

REGULAR MEETING of the Burrillville Town Council to be held Wednesday, March 28, 2012 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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, and Stephen N. Rawson. Councilor David J. Place arrived at 7:14 P.M.

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 March 14, 2012 and dispense with the reading of said minutes.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke and Stephen N. Rawson. Councilor David J. Place was not present at the time the vote was taken.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

Councilor Margaret L. Dudley commented on upcoming events sponsored by the Friends of the Library, including a Coffeehouse on April 20, 2012 and a book sale on April 28, 2012.

Councilor Margaret L. Dudley announced the Allied Veterans Annual Banquet, scheduled for June 21, 2012.

Councilor Margaret L. Dudley reminded dog owners that licenses are due in April of each year. Councilor Dudley also announced the rabies clinic scheduled for April 29, 2012. Council President Binns noted that dog licenses would be available at the clinic.

Councilor Kevin D. Heitke announced the 2012 Easter Egg Hunt scheduled for Saturday, April 7, 2012 at Branch River Park.

Councilor Edward J. Blanchard announced a Relay for Life fundraiser at the Levy Rink on April 7, 2012.

Michael C. Wood, Town Manager, announced that the Family Fair would be held on May 5, 2012.

5. Petitions: None

6. Special Business:

12-077 VOTED to grant an annual arcade license to John Bateman, Spring Lake Arcade, to apply at 52 Old Hillside Drive, Glendale on property owned by the Town of Burrillville.

Motion by Councilor Wallace F. Lees. 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, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke and Stephen N. Rawson. Councilor David J. Place was not present at the time the vote was taken.

12-078 VOTED to grant an annual hawkers & peddlers license to Juliette Lopez d/b/a Anabell's Ice Cream to apply throughout 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 of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke and Stephen N. Rawson. Councilor David J. Place was not present at the time the vote was taken.

12-079 VOTED to grant an annual victualing license to Juliette Lopez d/b/a Anabell's Ice Cream, to apply at Spring Lake Beach on property owned by the Town of Burrillville (Map 93, Lot 41).

Motion by Councilor Wallace F. Lees. 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, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke and Stephen N. Rawson. Councilor David J. Place was not present at the time the vote was taken.

7. Public Hearings:

12-011 Continuation of a public hearing relative to proposed amendments to the Revised General Ordinances of the Town of Burrillville, Chapter 30, Zoning, by adding Article V. Historic stone wall protection and preservation.

NOTES: Notice of the public hearing was duly advertised in the legal section of the Woonsocket Call on January 4, 11 and 18, 2012. Notice of the continuation was advertised in the legal section of the Woonsocket Call on March 14, 2012.

A. Additional Comments, Input and Recommendations

MOTION that we refer this proposed ordinance back to the Ordinance Subcommittee for further work.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor

Kevin D. Heitke.

Note: Councilor David J. Place arrived at 7:14 P.M.

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

B. VOTED to adjourn the public hearing.

Motion by Councilor Kevin D. Heitke. 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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Public Hearings (continued)

12-080 Relative to obtaining citizens' requests and views on proposed Community Development Block Grant activities.

A. Comments/Input/Recommendations from the Administration

Thomas J. Kravitz, Town Planner and Economic Development Coordinator, spelled out the Planning Board recommendation, as

reported in his March 22, 2012 memorandum. A copy of the recommendation is on file with the record of the meeting. There was discussion of the program, including a proposal to add administrative costs to the request and a recommendation to change the priority order recommended by the Planning Board.

MOTION to rate the priority levels as One, Three, Four, Five and Two; and with the modification from \$105,000 to \$115,500.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Stephen N. Rawson.

Discussion: It was confirmed that the intent of the motion was to change the priority order of the projects but that the requested amount for each item would remain as originally recommended.

Note: the revised project priority table is shown below:

Priority Project Title Requested Amount

1 Burrillville Housing Rehabilitation

Loan and Grant Program \$50,000

2 Glendale Water Association – Repair community well 12,000

3 WellOne Health Care Center –

Medical Examination Tables 10,000

4 Community Housing Land Trust of RI 3,000

5 Pascoag Redevelopment District – Mobil Station Property -

Remediation 30,000

Subtotal \$105,000

10% administrative costs 10,500

Total \$115,500

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

B. Public Input: None

C. VOTED to close the public hearing.

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

D. Discussion and action relative to funding requests, setting priorities and adoption of the proposed resolution relative to the CDBG application for 2012-2013.

VOTED to adopt the proposed resolution, changing the amount from the \$105,000 that's listed to \$115,500; and noting also our previous

vote on our rating system of the entities that we're putting in for CDBG funds for them; and noting that we're just changing the priority order, (as follows):

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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Note: The resolution, as adopted, follows:

Burrillville Town Council

Resolution

Whereas, funds are available under the Rhode Island Community Development Block Grant Program, administered by the Department of Administration, Division of Planning, Office of Housing and Community Development; and

Whereas, the Governor of the State of Rhode Island has authorized the Director of said department to disburse such funds; and

Whereas, it is in the interest of the citizens of the Town of Burrillville that application be made to undertake a local Community Development Program.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the

Town of Burrillville that the filing of this application for the amount of \$115,500 to implement the activities proposed herein hereby authorized and that Nancy F. Binns, Town Council President (Chief Executive Officer) is hereby authorized and directed to file this application with the Office of Housing and Community Development, to provide any additional information or documents required by said office, to make any assurances required in connection with this program, to execute an agreement with the State of Rhode Island and to otherwise act as the representative of the Town of Burrillville in all matters relating to this application and any award which may be based upon this application.

Passed as Resolution of the Burrillville Town Council this 28th day of March 2012

E. VOTED to adjourn the public hearing.

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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

8. Unfinished Business: None

9. New Business:

12-081 VOTED to open the correspondence from John P. Mainville, Finance Director and Susan Makar, Tax Assessor, regarding the award of RFP 2012-013 – Revaluation of Town property values.

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

Discussion: Councilor David J. Place inquired as to the deficiencies in the bid received from Appraisal Resource Co. (ARC). John P. Mainville reviewed the recommendation, a copy of which is on file with the record of the meeting.

VOTED that Certified Revaluation Company, Inc. (CRC) be awarded the bid to perform complete revaluation services of all real estate, land, buildings and improvements, including mobile homes and property on leased land, as of December 31, 2012 for the town at a cost of \$262,500.

Motion by Councilor Edward J. Blanchard. 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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke,

David J. Place and Stephen N. Rawson.

VOTED that the Town Council authorizes the appropriation of Unassigned Fund Balance into the current FYE 2012 budget in the amount of \$262,500 to fund the revaluation project.

Motion by Councilor Kevin D. Heitke. 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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-082 VOTED to declare surplus certain items, as listed.

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

12-083 VOTED to open the correspondence from Councilor Margaret L. Dudley regarding her request that the Town Council discuss the feasibility of requesting the gas company to expand its existing service in the Town.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward

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

Discussion: Councilor Dudley commented on the possibility that the gas company would lay pipes for natural gas service at no cost to the town during roadway construction. There was discussion of the benefits of extending natural gas service.

VOTED that we ask the administration to investigate expanding the natural gas service into Burrillville in communication with the gas company.

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

12-084 VOTED to open the correspondence from Michael C. Wood, Town Manager regarding personal days – supervisory staff.

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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

VOTED to modify the town's "Personnel Policies and Employment Terms & Conditions for Department Head/Non-union Administrative Staff" to be amended to read: Personal Leave, "The equivalent of four (4) working days per fiscal year. Personal leave shall not be carried forward and must be utilized within the fiscal year granted. Personal leave has no monetary value and is not payable in cash to the employee." This amendment shall be effective July 1, 2012, and thereafter.

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

12-085 VOTED to award a proclamation honoring Ian W. Goulet on his elevation to the rank of Eagle Scout.

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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-086 Correspondence from Councilor Wallace F. Lees, Chairman, Screening Subcommittee regarding the Subcommittee recommendations.

VOTED to reappoint Charlotte Gabrielson as an alternate member of the Personnel Board for a one year term to expire January 31, 2013.

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

VOTED to appoint Michael Molloy to complete an unexpired term as an alternate member of the Budget Board (term to expire June 30, 2012).

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

VOTED to reappoint Jacqueline Zahn to the Juvenile Hearing Board for a three year term to expire on January 31, 2015.

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

12-087 VOTED to receive with regret the copy of correspondence from Barbara A. Schouboe to James Langlois, Chairman, Redevelopment Agency of Burrillville, regarding her resignation from the Agency, to send a letter of thanks, and to refer to the Chair for appointment.

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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-088 VOTED to refer to the Screening Subcommittee applications for reappointment from:

- A. Christopher Desjardins – Planning Board**
- B. Bruce F. Ferreira – Planning Board**
- C. David Fontaine – Redevelopment Agency of Burrillville**
- D. Ken Johnson – Zoning Board**
- E. Paul A. MacDonald – Personnel Board**
- F. José A. Pedro – Conservation Commission**

G. Mike Scurka – Conservation Commission

H. Edmund Varin – Zoning Board

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

Pending Legislation:

12-089 VOTED to open the correspondence from Council President Nancy F. Binns regarding legislation proposed by Governor Chaffee.

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

Discussion: Council President Nancy F. Binns reported on Governor Lincoln Chafee's request for support of his legislative package, which he intended as municipal reform and relief. Michael C. Wood, commented on the need for reform. Councilor David J. Place inquired about statewide support for the package. Councilor Blanchard suggested that the Town Council would be overstepping their

authority by taking a position. Councilors Dudley, Rawson and Council President Binns generally supported the package as a step in the right direction. Councilor Place suggested that insufficient information was present to support implementation of a school budget model (identified as bill #5 in the Governor's package).

VOTED that the Council support the Governor's package of bills with the exception of bill #5 as referenced in the packet which is requiring the school districts to implement a school budget model approved by the commissioner of education; and that we send a letter to our state Representatives and Senator that urges them to support each of those pieces of legislation.

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

VOTED approval of a resolution similar to the one done by the City of Pawtucket that relates to the actual numbers in Burrillville; and we would send the resolution to all the cities and towns, asking them to support it also; and to our legislative delegation.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor

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

Note: The resolution adopted is as follows:

Burrillville Town Council

Resolution

Whereas, since the beginning of the recession in 2007, cities and towns in Rhode Island have faced an annual challenge in balancing revenue and expenses while continuing to provide basic services; and

Whereas, cuts in state aid to cities and towns have resulted in reduced services accompanied by higher property taxes; and

Whereas, Burrillville has lost state aid totaling over \$5.3 million since 2008. The reduction in State revenue has been in several forms including general revenue sharing, distressed community aid, school operating aid, federal stimulus aid, and motor vehicle tax reimbursements; and

Whereas, to offset these losses, cities and towns have been asking the state for four years to provide them with the tools to make the spending changes they need to help offset the loss of state revenues and to control ever-increasing pension and post employment benefit

costs; and

Whereas, recognizing the predicament of municipalities, Governor Chafee has submitted a package of legislation to help municipalities resolve their financial problems and begin the process of recovery and financial stability; and

Whereas, the package of bills includes:

- Legislation authorizing “highly distressed communities” to eliminate mandates and affect collective bargaining agreements and binding arbitration (H 8006, S 2826);**
- Legislation reducing disability pensions for employees to 50% of their current pay for those who can perform other employment (H 8011, S 2828);**
- Legislation authorizing cities and towns to limit pension benefits for new and non-vested employees in locally administered pensions to the benefits paid to employees in the state administered municipal system (H 8010, S 2824);**
- Legislation authorizing municipalities with a locally administered pension to suspend cost of living adjustments if the pension is less than 60% funded and after certain findings are made (H 8009, S 2825);**
- Legislation requiring that all school districts implement a school budget model approved by the commissioner of education and providing that the department of education shall monitor school spending in at risk districts throughout the year (H 8008, S 2823);**
- Legislation providing that supplemental appropriations for the payment of past annual school department expenditures would not**

be included in a municipality's maintenance of effort requirement (H 8012, S 2829);

• Legislation changing the dates and percentages of payments for foundation level school support and approved expenditures and also for payments of distressed community aid (H8007, S 2827); and

Whereas, the Burrillville Town Council believes that passage of this legislative package is in the best interest of the Town of Burrillville.

Now therefore be it resolved that we, the Town Council of the Town of Burrillville, do hereby support the legislative package submitted by Governor Chafee to assist cities and Towns.

Be it further resolved that the Burrillville Town Council urges our local delegation to the general assembly to work diligently for passage of the Governor's 2012 legislative package.

12-090 Correspondence from John P. Mainville, Finance Director, regarding his recommendation that the Burrillville Town Council:

A. Adopt a proposed resolution of support for OPEB (other post employment benefit) legislation (specifically 2012 S 2036 and S 2038H 7144, H7579).

VOTED to support these bills and to adopt a resolution (as follows) in support, to be sent to our legislative delegation and to all cities and towns.

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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Burrillville Town Council

Resolution Supporting Legislative Amendments

To Protect Rhode Island's Cities and Towns and Their Public Officials/Employees

Whereas, at the regular meeting of the Burrillville Town Council held on March 28, 2012, at 7:00 P.M. in the Town Building, at which time a quorum was present and acting throughout, the Burrillville Town Council discussed various legislative amendments intended to Protect Rhode Island's Cities and Towns and Their Public Officials/Employees

Whereas, the Burrillville Town Council finds that cities, towns, and school departments are in the process of establishing, or have already established, other post employment benefit trusts (OPEB Trusts) for their employees; and

Whereas, the Burrillville Town Council finds that cities, towns, and school departments are solely responsible for all aspects of the administration of plan benefits including, but not limited to, determining plan provisions, obtaining actuarial valuations, making

required contributions, investing assets, and paying benefits to retirees, and that the administrative costs associated with these obligations are extensive; and

Whereas, the Burrillville Town Council finds that the legislative restrictions imposed upon the cities, towns, and school departments requiring them to utilize entities such as banks and trust companies to administer their OPEB Trusts results in significant expense to the cities, towns, and school departments and an inability to pool funds or achieve economies of scale; and

Whereas, a report issued in March 2010 by the Office of the Auditor General regarding pensions and OPEB Trusts found that, “[i]t is likely that the investment return of the pooled trust could exceed the return obtained by a municipality acting individually, particularly for smaller communities that are just beginning to accumulate assets for OPEB.”

Whereas, the Burrillville Town Council finds that corporations established pursuant to chapter 5 of title 45 of the general laws would have the ability to jointly administer OPEB Trusts resulting in significantly decreased administrative expenses and greater investment returns based upon pooling trust funds; and

Whereas, the Burrillville Town Council finds that legislative reform is necessary in order to allow cities, towns, and school departments to utilize corporations established pursuant to chapter 5 of title 45 of the general laws for the administration of their OPEB Trusts; and

Whereas, legislation has been introduced in the House of Representatives and in the Senate that would permit corporations established pursuant to chapter 5 of title 45 of the general laws to

administer OPEB Trusts; and

NOW, THEREFORE, BE IT RESOLVED that we, the Burrillville Town Council respectfully request that the General Assembly support these proposed legislative changes as set forth in the following bills: H 7144, H 7579, S 2036, and S 2038; and

BE IT FURTHER RESOLVED that the Town Clerk of the Town of Burrillville is hereby instructed to submit a copy of this resolution to the Burrillville State Senators and State Representatives in the Rhode Island General Assembly seeking their consideration and support of these legislative proposals.

ADOPTED this 28th day of March, 2012

B. VOTED to open consideration and action on 2012 – S 2142, An Act Relating to Courts and Civil Procedure – Procedure Generally – Tort Liability

Motion by Councilor Edward J. Blanchard. 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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

Discussion: The benefit to municipalities proposed in this legislation

was reviewed. There was discussion of the appropriate mechanism for tort reform and whether municipalities should be treated differently from private businesses.

VOTED to support.

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

12-091 VOTED to receive and file the correspondence from Senator Paul W. Fogarty regarding the Burrillville Town Council's opposition to fees for the use of the municipal police training academy.

Motion by Councilor Edward J. Blanchard. 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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-092 Correspondence from Dr. Frank Pallotta, Superintendent, Burrillville School Department, regarding the School Committee's request for Town Council resolution in support of their resolutions opposing 2012 – H 7520 and 2012 – S 2532 (Contract Continuation),

opposing 2012 – H 7617 and H 7620 (Binding Arbitration) and supporting 2012 – S 2158, H 7272 and H 7863 (Layoff Notification Date); and the request that the Town Council resolutions be forwarded to the RI Association of School Committees

VOTED that, since the Town Council has previously taken action on all these issues, that we send copies of our letters or resolutions regarding these matters to the Rhode Island Association of School Committees and send the Burrillville School Department a copy of what we sent.

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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-093 Correspondence from Senator Bethany L. Moura, Senator, District 19, regarding her request for support of 2012 – S 2371 and 2012 – H 7746, Acts Relating to Property – Mortgage Foreclosure and Sale.

MOTION to receive and file.

Motion by Councilor Edward J. Blanchard. There was no second.

VOTED to support the two bills and to advise our legislative delegation of our support and advise the other cities and towns.

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

12-094 VOTED to support a resolution of the East Greenwich Town Council supporting amendments to RIGL §17-11-1.

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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-095 VOTED to receive and file the resolutions from the Exeter-West Greenwich School Committee, the East Greenwich Town Council and the Lincoln School Committee regarding Binding Arbitration.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the

motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-096 VOTED to receive and file the resolutions from the Exeter-West Greenwich School Committee and the Lincoln School Committee regarding Contract Continuation.

Motion by Councilor Edward J. Blanchard. 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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12-097 VOTED to receive and file resolutions from the Exeter-West Greenwich School Committee, the Smithfield School Committee and South Kingstown School Department regarding Layoff Notification Date.

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

12-098 VOTED to support the resolution of the East Greenwich Town

Council: opposing 2012 – H 7620, 2012 – H 7618, and 2012 - H 7619, Acts Relating to Labor and Labor Relations

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

12-099 VOTED to support resolutions from the Narragansett Town Council regarding their resolutions 1) opposing the expansion of the lodging tax and 2) opposing a two percent increase in the means and beverage tax.

Motion by Councilor Wallace F. Lee. 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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

10. Town Clerk/Communication:

12-100 VOTED to receive and file the correspondence from Jay Manning, P.E., Principal Sanitary Engineer, RI DEM, regarding a Project Priority List Request for Projects – State Fiscal Year 2013.

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

12-101 VOTED to receive and file the correspondence from Alicia M. Good, P.E., Assistant Director, Office of Water Resources, RI DEM, regarding the 2012 Clean Watersheds Needs Survey of Rhode Island.

Motion by Councilor Edward J. Blanchard. 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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

11. VOTED to receive reports #1 – 26

- 1. Town Treasurer: No report**
- 2. Burrillville Sewer Commission: No report**
- 3. Tax Collector: Report of February 2012**
- 4. Department of Public Works: No report**
- 5. Chief of Police: Report of February 2012**
- 6. Office of Building Official: Report of February 2012**
- 7. Animal Control Officer: Report of February 2012**

- 8. Parks and Recreation Department: No report**
- 9. Burrillville Extended Care: Report of February 2012**
- 10. Emergency Management Agency: No report**
- 11. Information Systems Department: No report**
- 12. Burrillville Housing Authority: Meeting of February 8, 2012**
- 13. Planning Board/Town Planner: Meeting of January 9, 2012**
- 14. Recreation Commission: No report**
- 15. Burrillville Conservation Commission: No report**
- 16. Ordinance Subcommittee: Meeting of January 12, 2012**
- 17. Redevelopment Agency: Meeting of January 24, 2012**
- 18. B-PAC: No report**
- 19. Personnel Board: Meeting of January 10, 2012**
- 20. Screening Subcommittee: December 1, 2011**
- 21. Budget Board: No report**
- 22. Burrillville School Committee: Meeting of January 10, 2012**
- 23. Rubbish & Recycling Committee: Meetings of November 28, 2011 and January 23, 2012**
- 24. Cemetery Maintenance Committee: Meeting of February 7, 2012**
- 25. Board of Canvassers: Meeting of February 7, 2012**
- 26. Juvenile Hearing Board: No report**

Motion by Councilor Edward J. Blanchard. 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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

12. Additional New Business:

12-102 VOTED to grant the request for executive session from Council President Nancy F. Binns and Town Manager Michael C. Wood pursuant to Rhode Island Open Meeting Law [§42-46-5(a)(2)] for discussion and consideration relative to collective bargaining: 1) negotiations between the Burrillville School Committee and the Council 94, non-certified school personnel; and 2) negotiations between the Town of Burrillville and FOP Lodge 27

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

The Town Council returned to open session at 8:36 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 Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke,

David J. Place and Stephen N. Rawson.

VOTED to adjourn at 8:38 P.M.

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, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk