

REGULAR MEETING of the Burrillville Town Council held Wednesday, June 10, 2009 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, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville

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 held May 27, 2009; and the public hearings held May 21, 27 and 28, 2009; 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 were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

3. Public Comment

Kevin Blais of Tarkiln Road announced the Relay for Life, scheduled

for June 26 and 27, 2009 and encouraged participation and contributions. Mr. Blais said that additional information is available at www.RelayForLife.org/burrillvilleglocesterri or by calling him.

4. General Good and Welfare of the Town of Burrillville

Councilor Margaret L. Dudley announced that Berard Desjarlais Post 88 would sponsor a bicycle clinic on Saturday, June 13, 2009 at the Burrillville High School.

Councilor Norman C. Mainville noted the passing of former School Committeeman James F. Egan and commented on his service to the Town.

Councilor Norman C. Mainville announced the Northern Rhode Island Firemen's League parade and Memorial Day services, to be held on Sunday, June 14, 2009 in Uxbridge, MA.

Council President Nancy F. Binns recognized the local Save the Lakes organization and read a Senate resolution honoring the organization, introduced by Senator Paul W. Fogarty, as follows:

WHEREAS, Invasive plants can limit boating, fishing and recreational activities, push out native species and reduce the water quality. A survey conducted by the department of environmental management found that nearly 80 percent of the state's freshwater bodies

contained at least one invasive plant species; and

WHEREAS, Founded in 2008, Save the Lakes is an alliance of individuals and associations dedicated to improving, protecting, and preserving the fresh water bodies of Rhode Island for future generations; and

WHEREAS, Save the Lakes is the only statewide organization dedicated to the preservation and protection of Rhode Island lakes, ponds and fresh water resources; and

WHEREAS, Save the Lakes is an active force working to protect, restore and explore Rhode Island's fresh water resources; and

WHEREAS, Save the Lakes provides a forum for exchange, development, and research of fresh water resources information; and

WHEREAS, Save the Lakes has advocated for better fresh water management before local, State and Federal governments and agencies; now, therefore be it

RESOLVED, That this Senate of the State of Rhode Island and Providence Plantations

hereby declares the Week of June 1st – 5th as "Save the Lakes" Week in the State of Rhode Island; and be it further

RESOLVED, That the Secretary of State be and he hereby is authorized and directed to transmit a duly certified copy of this resolution to Save the Lakes.

5. Petitions: None

6. Special Business: None

7. Unfinished Business: None

8. New Business:

Note: Council President Nancy F. Binns announced that item 09-175 would be taken up at this point on the agenda.

09-175 VOTED to open the correspondence from Cheri R. Hall, Director, Parks & Recreation, regarding her recommendation to name the park adjacent to the Shippee Bridge the Louis Bleiweis Memorial Park.

To: Honorable Town Council

cc: Michael C. Wood, Town Manager

From: Cheri R. Hall, Parks & Recreation Director

Date: June 2, 2009

Re: Naming of the park adjacent to the Shippee Bridge

This memo is a request for consideration by the Council to name the park adjacent to the Shippee Bridge and currently under construction, the “Louis Bleiweis Memorial Park”.

We all know that Mr. Bleiweis served the Burrillville community in many ways throughout his lifetime. Among his many contributions, nearly 20 years ago, he was a driving force and strongly supported the efforts of the Recreation Commission and the Burrillville

Organization of Substance Abuse Prevention in the hiring of the first part time Recreation Director and subsequently, one year later, the establishment of the Parks & Recreation Department and first full time Director for the Town of Burrillville. Even when he retired from the Woonsocket Call, he continued to attend many of the special events and programs of the department taking pictures and writing stories for the Call.

Mr. Bleiweis passed away just prior to the successful transfer of this land by DOT and the submittal by the department for a grant from DEM for the development of a park. The match for the grant application was provided from funds raised from the annual duck race and the annual 5K road race.

Among his many contributions to the Community, Mr. Bleiweis also co-founded the Burrillville Lions Club in 1947. This land has become the home of the annual “Adopt a Duck Race” co-sponsored with the Burrillville Lions Club.

The Parks & Recreation Department would like to propose the naming of the park the “Louis Bleiweis Memorial Park” at a dedication ceremony to be held on Sunday, August 23, 2009 at 12:30pm. The dedication ceremony would take place just prior to this year’s annual “Adopt a Duck Race”.

We hope the Council will agree that this is a fitting tribute to the memory of Mr. Bleiweis and all he has given to the residents of the town of Burrillville.

Council President Nancy F. Binns welcomed Mrs. Louis Bleiweis to

the meeting.

VOTED to designate the area as the Louis Bleiweis Memorial Park.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

09-172 FY 2010 Operating Budget:

1) Resolution adopting the FYE June 30, 2010 Operating Budget

VOTED to open.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

MOTION to maintain the animal control area; and also that the special appropriations listed as “to be determined” (be funded); and a transfer of \$45,000 from the Callahan School construction, to cover the Assistant Animal Control Officer and those special appropriations

that the Manager designated “to be determined” without further raising the taxes.

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

Discussion: Michael C. Wood identified the special appropriations included in the motion as: Burrillville Historic Society, Downtown Pascoag Neighborhood Association, Burrillville Industrial Foundation, Memorial Parade, Samaritans and Veterans’ Representative. Mr. Wood indicated that the motion also included approximately \$30,500 for the Assistant Animal Control position. The motion was discussed.

The motion carried, six in favor, one opposed. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville. Councilor Margaret L. Dudley voted in opposition.

MOTION that all board stipends be reduced by twenty-five percent.

Motion by Councilor Margaret L. Dudley. There was no second.

MOTION to give the Jesse M. Smith Memorial Library the amount it requested (\$560,082) and reduce the appropriation to the Pascoag

Public Library to \$33,418.00.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The motion failed, two in favor, five opposed. Voting in favor of the motion were Councilors Margaret L. Dudley and Kevin D. Heitke. Voting in opposition were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, John M. Karmozyn, Jr. and Norman C. Mainville.

MOTION to move the School Committee to the municipal government health care plan; to create a side fund for the savings, which would be a text book account; and to further reduce School Committee stipends by twenty-five percent.

Motion by Councilor Margaret L. Dudley. There was no second.

There was a recess from 7:32 to 7:52 P.M, during which the Finance Director prepared a proposed budget resolution based upon the Town Council's vote.

VOTED to adopt a resolution adopting the FYE June 30, 2010 Operating Budget, as follows:

Budget Resolution – [Final]

Fiscal Year Ending June 30, 2010

SECTION A.

That a resolution of the Town of Burrillville adopting the annual Town Budget for the 2009-2010 Fiscal Year be adopted.

Whereas, the Burrillville Town Charter provides in Article Ten for the budget process and specifically in Section 10.04 (F) for the final adoption of the Town Budget including School Operations.

And whereas, the final budget when adopted shall show a balance between authorized appropriation and anticipated receipts.

Now, therefore, be it resolved that the Town Council adopts a final budget for the 2009-2010 Fiscal Year of \$46,972,275. This total budget is divided into the following Sections:

(1) Total Town Operating Appropriation: \$ 9,761,449

(2) Total Town Indebtedness and Interest Appropriation: \$ 5,587,287

****NOTE 1**

(3) Total Other Transfers: \$ 10,000

(4) Total Town Capital Improvement Appropriation: \$ 3,185,773 **NOTE 2

(5) Total School Department Appropriation: \$27,697,766 **NOTE 3

(6) Overlay Variance Appropriation for Tax Abatements, Refunds and Uncollected Taxes:

\$ 730,000

Total Appropriation: \$46,972,275

The Total Adopted Departmental Budgets as recommended by the Town Manager, and amended by the Town Council, for the 2009-2010 Fiscal Year is attached and incorporated as part of this resolution.

SECTION B.

That the Town Council hereby orders the assessment and collection of a tax on ratable real estate and tangible personal property in a sum not less than \$21,154,569 and not more than \$21,884,569, based upon current estimated assessed valuations.

The Total Revenues allocated for Town and School Expenditures are broken out as follows:

(1) Total	Estimated	School	Department
Revenues: \$12,492,336	**NOTE 3		

(2) Total Estimated Town Non-Property Tax Revenues: \$11,865,180

(3) Total Funding Other Sources:

a. Spring Lake Fund

b. Burrillville Extended Care

c. Wastewater Treatment Fund

d. Major Capital Fund

e. Debt Reduction – Callahan School

\$ 10,095

5,095

200,000

470,000

45,000 **NOTE 1

\$ 730,190

(4) Application of General Fund Balance: \$ -0- _____ **NOTE 4

(5) Application of School General Fund Balance: \$ -0- _____

(6) Total Estimated Amount to be raised from Property Taxes:

Class I Real Estate and Tangible

Personal Property 91.43%

Class II Motor Vehicles 8.57%

\$20,009,061

1,875,508

Subtotal Estimated Amount –From Property Taxes \$21,884,569

Total Revenues: \$46,972,275

Total Estimated Net Assessed Valuations:

Class I Real Estate and Tangible Personal Property \$1,584,076,781

Class II Motor Vehicles \$ 46,850,532

Total Estimated Net Assessed Valuations \$1,630,927,313

The Estimated Percentage of the Tax Levy to be raised from:

Class I Property is Projected to be 91.43%

Class II Property is Projected to be 8.57%

The Total Tax Rates to raise the above percentages of the Tax Levy are to be no greater than:

Class I Real Estate & Tangible Personal Property \$12.63

Class II Motor Vehicle \$40.00

Any and all revenue/receipts (prior and current fiscal year ending 2009 shall be considered to be part of the general receipts of the Town and shall not supplement nor increase the amount appropriated to a specific department by the Town Council). This does not apply to direct reimbursements (e.g. insurance, grants, cancelled orders).

Subsequent to the adoption of this budget by the Town Council, should State Aid be higher than anticipated, the amount will be utilized to adjust the tax rate in lieu of increasing the related appropriations for Town and School Operations.

Municipal department expenses incurred during their normal operation that will result in the over expenditure of a given municipal department's appropriation for the given year shall be balanced through transfers from the General Fund Contingency line item by the Finance Director who shall notify the Town Council of any transfer at the next Town Council meeting.

Now, therefore, be it further resolved, that the tax levy WILL NOT exceed the four and three-quarter percent (4.75%) annual cap as imposed by Rhode Island General Laws Chapter 44-5-2, as amended.

Said Taxes are for ordinary expenses, the payment of Town interest

and indebtedness in whole or in part, the payment of the Town's proportion of the State Tax, and for other purposes authorized by law.

The Tax Assessor having assessed and apportioned said tax on the ratable property of said Town as of the 31st day of December 2008 at Twelve o'clock midnight, according to law, and shall on completion of said assessment, date, certify and sign the same and deliver to and deposit the same in the office of the Town Clerk, on or before June 15, 2009.

The Town Clerk on receipt of said assessment, shall forthwith make a copy of the same and deliver it to the Town Treasurer/Finance Director who shall forthwith issue and affix to said copy, a warrant under his hand, directed to the Collector of Taxes of said Town, commanding him to proceed and collect said tax of the persons and estates liable therefore, said tax shall be due and payable on the 15th day of July, 2009.

Said tax may be paid in equal quarterly installments, the first installment of 25 per centum on or before the 1st day of August 2009 and the remaining installments as follows:

25 per centum on the 1st day of November 2009

25 per centum on the 1st day of February 2010

25 per centum on the 1st day of May 2010

Each installment of taxes if paid on or before the 1st day of each installment period successively and in order shall be free from any charges for interest.

If the first installment or any succeeding installment of taxes is not paid by the last day of the respective period or periods as they occur, then the whole tax or remaining unpaid balance of the tax as the case may be shall immediately become due and payable and shall carry until collected a penalty at the rate of Twelve (12) per centum per annum from August 1, 2009.

This Resolution adopting the Budget for Fiscal Year Ending June 30, 2010 will become effective July 1, 2009 unless amendments are made prior to July 1, 2009.

****NOTE 1. This budget does include utilizing funds from the Town's Debt Reduction Fund for the purpose of funding a portion of outstanding annual debt obligation associated with the Callahan School Bond issue as provided in Section 2-113 [d] 4 of the Town Ordinances.**

****NOTE 2. The Capital Portion of this budget, which does not include the use of Unreserved, Undesignated General Fund Balance, was adopted in accordance with the Town Charter Section 3.14 (j) at a Public Hearing held on March 25, 2009. As such, the Capital Budget**

as voted on March 25, 2009, is hereby incorporated into the overall budget for fiscal year ending June 30, 2010.

****NOTE 3. The School Department Expenditure and Revenue Appropriation does not incorporate State Aid targeted for several programs including the following: Student Equity, Technology, Early Childhood, Language Investment, and Professional Development, which shall be received by the Finance Director/Town Treasurer and accounted for separately by the School Department.**

****NOTE 4. The Operation Portion of this budget does not include the use of Unreserved, Undesignated General Fund Balance. The transfer of these funds would require the affirmative vote of six (6) Council members due to the appropriation of funds from the Unreserved Undesignated General Fund Balance [Town Charter 3.14 (j)].**

Adopted as a resolution this 10th day of June 2009

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

2) VOTED to adopt a resolution adopting the Extended Care Program

FYE June 30, 2010 Operating Budget and Capital Program Budget, as follows:

Burrillville Town Council

Resolution

The Town Council has previously established by ordinance an Extended Care Program within the Recreation Department. The ordinance requires the program to be self supporting.

The Extended Care Program request for funding for the fiscal year beginning July 1, 2009 and ending June 30, 2010 is \$432,300 for operations, based on expected revenue of \$432,300. The sum of \$432,300 is hereby appropriated subject to program receipts or grants totaling \$432,300. To the extent receipts fall short of projected revenue, the appropriation is reduced to equal revenue receipts unless otherwise voted by the Town Council; and

The Extended Care Program has a request for capital improvement funding for the fiscal year beginning July 1, 2009 which was included in the CIP Budget that was voted on March 25, 2009. The request is for the purchase of six fold away twelve foot tables at a projected cost of \$8,000. Note that capital projects have been funded from the Extended Care Program Investment Account.

Adopted as a resolution this 10th day of June 2009

Note: Councilor Wallace F. Lees recused from voting on the BEC budget.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The motion carried, six in favor, one recusal. Voting in favor were Council President Nancy F. Binns and Councilors Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville. Councilor Wallace F. Lees recused.

3) VOTED to adopt a resolution adopting the Spring Lake Beach FYE June 30, 2010 Operating Budget, as follows:

**Burrillville Town Council
Resolution**

The Town Council has previously established the operation of the Spring Lake Beach within the Recreation Department. The Spring Lake Beach operation is intended to provide a program that is deemed to be self supporting.

The Spring Lake Beach Program request for funding for the fiscal year beginning July 1, 2009 and ending June 30, 2010 is \$117,500 based on expected revenue of at least \$117,500. The sum of \$117,500 is hereby appropriated subject to program receipts or grants totaling

\$117,500. To the extent receipts fall short of projected revenue, the appropriation is reduced to equal revenue receipts unless otherwise voted by the Town Council.

Adopted as a resolution this 10th day of June 2009

Motion by Councilor Kevin D. Heitke. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

09-173 VOTED to adopt a resolution establishing a summer school revolving fund, as follows:

**Resolution Establishing
A Summer School Revolving Fund**

The Finance Director is hereby authorized to establish a “Summer School Revolving Fund” for the benefit of the School Department’s Summer School Program.

(1) Purpose: This Fund is established to allow the School Department to segregate funds received and expended for the operation of the Summer School Program from its operating budget.

(2) Receipts: All revenues from tuition, grants, or other funds

received in connection with the Summer School Program shall be deposited in the Fund.

(3) **Disbursements:** Money shall be disbursed from the Fund upon receipt by the Treasurer's Office upon properly documented vouchers from the School Department to the extent that monies are available in the Fund.

(4) **Advancements:** The School Department may advance funds to the Revolving Fund and request a refund at a later date when funds are available.

(5) **Unexpended Funds:** All funds not expended from the Fund shall remain in the Fund to be used for future expenditures chargeable to the Fund. In the event that the Summer School Revolving Fund is terminated, any remaining unencumbered funds shall be transferred to the School Department.

(6) **Operating Procedures:** The Finance Director or his designee may establish procedures to govern the operation of the Fund.

(7) **Expiration Date:** The Summer School Program Revolving Fund authorization will expire June 30, 2010, unless extended by resolution of the Town Council.

Adopted as a resolution this 10th day of June 2009

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M.

Karmozyn, Jr. and Norman C. Mainville.

09-174 VOTED to adopt a resolution establishing a preschool tuition revolving fund, as follows:

Burrillville Town Council Resolution

Establishing a Preschool Tuition Revolving Fund

The Finance Director is hereby authorized to establish a “Preschool Tuition Revolving Fund” for the use of the School Department.

(1) Purpose: This Fund is established to allow the School Department to segregate funds received and expended for its Preschool Program from its operating budget.

(2) Receipts: The School Department may direct that funds appropriated to the School Department operating funds be transferred to the Revolving Fund. In addition, all tuition revenues, grants and other revenue received for the preschool program shall be deposited into the Fund.

(3) Disbursement: Money shall be disbursed from the Fund upon receipt by the Treasurer’s Office upon properly documented vouchers from the School Department to the extent that monies are available in the Fund.

(4) Advancements: The School Department may advance funds to the Revolving Fund and request a refund at a later date when funds are available.

(5) Unexpended Funds: All funds not expended from the Fund shall remain in the Fund to be used for future expenditures chargeable to the Fund. In the event that the Preschool Tuition Revolving Fund is terminated, any remaining unencumbered funds shall be transferred to the School Department.

(6) Operating Procedures: The Finance Director or his designee may establish procedures to govern the operation of the Fund.

(7) Expiration Date: The Preschool Tuition Revolving Fund authorization will expire June 30, 2010, unless extended by resolution of the Town Council.

Adopted this 10th day of June 2009.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

09-175 Correspondence from Cheri R. Hall, Director, Parks & Recreation, regarding her recommendation to name the park adjacent to the Shippee Bridge the Louis Bleiweis Memorial Park.

Note: Item #09-175 was taken up earlier on the agenda.

09-176 VOTED to open the correspondence from Shirley Hodson, Chair, Senior Center Feasibility Study Committee, regarding the

Committee's request that the Council take steps to schedule a special election for September 2009 relative to a bond referendum for a Senior Center.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

Discussion: There was discussion of scheduling a special election in September 2009 or, alternatively, of presenting the referendum to the voters at the November 2010 general election.

MOTION to schedule a special election for September 2009 in reference to a referendum for a Senior Center.

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

There was discussion of:

- Whether there had been proposal that a senior center could be funded exclusively through grants;**
- Whether a senior center was included in the Town Council's Goals & Objectives;**
- The cost of a special election;**
- The cost of a senior center, including debt, services and operating**

expenses;

- **The current economic climate;**
- **The possibility of savings by wisely choosing a location;**
- **Mixed-use of Town buildings;**
- **The benefits of scheduling a referendum in November 2010;**
- **The Town Council's role is scheduling an election;**
- **State and Town budget issues.**

The motion carried, four in favor, three opposed. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, John M. Karmozyn, Jr. and Norman C. Mainville. Voting in opposition were Councilors Robert A. Bishop, Margaret L. Dudley and Kevin D. Heitke.

09-177 Correspondence from Aaron J. Coutu, Chair, Jesse M. Smith Library Board of Trustees, regarding the Board's request that G. Wayne Miller be appointed Library Trustee Emeritus.

VOTED to appoint G. Wayne Miller as Library Trustee Emeritus.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

09-178 VOTED to refer to the Screening Subcommittee the application of Cynthia Carlozzi for appointment to the Jesse M. Smith Library Board of Trustees.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

09-179 VOTED to receive with regret the correspondence from Councilor Kevin D. Heitke regarding the resignation of David Brunetti from the Extended Care Division Board of Directors.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke.

Discussion: Councilor Kevin D. Heitke spoke of David Brunetti's dedicated service to the Town of Burrillville, congratulated Mr. Brunetti and wished him the best in his future endeavors.

The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

09-180 VOTED to open the correspondence from Jacek Wilinkiewicz regarding his request to discuss issues at Carol Drive.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

Discussion: Mr. Wilinkiewicz requested a copy of a survey conducted by the Town. Michael C. Wood, Town Manager, indicated that Mr. Wilinkiewicz's attorney had been provided a copy of the survey and that Mr. Wilinkiewicz could request an additional copy through the Town Clerk's office. Mr. Wilinkiewicz asked why a town employee had been photographing activity at his property. Michael C. Wood, Town Manager, rejected the allegation and Council President Nancy F. Binns suggested that Mr. Wilinkiewicz contact the Manager with additional inquiries.

09-181 VOTED to open the correspondence from David Rossi regarding his request to discuss alleged Charter violations by Councilor Norman C. Mainville.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees,

Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

Discussion: David Rossi alleged that Councilor Norman C. Mainville violates the Town Charter due to his work at the Harrisville Fire District. Timothy F. Kane, Town Solicitor, explained that the Harrisville Fire District, with its legislative Charter, is a totally distinct entity from the Town. Mr. Kane ruled that there is no charter violation.

Councilor Norman C. Mainville commented on his actions through the years to ensure that he was in compliance with the Charter and with the Rhode Island Code of Ethics. Councilor Mainville took exception to the allegations.

David Rossi renewed his statement. Kevin Blais of Tarkiln Road echoed Mr. Rossi's statements.

VOTED to move on.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

Mr. Blais continued to address the Town Council. Council President Nancy F. Binns called Mr. Blais to order.

9. Town Clerk/Communication:

09-182 VOTED to receive and file the correspondence from the Department of Justice regarding the approval of the Police Department application for funding under FY09 Recovery Act Edward Byrne Memorial Justice Assistance Grant Program Local Solicitation in the amount of \$20,464.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

09-183 VOTED to receive and file the Legislative tracking report of the various bills upon which the Burrillville Town Council has taken a position, with thanks to the Clerk for keeping the Council posted.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

09-184 VOTED to receive and file the correspondence from Dale S. Holberton, CMC, Town Clerk of the Town of South Kingstown, regarding the South Kingstown Town Council's action relative to Burrillville Town Council resolutions.

Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

09-185 VOTED to receive and file the correspondence from Rhode Island Department of Environmental Management regarding the Burrillville Waste Water Treatment Facility Compliance Evaluation Inspection, March 2009.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

10. Additional New Business:

09-186 VOTED to grant the request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open

Meeting Law [§42-46-5(a)(2)] to consider and discuss collective bargaining agreements between the Town of Burrillville and the Fraternal Order of Police Burrillville and the Town of Burrillville and Rhode Island Council 94, Local 186.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

There was a recess before executive session.

The Town Council returned to open session at 9:05 P.M.

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

Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

Additional Unfinished Business:

09-149 Consider and act on ratification of a collective bargaining agreement between the Town of Burrillville and Rhode Island Council 94, Local 186.

VOTED to ratify the contract with Council 94, and to authorize the Town Council President to sign it; and to include the financial analysis.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

11. VOTED to adjourn at 9:07 P.M.

Motion by Councilor Margaret L. Dudley Norman C. Mainville*. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn, Jr. and Norman C. Mainville.

***amended 6/24/2009**

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

Louise R. Phaneuf, Town Clerk