

**REGULAR MEETING of the Burrillville Town Council held Wednesday, November 9, 2011 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 Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson**

**MEMBERS ABSENT: Councilor Wallace F. Lees was excused**

**1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.**

**2. VOTED that the question of accepting the minutes of the regular meetings held October 12, 2011 and October 26, 2011 and the special meetings held October 18, 2011 and October 25, 2011 be continued to a future meeting.**

**Motion by Councilor David J. Place. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**3. Public Comment: None**

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

**Councilor Margaret L. Dudley explained the Jesse M. Smith Memorial Library Food for Fines program, in effect until Saturday, November 12, 2011.**

**Councilor Margaret L. Dudley said that the Friends of the Library planned a book sale for members on November 18, 2011 and for the general public on November 19, 2011. People are welcome to enroll on November 18, 2011.**

**Councilor Margaret L. Dudley announced the Friends of the Library Seasonal Silent Auction scheduled for November 12 through 26, 2011 at the Jesse M. Smith Memorial Library.**

**Councilor Margaret L. Dudley outlined the events scheduled for the 2011 Victorian Holiday sponsored by the Downtown Pascoag Neighborhood Association on November 28, 2011.**

**Councilor Margaret L. Dudley provided details about the Christmas wreaths offered by Berard-Desjarlais American Legion Post 88, in conjunction with “Wreaths Across America”.**

**Councilor Margaret L. Dudley joined the Rhode Island Association of Public Housing Directors in honoring out-going Commissioner**

**Dorothy Karolyshyn who had recently been awarded  
Thomas J. Anton Award.**

**Birthday wishes were extended to Burrillville Resident Selina Bailey  
on her 93rd birthday.**

**Councilor Kevin D. Heitke noted that holiday cards, based on the  
winning design submitted by Adele Karbowski, were available at the  
Town Building and at Lil General in Harrisville.**

**Councilor Kevin D. Heitke reported that Town offices will be closed  
for Veterans' Day on Friday, November 11, 2011. Trash pickup  
scheduled for Friday would be delayed to Saturday.**

**Councilor Edward J. Blanchard announced the Burrillville Coalition  
for Youth fundraising skate night at the Levy rink on Friday,  
November 11, 2011 9:30 P.M. to 11:00 P.M. Admission is \$5.00 or  
\$3.00 with the donation of a non-perishable food item. All food  
donations will go to the food pantries of Burrillville.**

**Council President Nancy F. Binns commented on the Veteran's Day  
Ceremony, to be conducted by the Burrillville Allied Veterans Council,  
which includes American Legion Posts 17 and 88, and VFW Post  
1023, at 11:00 A.M. at the Veterans' Park on the Bridgeway in  
Pascoag.**

**Town Manager Michael C. Wood said that the Berard-Desjarlais Post 88 is accepting applications for memorial bricks to be placed at the walkway in Veterans' Park, Bridgeway, Pascoag.**

**5. Petitions: None**

**6. Special Business:**

**11-282 The Rhody Award for Historic Preservation presented to the Town of Burrillville by Preserve Rhode Island and the Rhode Island Historical Preservation & Heritage Commission for the Stillwater Mill Project.**

**Discussion: Council President Nancy F. Binns commented on the award, noting it would be displayed in the Town Building.**

**11-283 Recognition of Edwin R. Pacheco on the occasion of his 30th birthday.**

**VOTED to issue the proclamation and wish Mr. Pacheco a Happy 30th Birthday.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard. The motion carried, four in favor, two opposed, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L.**

**Dudley and Kevin D. Heitke. Councilors David J. Place and Stephen N. Rawson voted in opposition. Councilor Wallace F. Lees was excused.**

**11-284 VOTED to ratify of a proclamation honoring Andrew Nadeau on his elevation to Eagle Scout, as follows:**

## **Burrillville Town Council**

### **Proclamation**

**Whereas, Andrew G. Nadeau is being honored for his achievements in Scouting after having attained the level of Eagle Scout; and**

**Whereas, Andrew lives with both parents and his older brother Eric; and**

**Whereas, Andrew is currently attending Community College of Rhode Island and plans to pursue a career in occupational therapy, and**

**Whereas, Andrew has been in scouting since age six. He has attended Camp Yawgoog for each Summer of seven years as a Boy Scout as well as attending the 2010 National Boy Scout Jamboree; and**

**Whereas, during his time as a Scout, Andrew has earned many awards, including: the Arrow of Light Award and the C.O.P.E. Award. His special accomplishment is the White Stag Leadership Program; and**

**Whereas, Andrew G. Nadeau's Eagle Scout project was to create 100 shower kits for the homeless shelter for men run by Harvest**

**Community Church in Woonsocket, RI. Andrew organized the fundraising needed to purchase supplies for the kits. He managed donations of funds and items made to his project, and organized and supervised the packaging and delivery of the kits. He also lead fellow Scouts in organizing the shelter's storage room of donated clothing; and**

**Whereas, on this day, Andrew G. Nadeau is being elevated to the level of Eagle Scout and the Town Council of the Town of Burrillville joins his family in congratulating him on his achievement.**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville on this 6th day of November 2011 do hereby honor, and commend Andrew G. Nadeau for the successful elevation to the rank of Eagle Scout and all of the accomplishments that entails and wish him well on his advancement through the ranks of the Boy Scouts and in all of his future endeavors.**

**Motion by Councilor David J. Place. Seconded by Councilor Margaret L. Dudley.**

**Discussion: Councilor Kevin D. Heitke, who had presented the proclamation at the ceremony, commented on Andrew Nadeau's accomplishments and extended congratulations.**

**The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors**

**Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**7. Public Hearing: None**

**8. Unfinished Business: None**

**9. New Business:**

**11-285 Correspondence from Aaron Coutu regarding his resignation from the Juvenile Hearing Board and the Jesse M. Smith Memorial Library Board of Trustees.**

**VOTED to accept with regret, to send a letter of thanks, to refer the two vacancies to the Screening Subcommittee and to wish Mr. Coutu good luck on the School Committee.**

**Motion by Councilor David J. Place. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**11-286 Correspondence from John P. Mainville, Finance Director,**

**regarding his recommendations related to annual audit transfers and CIP Carryover.**

**MOTION to table to a future meeting.**

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

**Discussion: The recommendation to continue was made to allow for full Town Council participation in the discussion.**

**Councilor Kevin D. Heitke withdrew his motion.**

**VOTED That the Town Council authorizes the attached listing of increases/decreases in Budget Appropriations for the respective municipal departments which total \$75,300.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**VOTED That the Town Council authorizes the appropriation of available Capital Improvement Appropriations from fiscal year ending**

**June 30, 2011 in the amount of \$2,003,099 to the current fiscal year ending June 30, 2012.**

**NOTE: This recommendation requires the affirmative votes of at least six (6) members of the Town Council because this technically involves the appropriation of funding from the Unreserved, Undesignated Fund Balance.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**11-287 VOTED to open the correspondence from Thomas J. Kravitz, Town Planner and Economic Development Coordinator, regarding a resolution in support of the RIDEM Recreation Grant.**

**Motion by Councilor Kevin D. Heitke. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**Discussion: Thomas J. Kravitz, Town Planner and Economic Development Coordinator, summarized the process of developing this recommendation. Mr. Kravitz explained the matching funds component of Recreation Grants. Cheri R. Hall, Director of Parks & Recreation, expanded upon the benefits of the proposed parcel acquisition. The Town's ability to afford the match was reviewed. There was discussion that this action would authorize the grant application but that acquiring property would require future Town Council action. The value of the parcel was discussed.**

**VOTED to support a resolution in support of the Rhode Island DEM Recreation grant; and that we authorize the President to sign the grant application. The resolution reads as follows:**

#### **Burrillville Town Council Resolution**

#### **In Support of RI DEM Recreation Acquisition & Development Grants Application**

#### **Be It Hereby Resolved:**

**The Town Council of the Town of Burrillville hereby supports an application for a State of Rhode Island Recreation Acquisition and Development Grant, and authorizes Council President Nancy F. Binns to sign and submit the application.**

**The projects to be funded are:**

**Small Grant Skateboard Park**

**Harrisville, RI \$75,000**

**(requires 50% match - \$37,500)**

**Large Grant Parcel acquisition -**

**Acquisition of vacant land adjacent to the Spring Lake Beach  
Recreational Facility \$100,000**

**(requires 50% match - \$100,000)**

**Adopted this 9th day of November 2011**

**Motion by Councilors Edward J. Blanchard and Margaret L. Dudley.  
Seconded by Councilor Kevin D. Heitke. The motion carried, five in  
favor, one opposed, one excused. Voting in favor of the motion were  
Council President Nancy F. Binns and Councilors Edward J.  
Blanchard, Margaret L. Dudley, Kevin D. Heitke and Stephen N.  
Rawson. Councilor David J. Place voted in opposition. Councilor  
Wallace F. Lees was excused.**

**11-288 VOTED to open the correspondence from Thomas J. Kravitz,  
Town Planner and Economic Development Coordinator, regarding the  
CDBG Grant and Mohegan Water Association.**

**Motion by Councilor Kevin D. Heitke. Seconded by Councilor Edward  
J. Blanchard. The vote was unanimous by the six members present.  
Voting in favor of the motion were Council President Nancy F. Binns**

and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

**Discussion:** Thomas J. Kravitz, Town Planner and Economic Development Coordinator, updated the Town Council on the Mohegan Water District situation. Mr. Kravitz reviewed the schedule of installation of wells and the payment schedule for State reimbursement. Mr. Kravitz asked the Town Council to consider authorizing him to pay Richardson Well Drilling Co. an amount not to exceed \$64,500 for the well drilling contract, which would be reimbursed with CDBG funds. The payment and repayment process was reviewed.

**VOTED** to authorize Tom Kravitz on behalf of Planning to pay Richardson up-front utilizing town funds that will be reimbursed with CDBG funds; this amount would not exceed that of the well drilling contract, which is \$64,500.

**Motion** by Councilor Kevin D. Heitke. **Seconded** by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

**Michael C. Wood, Town Manager, acknowledged the foresight of the Town Council and the diligent work of Mr. Kravitz in resolving this serious situation on behalf of residents.**

**11-289 VOTED to open the correspondence from Councilor David J. Place regarding his request for discussion relating to codifying the ratification process of any School Department contracts.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**Discussion: Councilor David J. Place voiced concern at the process by which the ratification of the Teachers' Agreement had been brought before the Town Council and suggested that the process should be clarified and adopted. Councilor Place recommended that the opinion of the Solicitor be sought for the best method of codifying the process. The matter was discussed.**

**VOTED to refer this issue to the Ordinance Subcommittee for consideration in conjunction with the Solicitor and the Administration.**

**Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**10. Town Clerk/Communication:**

**11-290 Correspondence from Council President Nancy F. Binns regarding the second November meeting.**

**Council President Nancy F. Binns reported that any regular business to be considered during the fourth week of November would be included on the agenda for the special meeting previously scheduled for November 22, 2011 at 10:00 A.M.**

**VOTED that the regular meeting of the Council be a part of the November 22nd 10:00 A.M. meeting for the annual licensing matters.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Kevin D. Heitke. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**11-291 Correspondence from Council President Nancy F. Binns regarding her recommendation to amend the Burrillville Town Council rules by moving the agenda deadline.**

**Discussion: Council President Nancy F. Binns commented on the rationale for her recommendation the Burrillville Town Council Rules be amended by replacing paragraph D. of Rule 6 – Agenda, with the following:**

**D. Any request for an item to be placed on the agenda must be submitted to the Town Clerk no later than 4:00 p.m. on the Thursday before a Wednesday meeting. Items for consideration by the Council should include name, address and telephone number of the person (or contact person(s) for a group asking) to be included on the agenda and should be accompanied by supporting documentation for review by the Councilors prior to the meeting whenever possible.**

**VOTED to change the agenda date back to the original agenda forum.**

**Motion by Councilor Stephen N. Rawson. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**11-292 Correspondence from Louise R. Phaneuf, Town Clerk, regarding the resignation of Alice Lavigne from the Burrillville Board of Canvassers.**

**VOTED receive with regret, send a letter of thanks, and request that the Town Council President find us a replacement as soon as possible.**

**Motion by Councilor Stephen N. Rawson. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**Discussion: Council President Nancy F. Binns and Town Manager Michael C. Wood spoke of Ms. Lavigne's many years of dedicated service and extended sincere thanks for her support to the Board of Canvassers, Recreation Department and the Administration.**

**11-293 VOTED to support resolutions supporting pension reform from the East Greenwich Town Council, Exeter-West Greenwich School Committee, Lincoln Town Council, North Smithfield School Committee, Smithfield School Committee, South Kingstown School Committee and the Westerly Town Council, and to send a letter to our**

**legislative delegation indicating such.**

**Motion by Councilor David J. Place. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**11-294 VOTED to support the resolution supporting repealing the tax on tours from the Jamestown Town Council and to send a letter to our legislative delegation indicating so.**

**Motion by Councilor David J. Place. Seconded by Councilor Margaret L. Dudley. The motion carried, five in favor, one opposed, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Edward J. Blanchard voted in opposition. Councilor Wallace F. Lees was excused.**

#### **11. Additional New Business:**

**11-295 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 relative to disposition of real property at Commerce Park – Daniele, Inc.**

**Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**The Town Council returned to open session at 8:54 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 Kevin D. Heitke. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**12. VOTED to adjourn at 8:54 P.M.**

**Motion by Councilor David J. Place. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D.**

**Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**The meeting was recorded.**

**Louise R. Phaneuf, Town Clerk**