

**REGULAR MEETING of the Burrillville Town Council held Wednesday, February 24, 2010 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 welcomed members of Boy Scouts of America Troop 1, Pascoag, who led those present in pledging allegiance to the flag.**

**2. VOTED to accept the minutes of the regular meeting held February 10, 2010 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 of the motion were 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.**

**3. Public Comment: None**

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

**Councilor Margaret L. Dudley announced the Friends of the Library Dinner Dance scheduled for March 6, 2010. Tickets are available at the town building and the Jesse M. Smith Memorial Library.**

**Councilor Margaret L. Dudley said that the town was administering examinations to establish an eligibility list for Driver/Laborer/Operators for the town.**

**Councilor Dudley announced the Community Development Block Grant first public hearing scheduled for March 1, 2010 at the community room in the Jesse M. Smith Memorial Library.**

**Councilor Kevin D. Heitke commented on the Ten in Sixty forum held on February 17, 2010, thanking Councilor Wallace F. Lees and Town Manager Michael C. Wood for their participation. Mr. Wood and Councilor Margaret L. Dudley would join the panel for the March 17, 2010 session, he said.**

**Councilor John M. Karmzoyn, Jr. distributed Burrillville High School Feinstein Leadership newsletters, spoke of the fine work by the club, and commended all participants on a job well done.**

**Councilor Robert A. Bishop commended the Harrisville Fire District on their 100th Anniversary.**

**Councilor Robert A. Bishop announced the Pascoag Fire District's Annual Banquet scheduled for March 20, 2010.**

**5. Petitions: None**

**6. Special Business:**

**10-038 VOTED to adopt a resolution recognizing the 100th anniversary of Boy Scouts of America, as follows:**

**Burrillville Town Council Resolution**

**Boy Scouts of America—100th Anniversary**

**WHEREAS, On February 8, 2010, the Boy Scouts of America celebrated 100 years as an organization; and**

**WHEREAS, The Boy Scouts of America "A Year of Celebration, A Century of Making a Difference" began on September 1, 2009 and will end on December 31, 2010; and**

**WHEREAS, For 100 years the Boy Scouts of America has created a strong foundation of leadership, service, and community for America's youth in preparing them to become engaged citizens and leaders; and**

**WHEREAS, The Boy Scouts of America is one of the nation's foremost youth programs for character development and values-based leadership training, and teaches the core values of duty to God and country, personal honor, respect for the beliefs of others, volunteerism, and interdependence with the environment, principles which are conducive to good character, citizenship, and health; and**

**WHEREAS, Through the years, the Town of Burrillville has been privileged to serve as the home of many Boy Scout troops and Cub Scout packs; and**

**WHEREAS, Burrillville's Scouts have demonstrated their dedication to the Scout Oath, growing personally while benefiting the community through many scout activities in general and Eagle projects in particular.**

**NOW THEREFORE BE IT RESOLVED, that we, the Town Council of the Town of Burrillville, hereby recognize the Boy Scouts of America on the 100th anniversary for their positive influence on millions of young men and women across the country.**

**BE IT FURTHER RESOLVED that we, the Town Council of the Town of Burrillville, hereby encourage and support the Boy Scouts of America in conducting their program A Year of Celebration, A Century of Making a Difference.**

**Adopted as a resolution this 24th day of February 2010.**

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

**Discussion: Council President Nancy F. Binns presented the proclamation to members of Troop One, Pascoag, commending them**

for their work and congratulating them on the 100th Anniversary of Boys Scouts of America. Scout Master Stevens noted that Family Fair 2010, scheduled for May 8, 2010, would include recognition of the Boy Scouts' Anniversary.

10-039 VOTED to adopt a resolution recognizing Joseph P. Carroll, one of Rhode Island's Lawyers of the Year for 2009, as follows:

### **Burrillville Town Council**

#### **Proclamation**

**WHEREAS, Joseph P. Carroll was recently honored by the Rhode Island Lawyers Weekly as one of four Lawyers of the Year for 2009, an honor bestowed upon those members of the profession who "stood out from the crowd by winning important decisions, being involved in cases that raise challenging legal issues and otherwise furthering the professional commitment to the rule of law and to justice in the state"; and**

**WHEREAS, Joseph P. Carroll shares the honor of Lawyer of the Year with fellow attorneys John A. McFayden, Child Advocate Jametta Alston and U.S. Attorney Terrance Donnelly. Joseph P. Carroll received this accolade for his efforts in obtaining the post-conviction relief for Timothy J. Brunelle, a case which was brought before the Rhode Island Superior Court; and**

**WHEREAS, Joseph P. Carroll served as Woonsocket City Solicitor from 1998 to 2005 and was appointed interim solicitor in 2009 by the new administration of the City of Woonsocket. Judge Carroll also**

**serves as Municipal Court Judge for the Town of Burrillville, a position he has held since 1999; and**

**WHEREAS, Joseph P. Carroll, a former Burrillville resident who now resides in Woonsocket graduated from Providence College in 1971 and went on to Northeastern University School of Law from which he graduated in 1974. After admittance to the Rhode Island Bar Association in 1975, Judge Carroll worked as a staff attorney for the American Universal Insurance Company in Providence. In 1976, he became an associate and partner in the law firm of Mackatz, Keefer and Kirby and in 1993 he began as sole practitioner specializing in family law, criminal defense and general litigation.**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville on this 24th day of February, 2010 do hereby congratulate Judge Joseph P. Carroll on being named one of Rhode Island's lawyers of the year and wish him great success in all of his future endeavors.**

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

**Discussion: Council President Nancy F. Binns presented the proclamation to Judge Joseph P. Carroll. Judge Carroll thanked the**

**council for recognizing his achievement. Judge Carroll discussed his role as Municipal Court Judge and recognized the court staff's efforts.**

**10-040 VOTED to adopt a resolution recognizing the 100th anniversary of the Harrisville Fire District, as follows:**

**Resolution of**

**The Town of Burrillville Town Council**

**WHEREAS, the Harrisville Fire District was established by an Act of Incorporation by the Rhode Island General Assembly on April 22, 1910; and**

**WHEREAS, the Harrisville Fire District established a fire department for the purpose of providing fire protection to the residents of Harrisville on February 15, 1912; and**

**WHEREAS, the Harrisville Fire District established a water department for the purpose of providing water for firefighting operations and domestic service to residents of Harrisville on May 25, 1936; and**

**WHEREAS, the Town of Burrillville and in particular the District of Harrisville, has been the direct beneficiary of the 100 year tradition; and**

**WHEREAS, it is a celebration of 100 years of dedication that challenges the employees and volunteers of the District to continue to provide excellent services to the townspeople they serve.**

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

**Town of Burrillville hereby recognizes and congratulates the Harrisville Fire District on the event of their 100th anniversary.**

**Passed as a Resolution of the Burrillville Town Council this 24th day of February, 2010.**

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

**Dicussion: Council Vice President Wallace F. Lees will present the proclamation at the upcoming celebration.**

**7. Public Hearings: None**

**8. Unfinished Business:**

**10-006 VOTED to open the correspondence from Kevin Bliss, Owner, Crystal Lake Golf Course, regarding his request for a five-year tax stabilization.**

**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, 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 Sec. 25-42 of the ordinances, which provides authority for a stabilization program and alternatives for implementation if the Town Council saw fit to extend the tax stabilization to Crystal Lake Golf Course. Mr. Bliss described business challenges, advantages that a golf course provides, and discussed the benefits of tax relief. There was discussion of the current revaluation process.**

**VOTED to table.**

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

**9. New Business:**

**10-041 Correspondence from Mark A. St. Pierre regarding his recommendation relative to wind power.**

**MOTION to receive and file.**

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

**Discussion: There was discussion of linking any program to TIGER (Transportation Investment Generating Economic Recovery) grant applications. There was discussion of past studies of wind power, the cost associated with wind power, and the improved potential as technology advances.**

**The vote was unanimous. Voting in favor of the motion were 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.**

**10-042 VOTED to refer to the Town Manager, Colonel Gannon, the Town Engineer, and the Ordinance Subcommittee the correspondence from Joe Casali regarding proposed handicap parking spaces at the intersection of the Bridgeway and Sayles Avenue.**

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

**10-043 VOTED to open the request of the Charter Review Commission to address the Town Council.**

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

**Discussion: Kevin Menard, Vice Chair, Charter Review Commission, indicated that the Commission is nearing completion of their work and requested an extension. Mr. Menard indicated that the Commission planned to present a final package to the Town Council at the second meeting in March.**

**VOTED that the extension be granted.**

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

**10-044 VOTED to refer to the Screening Subcommittee applications for reappointment from: Michele Carboni, Sandra Cooney, and Edmund A. Varin, Jr. (Zoning Board); Richard Dionne (Conservation**

**Commission); Christopher Lacey (Board of Assessment Review); and Michael Lupis and Marc J. Tremblay (Planning Board).**

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

**Consider and act on pending legislation:**

**10-045 VOTED to receive and file the legislative status report (Senate Bill 2010 – S 2120 and House Bill 2010 – H 7251 Relating to Taxation – Proposed amendments to §44-3-30. Burrillville – Property taxation of electricity generating facilities located in the town).**

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

**10-046 VOTED to open discussion of House Bill 2010 – H 7276; An Act Relating to Taxation – Tax Sales**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor**

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

**Councilor Kevin D. Heitke pointed out that the proposed amendments to RIGL §44-9-10 et seq. would not eliminate the so-called Madeline Walker Act. Councilor Heitke said that he tended to support the bill. Councilor Mainville said it was a poor bill because it puts the hardship on the cities and towns. John P. Mainville, Finance Director, opined that the bill purports to help taxpayers but does not.**

**VOTED to notify our legislators that we are opposed to the bill; and to notify the other cities and towns.**

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

**Other pending legislation**

**Woonsocket City Council resolution requiring beneficiary contribution to cost sharing as it relates to public employee**

**healthcare benefits.**

**There was discussion of the significant concessions made by Burrillville municipal employees which more than equal the savings proposed by this resolution.**

**VOTED to receive and file.**

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

**10. Town Clerk/Communication:**

**10-047 VOTED to open the correspondence from The Trust regarding the Town of Burrillville being selected as the recipient for the Loss Prevention Leadership Award for 2009.**

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

**Discussion: John P. Mainville, Finance Director, and administrative staff were commended for the loss prevention efforts and congratulated on receiving the award.**

**VOTED to receive the award, send thanks to The Trust for their recognition, and commend the administration and staff.**

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

**10-048 VOTED to receive and open the Audubon Society of Rhode Island press release: Supreme Mid-Atlantic Corporation Awarded In Business for the Blackstone award.**

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

**Discussion: Councilor Norman C. Mainville reviewed the circumstances of Supreme Mid-Atlantic building on the Douglas Pike site and discussed the benefits to the community. Supreme**

**Mid-Atlantic and the town administration were commended.**

**VOTED to receive and file.**

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

**10-049 VOTED to support the resolution of the Woonsocket City Council relative to their support of certain bills, as listed, and notify our legislative delegation that we support the bills.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous. Voting in favor of the motion were 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.**

**10-050 VOTED to receive and file the correspondence from Senator Jack Reed regarding the Fiscal Year 2010 Consolidated Appropriations Act, which includes \$100,000 for the Burrillville Police Department's Emergency Operations Center Technology project; and to send a letter of thanks.**

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

**Discussion: Lt. Guglietta's efforts in securing funding were acknowledged.**

**AMENDMENT TO MOTION to add sending a letter of commendation to Lt. Guglietta.**

**The vote was unanimous. Voting in favor of the motion were 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.**

**10-051 VOTED to approve a resolution requesting support for legislation establishing a Blue Alert program in the State of Rhode Island, as requested by the Providence City Council.**

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

**11. Additional New Business:**

**10-052 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 between the Town of Burrillville and the Fraternal Order of Police Burrillville.**

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

**The Council returned to open session at 8:21 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 Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were 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.**

**12. VOTED to adjourn at 8:21 P.M.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor**

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

**The meeting was recorded.**

**Louise R. Phaneuf, Town Clerk**