

REGULAR MEETING of the Burrillville Town Council held Wednesday, November 14, 2007 at 7:38 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 and workshop held October 24, 2007; the special meeting held November 7, 2007 and dispense with the reading of said minutes.

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.

3. Public Comment:

Don Wolfe addressed the Town Council regarding his disappointment

in Councilor Blais' comments to the press related to a recent police matter. Councilor Blais suggested that he had discussed nothing that had not been given to the press by the police department. Michael C. Wood, Town Manager, voiced concern related to the incident and recommended that the Town Council ask for the Solicitor's opinion as to whether it would be appropriate to address the matter at a future date in executive session.

William Guilbault of Steere Farm Road asked whether the Councilors had explored his concerns relative to a proposed development. Mr. Guilbault raised concerns about a proposed Cluster Development ordinance. Michael C. Wood, Town Manager, reported that the Council had been provided with information regarding the proposed development. Laws related the Planning Board authority were reviewed. Mr. Wood described the public hearing process for proposed ordinances. Councilor Norman C. Mainville discussed the information from the Planning Board that the Councilors receive, reviewed the status of the proposal, and reviewed the legal prohibition against Council interference in Planning Board matters. Councilor Kevin M. Blais discussed his review of the plan, his meeting with Mr. Guilbault and other residents, and his visit to the site. Councilor Blais suggested that Mr. Guilbault's concern should be addressed and encouraged other members of the Council to visit the property and offer ideas and criticism.

Robert Bishop of Pascoag noted that a parking lot in Pascoag paved

by the town is for sale. Mr. Bishop suggested that the Town consider purchasing the property. Mr. Bishop raised a concern about parking in Pascoag if the village is revitalized. Michael C. Wood, Town Manager indicated that the matter would be reviewed and, invited Mr. Bishop to review the Redevelopment Agency's plan for Pascoag, which includes improvements to parking.

4. General Good and Welfare of the Town of Burrillville

- **Councilor Margaret L. Dudley, spoke of library fundraising programs sponsored by the Library Capital Campaign Committee. Councilor Dudley discussed a recent tour of the library, speaking favorably about the project.**
- **Councilor Dudley announced the Library Capital Campaign Victorian Emporium scheduled for Saturday, November 24, 2007 to be held at the Beckwith-Bruckshaw Memorial Lodge and the Downtown Pascoag Neighborhood Association (DPNA) Victorian Holiday scheduled for November 24, 2007 in the vicinity of The Bridgeway.**
- **Councilor Dudley reported that the Recreation Department would sponsor Santa on the Common on December 1, 2007 at 1:30 P.M. at The Gazebo. Rain date: December 2, 2007.**
- **Councilor Dudley wished former Councilor Bill Andrews the best in recovering from his recent accident.**
- **Councilor Kevin M. Blais congratulated resident Peter Bouley on the honor bestowed upon him by the CCRI Alumni.**
- **Councilor Kevin M. Blais congratulated Mr. McGrath on recent lottery winnings and wished him improved health.**

- **Councilor Blais wished a Happy Thanksgiving to all.**
- **Councilor Cynthia L. Roe noted that the Callahan Star Party is scheduled for Friday, November 16, 2007 at 7:00 P.M.**
- **Michael C. Wood, Town Manager, reminded the Town Council of the special meeting relative to annual license renewals scheduled for Monday, November 19, 2007 at 10:00 A.M.**
- **Mr. Wood commended the School Department and School Committee on improvements in the accreditation status of Burrillville High School.**
- **Mr. Wood announced that Senior Services, Inc. would be available at the town building to offer advice and assistance to senior residents.**
- **There was discussion of a program for troop recognition during the up-coming holiday season. Details would be posted on the town website.**

5. Petitions: None

6. Special Business:

07-324 VOTED to ratify the commendation of Burrillville High School, Division II Second Place Winners in the 2006/2007 Rhode Island Blood Center “High School Hero” Challenge.

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.

07-325 VOTED to grant an annual victualing house license to Justin Hagerty d/b/a Bolies Chowder Shack to apply at 98 Pascoag Main Street (Map 175, Lot 40) in a building owned by Sheila Finn, on completion of final inspections.

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.

07-326 VOTED to grant a Special Event victualing house license for the Downtown Pascoag Victorian Holiday to the Downtown Pascoag Neighborhood Association to apply on November 24, 2007 in the vicinity of Pascoag Main Street, The Bridgeway and Sayles Avenue, Pascoag on property owned by the Town of Burrillville.

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.

07-327 VOTED to grant a Private Detective License to Karen M. Gauthier of Lakeview Terrace.

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.

07-328 VOTED to grant an annual victualing house license to Mark Murphy, Inc. d/b/a Murphy's Way to apply at 1 High Street (Map 174, Lot 79) in a building owned by Mark Murphy Real Estate.

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.

7. Unfinished Business:

07-251 VOTED to open the correspondence from Stephen N. Rawson, Chairman, Burrillville Conservation Commission, regarding discussing an open space and recreation bond issue for the 2008 election.

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.

Discussion: Stephen N. Rawson, Chairman, Burrillville Conservation Commission, said that in follow-up to a recent workshop with the Town Council, the Burrillville Conservation Commission, Burrillville Land Trust, and Burrillville Recreation Commission had met and discussed further details of the proposal. Paul Roselli, President of the Land Trust, provided details of the proposal and asked that the Town Council approve a three million dollar bond referendum for November 2008.

Michael C. Wood, Town Manager, acknowledged the merit of the idea but cautioned that the tax cap law would have significant bearing on the decision. Mr. Wood suggested that the administration should review the proposal and its financial impact before any decision could be made. While supporting the endeavor, Councilor Norman C. Mainville recommended caution on the timing of the proposal considering economic projections.

MOTION that we ask the Manager and the Finance Director to review and give recommendations if it is feasible.

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

Discussion: Councilor Margaret L. Dudley suggested that the Town has no room under the tax cap for additional debt service or loans. Councilor Dudley voiced concern about decreasing tax revenues by acquiring property. Mr. Roselli suggested that, over time, the town would benefit financially from acquiring property for open space and recreation. Councilor Kevin M. Blais supported the idea of increased open space and recreation but suggested that, due to the economy of the State and possible reduced State funding, it would be imprudent to consider the concept.

Note: Councilor Cynthia L. Roe recused from discussion and voting on item #07-251.

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

8. New Business:

Note: Councilors Wallace F. Lees and John M. Karmozyn, Jr. recused from discussion of item #07-329.

07-329 VOTED to open the correspondence from Shirley Hodson, Chair, Senior Center Feasibility Study Committee, regarding the committee's request that the Town Council consider accepting Map 162, Lot 50, as a site for a future senior center.

Motion by Councilor Norman C. Mainville. 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 Kevin M. Blais, Margaret L. Dudley, Norman C. Mainville and Cynthia L. Roe. Councilors Wallace F. Lees and John M. Karmozyn Jr. recused.

Discussion: Shirley Hodson, Chair, Senior Center Feasibility Study Committee asked that the Town Council consider accepting Map 162, Lot 50, as a site for a senior center. Raymond Menard presented the information on the site. Mr. Menard summarized the charge to the Committee of determining whether a portion of the site at the north corner was feasible for a Senior Center. He reviewed the steps to date.

Note: There was a recess from 8:20 P.M. to 8:37 P.M., during which the Town Council and those present reviewed the plans presented by Mr. Menard.

Councilor Margaret L. Dudley asked whether a vote to designate Map

162, Lot 50 would prevent the sale of the property, should circumstances change. Timothy F. Kane, Town Solicitor, indicated that such a vote would forward the proposal but suggested that the decision could be changed if circumstances warrant a different course of action.

Councilor Kevin M. Blais raised a concern relative to the need to expand the police station. Council President Nancy F. Binns referenced the Manager's memo of November 8, 2007 and supported the recommendation to consider authorizing the administration to proceed with a schematic design for the police station's expansion in conjunction with the senior center project. The matter was discussed. There was discussion of a preliminary plan for the police station that had been prepared several years earlier, the overlap of the two proposed buildings, the recommendation to prepare a plan to accommodate both facilities, requirements for each building, and the need to determine the cost of proceeding with plans.

VOTED to have the Town Manager, the Finance Director, and the Engineer, along with the Seniors, review the proposal and get back with numbers; and to authorize the Manager to move ahead with looking into the schematic plans; and to come back with the information as expeditiously as possible.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Kevin M. Blais. The motion carried, five in favor, two recusals. Voting in favor of the motion were Council President Nancy F. Binns

and Councilors Kevin M. Blais, Margaret L. Dudley, Norman C. Mainville and Cynthia L. Roe. Councilors Wallace F. Lees and John M. Karmozyn Jr. recused.

07-330 VOTED to approve the expenditure of \$1,745.82 for the purchase of two cafeteria tables for the Callahan Elementary School by the Burrillville Extended Care Division, as requested by Cheri R. Hall, Director of Parks & Recreation.

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.

07-331 Proposed Amendment to the General Ordinances of the Town of Burrillville, 2004 revision, Chapter 30, Zoning, §30-201 Development Plan Review; for first reading and scheduling of a public hearing.

The proposed ordinance was read by title.

VOTED to schedule a public hearing for December 12, 2007.

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.

07-332 Proposed Amendment to the General Ordinances of the Town of Burrillville, 2004 revision, Chapter 30, Zoning, §30-203. Cluster development.

The proposed ordinance was read by title.

VOTED to schedule a public hearing for December 12, 2007.

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.

07-333 VOTED to refer to the Screening Subcommittee the applications from Kathleen Thibault for appointment to a board or commission; and of Jennifer Bergin and Christine Mattera for reappointment to the Burrillville Narcotics Guidance Council.

Motion by Councilor Margaret L. Dudley. 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.

9. Town Clerk/Communication

07-334 VOTED to receive and file the Quit Claim Deed recorded at book 609/page 214 conveying from the Town of Burrillville to the Burrillville Land Trust 12 lots or parcels of land situated along South Shore Road.

Motion by Councilor Margaret L. Dudley. 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.

07-335 VOTED to receive and file the DEM Office of Water Resources/Permitting Section Notice of Application 07-0254 to alter freshwater wetlands located near the intersection of Dano Road and Mount Pleasant Road (Map 46, Lot 26).

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.

07-336 VOTED to receive and file the DEM Office of Water Resources/Permitting Section Notice of Permit to Alter Freshwater Wetlands, Application #05-0521 (Map 214, Lot 7) located north of Victory Highway near the intersection of Gazza Road and Main Street.

Note: Item #07-338 was taken up at this point on the agenda.

07-338 Correspondence from John P. Mainville, Finance Director, regarding his recommendations for the awarding of bids:

VOTED to approve the awarding of the Security Fencing Bid to CITIWORKS, INC. at a cost of \$12,493; to authorize a total amount of \$14,453 to complete the project; and that the funding for this project will be from the DPW CIP in the regular budget.

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr.

Discussion: Councilor Kevin M. Blais questioned the necessity of replacing the fencing at the Department of Public Works. Michael C. Wood, Town Manager, explained that the fencing is intended as a neighborhood improvement and security issue. The matter 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.

VOTED to award the Well Pump – Commerce Park Irrigation System bid to ALL ABOUT H2O at a cost of \$7,069.29; and to authorize a total amount of \$9,314.29 to complete the project including the cost for electrical and tying into the irrigation system itself; and that the funding for this project will be from the DPW CIP in the regular budget.

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

Discussion: Councilor Kevin M. Blais suggested that the price of the irrigation system would not be offset by the savings in water and the cost of electricity to run the pump would result in greater expense than currently incurred. Michael C. Wood, Town Manager, explained that the purpose of the system is to preserve the plantings at Commerce Park, noted that there should be savings in billings from the Harrisville Fire District (HFD) water department. There was discussion of three-year's billings from HFD (\$9,430.36), as detailed in the report provided to the Council. (Note: a copy of the report is on file with the record of the meeting.) The matter was discussed.

MOTION to move the question.

Motion by Councilor Norman C. Mainville. There was no second.

The main 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.

11. Additional New Business

07-337 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)(2)] to consider, discuss and act on litigation matters – Private Industry Council (C.A. No. 02-7096).

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.

07-338 Correspondence from John P. Mainville, Finance Director, regarding his recommendations for the awarding of bids. Note: Item #07-338 was addressed earlier on the agenda.

The Council returned to open session at 9:35 P.M.

VOTED to seal the minutes of executive session, noting that one vote had been taken.

Motion by Councilor Margaret L. Dudley. 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.

12. VOTED to adjourn at 9:36 P.M.

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.

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

Louise R. Phaneuf, Town Clerk