting for; the Callahan School renovation project, the Levy Community Rink renovation project and the construction of the new Jesse M. Smith Library; and**

**WHEREAS, PUD partners with the Burrillville High School technology students under the guidance of teacher Charles "Chuck" Boucher. These students undertake various energy conservation projects, making annual presentation to the Rhode Island Public Utilities Commission; and**

**WHEREAS, The Pascoag Utility District further shows their commitment to and support of the community by donating the labor and equipment to hang banners and Christmas lights and decorations, trim trees at the Burrillville Housing Authority and our libraries, erecting the scoreboard at the new football field, providing championship rings to High School athletes and supporting financially our local charities. The General Manager is this year's state chairperson for the RI Good Neighbor Energy Fund which brings thousands of dollars of heating assistance to our residents; and**

**WHEREAS, these are but a few of the numerous activities the PUD undertakes which support the community and the Town of Burrillville**

**is indeed fortunate to have such a good “Corporate Citizen”!**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville, extend its gratitude to the Pascoag Utility District and declare April 2008 “Pascoag Utility District Month”.**

**Adopted this 10th day of October 2007**

**Discussion: Present representing the Pascoag Utility District were Commissioners Al Palmisciano, Ann Polacek, and Bill Mageau with General Manager Ted Garille and Assistant General Manager Bill Guertin. Michael C. Wood, Town Manager, added his thanks and commendations to the District for their cooperation with the Town.**

**07-294 VOTED to open the correspondence from Louise R. Phaneuf, Town Clerk, regarding a presentation by Sen. Paul W. Fogarty and a congressional delegation relative to a Senior Center grant.**

**Motion by Councilor Wallace F. Lees. 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.**

**Discussion: Senator Paul W. Fogarty and Representative Edwin R. Pacheco were present for the discussion. Senator Fogarty addressed the Town Council about plans for a Senior Center, discussing the**

process and issues that the Town of Gloucester encountered during their recent project. Senator Fogarty noted that he had communicated with Senator Reed, Senator Whitehouse and Congressman Kennedy about federal funding for the project. He reviewed the planning and construction process, discussed fund raising, offered his support as well as that of Gloucester officials, and recommended a tour of the new Gloucester facility. Senator Fogarty provided the clerk with application forms and other information, to be conveyed to the Senior Center Feasibility Study Committee. Councilor Wallace F. Lees introduced members of the Committee to Senator Fogarty and Representative Pacheco. There was general discussion of the matter.

**07-295 VOTED to grant a Class F liquor license to St. Joseph Roman Catholic Church to apply at an Applefest Dinner at 181 Sayles Avenue (Map 174, Lot 131).**

**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.**

**7. Unfinished Business: None**

**8. New Business:**

**07-296 VOTED to open the motion to appropriate the sum of \$36,000 from the major capital account for professional services and expenses for renovation and physical modifications to the Jesse M. Smith building and grounds.**

**Motion by Councilor Wallace F. Lees. 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.**

**Discussion: Michael C. Wood, Town Manager, referenced the revised recommendation, a copy of which is on file with the record of the meeting, noting that some funds had been allocated in the capital improvement program. There was general review and discussion of the proposed plan.**

**VOTED to appropriate the sum of \$15,000 from the Major Capital Fund for professional services and expenses for the renovation and physical modifications to the Jesse M. Smith building and grounds.**

**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.**

**07-297 VOTED to refer to the Ordinance Subcommittee the proposed amendments to the General Ordinances of the Town of Burrillville, Chapter 30, entitled Zoning: A) §30-201. Development Plan Review; and B) §30-203. Cluster Development.**

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

**Discussion: Councilor Kevin M. Blais asked whether the proposed changes might include a development of a nursery, such as the one that he had discussed with the Building Official for review by the Planning Board. Councilor Blais recused, stating that his residence might be subject to the proposed amendments.**

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

**07-298 VOTED to receive and file the correspondence from Deborah Botelho regarding her request to discuss incorporation of fire districts into town government.**

**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.**

**07-299 VOTED to receive and file the Preserve America Presidential Award 2008 Nomination Form.**

**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.**

**07-300 VOTED to refer to the Screening Subcommittee the application from Christopher G. Lacey.**

**Motion by Councilor Wallace F. Lees. 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.**

**07-301 VOTED to refer to the Screening Subcommittee the application from Barbara Schouboe.**

**Motion by Councilor Kevin M. Blais. 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.**

**07-302 VOTED to open the correspondence from Council President Nancy F. Binns regarding her recommendation that the Screening Subcommittee consider adding alternate position(s) to the Senior Center Feasibility Study Committee.**

**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.**

**VOTED to refer to the Screening Subcommittee.**

**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.**

**07-303 VOTED to award the bid for the Heating/Air Condition System for Animal Control to Kafin Oil, Inc. at a cost of \$10,841.73.**

**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.**

**07-304 Correspondence from John P. Mainville regarding surplus items and his recommendations.**

**MOTION that the Administration be granted authority to dispose of the attached listing of surplus property in the best manner that it deems practical.**

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

**Discussion: Councilor Kevin M. Blais raised a concern related to generating the greatest possible revenue on surplus vehicles. He said that he had been approached by an individual who had repeatedly bid on all vehicles, and indicated that the value of the vehicles listed was \$2,000 or more. John P. Mainville, Finance Director, reviewed the process of advertising surplus items and receiving sealed bids.**

**The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors**

**Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor Kevin M. Blais voted in opposition.**

**B) that the 2000 Ford Taurus assigned to the Information Systems Department be declared surplus and that the Administration be granted authority to dispose of it in the best manner that it deems practical.**

**Note: Council President Nancy F. Binns noted that there was a correction in item B); that the vehicle in question was a 1998 Ford Crown Victoria, VIN #2FAFP71W5W184935.**

**VOTED that the 1998 Crown Victoria assigned to the Information Systems Department be declared surplus and that the Administration is granted authority to dispose of it in the best manner that it deems practical.**

**Motion by Councilor Cynthia L. Roe. Seconded by Councilor Wallace F. Lees**

**Discussion: The process of advertising surplus items was discussed.**

**The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., Norman**

**C. Mainville and Cynthia L. Roe. Councilor Kevin M. Blais voted in opposition.**

**07-305 Correspondence from Michael C. Wood, Town Manager, regarding the 2007 Holiday Schedule.**

**MOTION that the Manager be allowed to discuss past practices regarding the holidays (Christmas and New Year) with the employees.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees.**

**Discussion: There was discussion of whether it would be appropriate to close for the full days of Monday, December 24, 2007 and Monday, December 31, 2007 rather than the half-day required in the collective bargaining agreements, provided that the employees used vacation or personal time for the additional hours. The manager pointed out that the arrangement would have to be agreed upon through the collective bargaining units.**

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

**07-306 Correspondence from Council President Nancy F. Binns regarding the Council's meeting schedule for November and December 2007.**

**VOTED to approve as she suggested.**

**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.**

**Note: The effect of the motion is to cancel the second meeting of December, scheduled for Wednesday, December 26, 2007.**

**07-307 VOTED to receive and file the copy of correspondence from Verizon to the PUC relative to their application for Cable Television Compliance Order Certificates.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees.**

**Note: Copy of the application and all exhibits are available for review in the Town Clerk's office.**

**Discussion: Michael C. Wood, Town Manager, suggested considering a subcommittee and/or a citizens' committee to study the proposal.**

**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:**

**07-308 VOTED to receive and file the invitation from Northwest Dental Associates for an Open House Event scheduled for Saturday, October 20, 2007 from 2:00 to 5:00 P.M.**

**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.**

**07-309 VOTED to receive and file the correspondence from Irene Vock Gillis regarding the 2007 Recycling Calendar.**

**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.**

**07-310 VOTED to receive and file the On-Line Credit Card Processing Software Agreement between the Town of Burrillville and Opal Data Technologies, Inc.**

**Motion by Councilor Wallace F. Lees. 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.**

**07-311 VOTED to receive and file the correspondence from DEM Freshwater Wetlands Program regarding Insignificant Alteration Permits**

**A) Application #06-259 in reference to property located near Victory Highway at the intersection of Nasonville Road and the intersection with Douglas Turnpike (Map 114, Lot 44, subplot 5); and**

**B) Application #06-368 in reference to property located near Victory Highway at its intersection with the eastern end of Nasonville Road and the intersection with Douglas Turnpike (Map 114, Lot 44, sublots 1, 2, and 4); and**

**C) Application #06-424 in reference to property located near Victory Highway, near the intersection with Douglas Turnpike (Map 114, Lot 44, subplot 3);**

**D) Application #07-159 in reference to property and proposed project**

located along Bronco Highway near the intersection with Central Street (Map 195, Lot 2 and Map 213, Lots 9 and 10).

Motion by Councilor Wallace F. Lees. 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.

**10. Additional New Business:**

**07-312 VOTED to grant the request for Executive Session from Michael C. Wood, Town Manager, 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 175, Lot 041 [96 Pascoag Main St. (Laundromat building)]; and**

**Assessor's Map 93, Lot 7 (Town-owned land – Black Hut Road).**

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.**

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

**The Council returned to open session at 8:27 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 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.**

**12. VOTED to adjourn at 8:32 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**