

REGULAR MEETING of the Burrillville Town Council held Wednesday, July 22, 2009 at 7:10 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, John M. Karmozyn Jr. and Norman C. Mainville.

MEMBERS ABSENT: Councilor Kevin D. Heitke was excused.

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 June 24, 2009 and dispense with the reading of said minutes.

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

3. Public Comment:

Don Howe of Jackson Schoolhouse Road requested clarification on

Councilor Wallace F. Lees ability to vote relative to a proposed Senior Center. Councilor Lees explained the Ethics Commission advisory opinion that allowed him to vote although he is a member of the Senior Citizens' Association, but prohibited him from voting when he was an officer of the Association. The matter of a special election relative to a Senior Center was discussed. Based upon economic arguments, Mr. Howe opposed construction of a Senior Center.

4. General Good and Welfare of the Town of Burrillville

Councilor Margaret L. Dudley announced a concert by Slippery Sneakers on July 25, 2009 at 6:00 P.M. at the Library sponsored by Riverwalk Times.

Councilor Norman C. Mainville discussed the 65th birthday of Smokey the Bear and announced a celebratory event scheduled for August 9, 2009 in Uxbridge, MA.

Council President Nancy F. Binns extended condolences to Mark Brizard of the Budget Board, Callahan School Renovation Committee and Redevelopment Agency on the loss of his brother.

5. Petitions: None

6. Special Business:

09-203 VOTED to table a proclamation honoring Sergeant Angela M. Jalette upon her retirement.

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

09-204 VOTED to grant the request of Councilor Norman C. Mainville that the Town Council recognize Officers Brian Pitts, Jason Cahill and Jason Eddy at a future Town Council meeting.

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

09-205 VOTED to grant the request of Councilor Norman C. Mainville that the Town Council recognize Officer David Beauchemin at a future Town Council meeting.

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

09-206 VOTED to grant an annual victualing license to the Burrillville Youth Football and Cheer to apply at Hauser Field, Howard Avenue, Pascoag (Map 157, Lot 078) on property owned by the Town of Burrillville.

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

7. Unfinished Business:

09-051 VOTED to open the correspondence from the Council President Nancy F. Binns regarding her recommendations relative to the rubbish and recycling committee.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M.

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

VOTED to rescind the June 24, 2009 vote that established a rubbish and recycling committee.

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

VOTED to establish a rubbish and recycling committee of five voting members, to consist of three members of the public, the Town Manager or his designee, and the Director of Public Works or his designee; and that two members of the Town Council serve in a non-voting, ex officio capacity; that Robin Volpini, Donald Fox and Coleen Joubert be appointed as members of the public; and that Councilors John M. Karmozyn, Jr. and Wallace F. Lees be appointed in a non-voting, ex officio capacity.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor

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

09-176 VOTED to approve a resolution related to a special election relative to a town senior center, as follows:

The Burrillville Town Council

Resolution

WHEREAS, the 2008 session of the Rhode Island General Assembly enacted Legislation, authorizing the Town of Burrillville to finance the planning, professional services, construction, equipping and furnishing of a Town Senior Center and to issue not more than \$4,000,000 bonds therefor; and

WHEREAS, the legislation is subject to the approval of the electors of the Town of Burrillville at an election to be held on a date to be determined by the Town Council, such date to be not later than December 30, 2010.

NOW, THEREFORE, the Burrillville Town Council requests the Secretary of State to submit the following question to the electors of the Town of Burrillville at a Special Election to be held on September

15, 2009:

“Shall an act, passed at the 2008 session of the general assembly entitled, ‘An Act Authorizing The Town of Burrillville To Finance the Planning, Professional Services, Construction, Equipping and Furnishing of a Town Senior Center and to issue not more than \$4,000,000 bonds therefor’ be approved?”

Passed as a resolution of the Burrillville Town Council this 22nd day of July 2009.

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

Discussion: Councilor Margaret L. Dudley proposed including the question at the next general election to be held in November 2010 as a cost-saving measure.

The motion carried, four in favor, two opposed, one excused. 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 and Margaret L. Dudley. Councilor Kevin D. Heitke was excused.

Jacqueline Zahn of Pascoag asked whether the resolution included the language to be included on the ballot, whether a location would

be indentified, and whether a public hearing would be held before the special election. There was discussion that the resolution contained the language of the question, that no specific location had been included, and that a public informational session would be scheduled when the cost analysis was complete.

8. New Business:

Council President Nancy F. Binns announced that item #09-209 would be taken up at this point on the agenda.

09-209 VOTED to open the request from the Rhode Island Blood Center to make a presentation to the Town Council and to adopt a proclamation recognizing the Blood Center.

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

Cory Robinson, account manager for the Rhode Island Blood Center discussed the 30 years of work at the Rhode Island Blood Center, outlined the contributions of Burrillville residents, highlighted the Burrillville High School Blood Drives and acknowledged the

successful efforts of Richard Peck and Kevin Stockwell. Mr. Robinson announced the Pascoag Fire Department's goal of 100 donations at their August 25, 2009 blood drive. Mr. Robinson presented Town Council President Nancy F. Binns with a plaque of appreciation. In turn, President Binns presented Mr. Robinson a proclamation, as follows:

**BURRILLVILLE TOWN COUNCIL
PROCLAMATION**

WHEREAS, The Rhode Island Blood Center was founded on May 1, 1979 by the hospitals in Rhode Island to find a more efficient way of collecting, testing and distributing blood products; and

WHEREAS, The first permanent facility was established on May 1, 1979 at University Heights in Providence; followed by the South County Donor Center in 1999, the Aquidneck Island Center in 1993, the Warwick Donor Center in 2000, and the Woonsocket Donor Center in 2005; and

WHEREAS, The Blood Center moved its facility to the current location on Promenade Street, Providence in 1985; and

WHEREAS, First Bloodmobile was purchased in 1995; and

WHEREAS, Since opening in 1979 the total number of donations at all locations equals 2,075,312, more than twice the population of Rhode Island; and

WHEREAS, Since opening in 1979, the total number of donations in the Town of Burrillville equals 16,096. Last year the total number of

donations in the Town of Burrillville was 1,219.

NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville on this 22ND day of July 2009, do hereby honor and express our deepest gratitude to the Rhode Island Blood Center for thirty years of dedication to the health and wellbeing of the residents of our local community and the State of Rhode Island.

VOTED to adopt.

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

09-207 Correspondence from Kevin M. Blais regarding his request for compensation, and related correspondence from Michael C. Wood, Town Manager.

VOTED to open and that Mr. Blais letter be read into the record.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The motion carried, five in favor, one recusal, one excused. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn,

**Jr. and Norman C. Mainville. Councilor Robert A. Bishop recused.
Councilor Kevin D. Heitke was excused.**

June 28, 2009

**Mr. John Mainville
Finance Director
Town of Burrillville
105 Harrisville Main St.
Harrisville, R.I. 02830**

Dear John,

Pursuant to our conversation on the evening of June 24, 2009, I brought to your attention the fact that I have not yet received any compensation for services provided as a member of the Burrillville Town Council. You indicated verbally that you would notify the auditors, in an effort to meet the pressing time constraints that they face. You also requested that I memorialize our conversation in writing to serve as a permanent record of request. June 30, 2009 marks 2 ½ years of service without compensation, which represents \$6,800.00 (six thousand eight hundred dollars) that should be considered due and payable at this time. Please feel free to contact me with payment schedule and arrangements.

Sincerely

Kevin M. Blais

MOTION to deny his request.

Motion by Councilor Margaret L. Dudley.

Councilor Norman C. Mainville questioned payments for previous years. Michael C. Wood reviewed the situation and the issue of a request for retroactive compensation. Mr. Wood said that since the three years are closed, only the Town Council could consider the request.

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

09-208 VOTED to open the commendation honoring the Finance Department for receiving the Award for Finance Reporting Achievement.

Motion by Councilor John M. Karmozyn, Jr. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the six members present. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley,

John M. Karmozyn, Jr. and Norman C. Mainville. Councilor Kevin D. Heitke was excused.

Discussion: John P. Mainville, Finance Director and the staff of the Finance Department were congratulated on the Award for Finance Reporting Achievement. Council President Nancy F. Binns commented on the importance of the recognition and extended congratulations on behalf of the Town Council.

VOTED to receive and file the correspondence and extend a commendation to the Finance Department on their achievement.

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

09-209 MOTION to grant the request from the Rhode Island Blood Center to make a presentation to the Town Council; and to adopt a proclamation recognizing the Blood Center; to be considered and acted on.

Note: Item #09-209 was addressed earlier on the agenda.

09-210 VOTED to receive and file, with grateful thanks, the invitation from the Burrillville Gridiron Club relative to the Council/Manager participation in the September 5, 2009 parade.

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

09-211 VOTED to declare surplus certain items, as listed in the correspondence of Richard A. Bernardo, P.E., Director of Public Works & Engineering Services and Edward J. Pienkos, Information Systems Manager.

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

09-212 Recommendations from John P. Mainville, Finance Director, regarding awarding of bids.

1. VOTED to award the bid for a 36,220 lb. GVW Dump Truck with dump body, sander, and plow to Altrui Bros. in the amount of \$96,302.

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

2. VOTED to award the bid for a John Deere 410J Backhoe Loader to Schmidt Equipment in the amount of \$90,995.

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

3. VOTED to award the bid for a Ford Fusion to Stoneham Ford in the amount of \$15,843.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor were Council President Nancy F. Binns and

Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, John M. Karmozyn, Jr. and Norman C. Mainville. Councilor Kevin D. Heitke was excused.

4. VOTED to table awarding the bid for an articulating sidewalk trackless tractor and for three plows.

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

5. VOTED that the bid for ten (10) Panasonic Toughbook CF-30 laptops (base machine plus options) be awarded to the Portable Computer Systems Company for a total of \$38,806.20; the funds to purchase these items would come from the sources outlined in Ed Pienkos' memo; [\$37,979 from grants; \$827.20 from the police budget].

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

Heitke was excused.

6. VOTED to authorize the purchase of up to two (2) additional Panasonic Toughbook CF-30 laptops at the cost of \$3,880.62 each for a total expense not to exceed \$7,800; the funds for this purchase would come from money received from the sale of the eleven (11) existing CF-27 laptops with the remaining balance being supplemented by residual funds from the Police CIP account as needed.

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

7. VOTED to award the bid for Actuarial Services associated with GASB 45 Other Post Employment Benefits (OPEB) to USI Consulting Group for an amount not to exceed \$10,000. The funding for this project will be from capital improvements.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley,

John M. Karmozyn, Jr. and Norman C. Mainville. Councilor Kevin D. Heitke was excused.

09-213 VOTED to refer to the Screening Subcommittee the application from Barbara Schouboe for reappointment to the Redevelopment Agency.

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

09-214 VOTED to receive and file the correspondence from Paul Lavimodiere regarding his resignation from the Conservation Commission, to send him a letter thanking him for his time, and to refer to the Screening Subcommittee.

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

09-215 VOTED to appoint Kevin Mitchell as an alternate member of the Board of Canvassers to replace the open position left by Ms. Zahn when she resigned.

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

09-216 Correspondence from Michelle R. Hardy, CMC, Deputy City Clerk, City of Pawtucket, regarding the Pawtucket City Council's request for support of their resolution requesting Governor Carcieri to hold an educational summit.

VOTED to support.

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

09-217 VOTED to open the correspondence from Michael C. Wood,

Town Manager, regarding a proposed pre-employment agreement for police trainees and police officers.

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

VOTED to adopt a resolution in support of a Pre-Employment Agreement for Police Trainees and Police Officers.

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

09-218 VOTED to authorize the Clear River Watershed Study by Diprete Engineering and that \$18,500 from the DPW Capital Improvement Budget be used for funding the study.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present.

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

Pending Legislation:

09-219 VOTED to open Senate Bill 2009 – S 1012; an Act Relating to Towns and Cities – General Powers (This act would mandate that every town and city consolidate certain functions by July 1, 2011.)

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

Discussion: There was a discussion of whether the proposed legislation would encroach upon Home Rule rights.

VOTED to table to the next meeting.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor were Council President Nancy F. Binns and

Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley, John M. Karmozyn, Jr. and Norman C. Mainville. Councilor Kevin D. Heitke was excused.

9. Town Clerk/Communication:

09-220 VOTED to receive and file the Supreme Court order, denying the petition for writ of certiorari entered by Kevin Blais (Supreme Court No. 09-112-M.P. Kevin Blais V. Nancy Binns, et al.)

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

09-221 VOTED to receive and file the copy of correspondence from the Rhode Island Department of Environmental Management to the Burrillville Board of Sewer Commissioners regarding the replacement of the Eagle Peak Pump Station.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the six members present. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Robert A. Bishop, Margaret L. Dudley,

John M. Karmozyn, Jr. and Norman C. Mainville. Councilor Kevin D. Heitke was excused.

09-222 VOTED to receive and file the legislative tracking report of the various bills upon which the Burrillville Town Council has taken a position, and to again thank the clerk's office for their diligence.

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

10. VOTED to approve reports #1 through 23, to be received as presented.

- 1. Town Treasurer: Report of June 2009**
- 2. Burrillville Sewer Commission: Report of June 2009 and meetings of June 9, 2009**
- 3. Tax Collector: Report of June 2009**
- 4. Department of Public Works: Report of June 2009**
- 5. Chief of Police: Reports of May and June 2009**
- 6. Office of Building Official: Report of June 2009**
- 7. Animal Control Officer: Report of June 2009**
- 8. Burrillville Housing Authority: Meeting of May 13, 2009**

9. Planning Board/Town Planner: No report
10. Zoning Board of Review: No report
11. Parks and Recreation Department: No report
12. Information Systems Department: Report of July 2009
13. Burrillville Conservation Commission: Meeting of May 12, 2009
14. Ordinance Subcommittee: Meeting of June 11, 2009
15. Redevelopment Agency: No report
16. B-PAC: No report
17. Personnel Board: Meeting of June 9, 2009
18. Screening Subcommittee: No report
19. Budget Board: No report
20. Burrillville School Committee: No report
21. Senior Center Feasibility Study Committee: Meeting of June 3, 2009
22. Emergency Management Agency: Report of July 15, 2009
23. Public Safety Committee: No report

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

11. Additional New Business:

09-223 VOTED to grant requests for executive session from Michael C. Wood, Town Manager and Timothy F. Kane, Town Solicitor, pursuant to Rhode Island Open Meeting Law:

[\$42-46-5(a)(5)] for discussion and consideration related to the acquisition or lease of real property (Assessor's Map 034, Lot 045); and

[\$42-46-5(a)(2)] to consider, discuss and act on three litigation matters: three matters related to notice of claims pursuant to RIGL §45-15-5 and one matter related to C.A. No. 08-6259, Seminole Development V. Zoning Board of Review.

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

There was a recess before executive session.

- The Council returned to open session at 8:40 P.M.**

VOTED to seal the minutes of executive session, noting that three votes had been taken; and that in one vote we voted to deny the claims of James R. Lavallee, Michael Bouchard, and Cassisi II

Landscaping Construction, Inc. and refer their claims to The Trust.

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

VOTED to adjourn at 8:42 P.M.

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

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

Cynthia H. Ketcham, Deputy Town Clerk