

REGULAR MEETING of the Burrillville Town Council to be held Wednesday, October 28, 2009 at 8:28 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, Margaret L. Dudley, Kevin D. Heitke, John M. Karmozyn Jr. and Norman C. Mainville.

MEMBERS ABSENT: Councilor Robert A. Bishop 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 meetings held September 23 and October 14, 2009, the special meeting held October 10, 2009, and the public hearing held October 14, 2009; and dispense with the reading of said minutes.

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

Public Comment:

Kevin Blais of Tarkiln Road asked whether there was some action he should be taking to arrange for interpreter services. Timothy F. Kane, Town Solicitor, noted that the town's position had been spelled out in correspondence to Mr. Blais on three separate occasions and noted that the town's position has not changed.

3. General Good and Welfare of the Town of Burrillville

Councilor Norman C. Mainville noted that Richard A. Bernardo, P.E., Director of Public Works & Engineering Services, would be leaving town service and extended the best wishes of the Town Council.

Councilor Norman C. Mainville congratulated Emergency Management Director Jason Rhodes on being elected President of the RI Association of Emergency Managers.

Councilor Norman C. Mainville said that he had heard that a Senate bill might be introduced in January 2010 that would call for the repeal of all Rhode Island Home Rule Charters. Councilor Mainville spoke of the dire consequences of such action.

Councilor John M. Karmozyn, Jr. discussed Red Ribbon Week activities. Councilor Karmozyn noted that students of the Callahan School would participate in a parade and encouraged those present to meet the students at the town building to receive the Red Ribbon banner.

Councilor John M. Karmozyn, Jr. acknowledged Spirit Week activities at the Burrillville High School, announced Homecoming on Saturday,

October 31, 2009, and congratulated the Burrillville High School football team on their 75 anniversary.

Councilor Margaret L. Dudley announced the Veterans' Day Ceremony scheduled for 11:00 A.M. on November 11, 2009, at The Bridgeway in Pascoag. The ceremony, she said, would be sponsored by the Allied Veterans' Council.

Councilor Margaret L. Dudley announced the Friends of the Library Fall into a Good Book sale, scheduled for Saturday, November 14, 2009 from 10:00 A.M. to 2:00 P.M. A preview sale for members of the association is scheduled for November 13, 2009.

Councilor Margaret L. Dudley reported on activities planned for the Victorian Holiday event in Pascoag, scheduled for November 28, 2009 from 3:00 to 8:30 P.M.

Michael C. Wood, Nancy F. Binns, Kevin D. Heitke and Norman C. Mainville were wished very happy birthdays. John P. Mainville, Finance Director, was wished a very happy birthday.

Council President Nancy F. Binns commented on the excellent work by Richard Bernardo during his tenure with the town and wished him the very best.

Council President Nancy F. Binns extended condolences to the family of Richard Cote of Cooper Hill Road.

4. Petitions: None

5. Special Business:

09-285 VOTED to adopt a proclamation congratulating the Saint Joseph Roman Catholic Church on its 125 year anniversary, as follows:

BURRILLVILLE TOWN COUNCIL

PROCLAMATION

WHEREAS, The original Saint Joseph's Roman Catholic Church located in the Village of Pascoag in the Town of Burrillville was built in 1880, but full parish status was not achieved until 1884 with the arrival of the first pastor, Father Daniel Driscoll. Over the past 125 years, numerous pastors have led the parish, each leaving their own special stamp upon the parish. Included among the pastors are Fathers James Mahon, Bernard Redihan, John Dunn, John Dowling, Joseph Charon, Kevin Harrison, Daniel Holland, William Gallagher, Dennis Fullam, Charles O'Neill, Daniel O'Connell, Thomas Keenan, Paul Laporte and the current pastor of Saint Joseph's Church, Father Clifford Cabral; and

WHEREAS, Saint Joseph's Church has experienced numerous transitions over the past 125 years as well, including a devastating fire in 1919 which burned the original structure to the ground and left parishioners to worship in the renovated church basement until 1932 when the new church was completed. A second fire in 1948 caused extensive but repairable damage and the church was again available for use by the parish after only one year. Further renovations

completed in the 1970's restored the fire damaged steeple and the English Gothic church with the beautiful interior woodwork, stained glass and stations of the cross was again the church so greatly admired by members of the diocese; and

WHEREAS, While each of the pastors who served Saint Joseph's Church brought their own special talents and visions to the parish, perhaps the greatest stand out would be Father Daniel Holland who was associated with Saint Joseph's for thirty-five years. It was Father Holland who was finally able to move forward with plans to build a parish school which opened its doors in September of 1962. Father Holland retired as pastor in 1973 and in 1981, he died after fifty years in the priesthood. In 1993, the parish school which had since become regionalized, was renamed Father Holland Catholic School in his honor; and

WHEREAS, In 1996, Father Clifford Cabral was assigned as pastor to Saint Joseph's Church by Bishop Gelineau. As a native of Tiverton, relocating to Pascoag may not have been an easy adjustment, but over the past thirteen years, he has come to think of his parishioners as family and shares their pride in their church and the spirit of the Village Pascoag as well as the Town of Burrillville; and

WHEREAS, On this day, Saint Joseph's Roman Catholic Church prepares to celebrate 125 years as a parish in the Diocese of Providence, having been served through the years by loyal and dedicated priests and by faithful, hardworking and unselfish parishioners.

NOW THEREFORE BE IT RESOLVED that we, the Town Council of the

Town of Burrillville on this 28th day of October, 2009 do hereby honor Saint Joseph's Church and congratulates the Church and its parishioners on this 125th anniversary of its founding and wishes all current and future parishioners an abundance of successful years to come.

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

09-286 VOTED to adopt a proclamation commending the members of the Senior Center Feasibility Study Committee for their months of dedicated service to the Town.

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

Discussion: Council President Nancy F. Binns commented on the many hours the members of the Study Committee spent developing a

proposal for a Senior Center. Council President Binns recognized Raymond Menard in particular who worked diligently on the design and presentation.

09-287 VOTED to grant a special event entertainment license to the Downtown Pascoag Neighborhood Association (DPNA) for the annual Victorian Holiday to be held at Veterans' Park and The Bridgeway, Pascoag (Assessor's Map 175, Lot 29) on property owned by the Town of Burrillville; and to grant a request from DPNA to waive the \$5.00 license fee.

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

6. Unfinished Business: None

7. New Business:

09-288 Correspondence from Norman C. Mainville, Chair, Screening Subcommittee, regarding the Subcommittee's recommendations.

VOTED to reappoint Matthew Misiaszek to the Burrillville Housing

Authority for a five year term to expire October 31, 2014.

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

VOTED to reappoint David Marcotte to the Recreation Commission for a three year term to expire October 31, 2012.

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

VOTED to reappoint Allan Low to the Recreation Commission for a three year term to expire October 31, 2012.

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, Margaret L. Dudley, Kevin D. Heitke, John

M. Karmozyn, Jr. and Norman C. Mainville. Councilor Robert A. Bishop was excused.

VOTED to reappoint Kurt Schatz to the Recreation Commission for a three year term to expire October 31, 2012.

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

VOTED to reappoint Newton Stevens to the Burrillville Extended Care Board of Directors for a three year term to expire October 31, 2012.

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

09-289 VOTED to refer to the Screening Subcommittee the application of Richelle Wheeler for appointment to the Extended Care Board.

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

09-290 Item Removed

09-291 Proposed amendments to the Revised General Ordinances, Town of Burrillville, Chapter 2 entitled Administration, §2-112(b). Funding of capital projects: for first reading and scheduling of a public hearing.

VOTED to set a public hearing at the call of the Chair.

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

09-292 VOTED to refer to the Ordinance Subcommittee Correspondence from Councilor Kevin D. Heitke regarding Senior Citizen Tax Exemptions.

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

Discussion: Councilor Margaret L. Dudley recused from discussion and action on item #09-292. Councilor Kevin D. Heitke recommended that the Ordinance Subcommittee review the entire section related to tax credits.

8. Town Clerk/Communication:

09-293 VOTED to receive and file the resolutions of the East Providence City Council, the East Greenwich School Committee, the Smithfield School Committee, the Portsmouth Town Council, the Jamestown School Committee and the Westerly Town Council and the Cumberland Town Council opposing binding arbitration for teacher contracts.

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, Margaret L. Dudley, Kevin D. Heitke, John

M. Karmozyn, Jr. and Norman C. Mainville. Councilor Robert A. Bishop was excused.

9. VOTED that reports #1 through 23, to be received as presented.

1. Town Treasurer: Report of September 2009

2. Burrillville Sewer Commission: Report of September 2009 and meetings of August 11 and September 8 and 21, 2009

3. Tax Collector: Report of September 2009

4. Department of Public Works: Report of September 2009

5. Chief of Police: Report of September 2009

6. Office of Building Official: Reports of August and September 2009

7. Animal Control Officer: Report of September 2009

8. Burrillville Housing Authority: Meetings of September 19, 2009

9. Planning Board/Town Planner: No report

10. Zoning Board of Review: No report

11. Parks and Recreation Department: Reports for Summer through October 2009

12. Information Systems Department: Report of October 2009

13. Burrillville Conservation Commission: No report

14. Ordinance Subcommittee: No report

15. Redevelopment Agency: Meeting of August 25, 2009

16. B-PAC: No report

17. Personnel Board: Meeting of August 8, 2009

18. Screening Subcommittee: Meeting of August 17, 2009

19. Budget Board: No report

20. Burrillville School Committee: No report

21. Emergency Management Agency: Reports of September and October 2009

22. Public Safety Committee: No report

23. Charter Review Commission: Meetings of September 21 and October 5, 2009

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

10. Additional New Business:

09-294 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)(5)] for discussion and consideration related to the possible acquisition or disposition of various real properties; and [§42-46-5(a)(2)] to consider, discuss and act on litigation matters: C.A.P.B. No. 06-5198, Town of Burrillville v. Linda Green and Kevin Blais; and [§42-46-5(a)(2)] to consider, discuss and act on pending and potential litigation matters.

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

There was a brief recess before executive session.

The Town Council returned to open session at 10:20 P.M.

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

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

VOTED to adjourn at 10:20 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, Margaret L. Dudley, Kevin D. Heitke, John

M. Karmozyn, Jr. and Norman C. Mainville. Councilor Robert A. Bishop was excused.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk