

**REGULAR MEETING of the Town Council held Wednesday, November 28, 2012 at 7:25 P.M. in the Council Chamber, Town Building, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.**

**PRESENT: Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson**

**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 October 24, 2012 and dispense with the reading of said minutes.**

**Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**3. Public Comment: None**

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

**Councilor Edward J. Blanchard commended the Downtown Pascoag Neighborhood Association and Pascoag Fire Department-Hose 1, on a successful Victorian Holiday.**

**Councilor David J. Place announced the Father Holland School Holiday Bazaar.**

**Councilor John F. Pacheco III announced the St. Patrick's Holiday Bazaar.**

**Michael C. Wood, Town Manager, commended the Board of Canvassers, Poll Workers and Clerk's Staff on a job well done at the 2012 election.**

**Council President Nancy F. Binns thanked the Clerk's staff for organizing the swearing-in reception.**

**Councilor Wallace F. Lees thanked the Clerk's staff for their work preparing for the public hearing relative to annual licenses.**

**5. Petitions: None**

**6. Special Business:**

**12-263 VOTED to adopt a proclamation honoring Ashton Court resident Cecelia Flynn on her 100th Birthday, as follows:**

**Proclamation**

**WHEREAS, Cecilia Flynn was born in Woonsocket, Rhode Island, on January 12, 1913; and**

**WHEREAS, Cecelia Flynn was educated in North Smithfield and**

**Woonsocket, Rhode Island; and then worked for many years as a seamstress at Art Garment Company making government jackets; and**

**WHEREAS, Cecelia married John T. Flynn, Sr. at St. John's Church in Slatersville, Rhode Island; and has a daughter, Patricia St. Pierre and a son, John T. Flynn, Jr., five grandchildren, 12 great grandchildren and one great great grandchild; and**

**WHEREAS, Cecelia Flynn has been a Burrillville resident for nearly forty years and a resident of Ashton Court for over 30 years; and**

**WHEREAS, Cecelia Flynn is a congregant of St. Patrick's Church, Harrisville; and**

**WHEREAS, Cecelia Flynn is a very caring and gracious person, who consistently achieves her primary goals of being helpful and kind; and**

**WHEREAS, on January 12, 2013, Mrs. Flynn will celebrate her 100th birthday with her family and friends at Ashton Court.**

**NOW, THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville, do hereby extend our warm congratulations to Mrs. Flynn and wish her the very best as she reaches this remarkable milestone. May all her days be filled with pleasure and joy as she celebrates her life with family and friends.**

**Adopted as a resolution this 28th day of November 2012.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor David J.**

**Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

## **7. Public Hearing: Relative to issuance of licenses**

**Notice of the Special Meeting was duly advertised in the legal section of the Woonsocket Call on November 12 and 19, 2012.**

**Discussion: Councilor Stephen N. Rawson commented that some businesses who should have applied for entertainment licenses had not.**

**Alcoholic Beverage Licenses: That the following renewals of Alcoholic Beverage Licenses under the provisions of RIGL §3.7 for the period beginning December 1, 2012 and ending November 30, 2013.**

**Issuance of liquor licenses is subject to:**

- obtaining a Certificate of Good Standing from the State Division of Taxation, and**
- payment of taxes owed to the Town of Burrillville, and**
- establishment being in compliance with all state and local building and fire codes, and**
- receipt of copy of certification from the Rhode Island Department of**

**Health, and proof of alcohol server training, and**

**• certificate of insurance in compliance with §8-28 of the Town ordinances**

**Retail Licenses Class A (Store):**

**MOTION to grant Class A retail liquor licenses and Sunday & Holiday licenses to the following:**

**(1) Champs Discount Liquors, Inc. d/b/a Champs Discount Liquors, Inc.**

**(2) Chums Spirits, Ltd. d/b/a Chums**

**(3) Solution Specialist Installations, Inc. d/b/a Corkscrew Wine & Spirits**

**subject to stipulations listed above.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson.**

**Discussion: The practice of granting licenses with issuance subject to compliance with stipulations was reviewed.**

**Public Comment: None**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J.**

**Place and Stephen N. Rawson.**

**Retail License Class B(Ltd):**

**MOTION to grant Class B Limited retail liquor licenses to the following, subject to the completion of the stipulations**

**(1) P & B Investments, Inc. d/b/a Abby's Country Kitchen**

**(2) Thai Time LLC**

**(3) Monty's Victory Diner**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard.**

**Public Comment: None**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**Retail License Class B (Victualer):**

**Class B (V) retail liquor licenses and annual victualing licenses:**

**(1) AJAR, Inc. d/b/a Western Hotel Pizza and Tavern; and to grant an annual entertainment license**

**(2) Casa Fernandes, Inc. d/b/a/ Casa Fernandes; and to grant a license**

- for two (2) pool tables and an annual entertainment license
- (3) Dev's Café, Inc. d/b/a Dev's Café; and to grant a license for one (1) pool table
- (4) Elite Pizza Restaurant II, LLC
- (5) GCAL, Inc. d/b/a Bella; and renew permission to serve alcoholic beverages on the patio
- (6) James Davidge Inc. d/b/a Spritzers Café; and to grant a license for two (2) pool tables; and to grant an annual entertainment license
- (7) Kevin Bliss d/b/a Crystal Lake Tavern, Inc.; and to grant an annual entertainment license
- (8) Mark Murphy, Inc. d/b/a George's Pizza; and to grant an annual entertainment license
- (9) News Star
- (10) Robert W. & Patricia Allison Gonyea, d/b/a Gonyea's Tavern; and to grant a license for one (1) pool table and an annual entertainment license
- (11) Serios Pizzarama & Restaurant, Inc. d/b/a Serios Pizzarama
- (12) Sweet Tomato Pizza LLC; and to grant an annual entertainment license
- (13) Toti's Inc. d/b/a Toti's Café
- (14) Uncle Ronnie's Fine Catering, Inc. d/b/a Uncle Ronnie's Red Tavern; and to grant an annual entertainment license
- (15) Videtta Golf Management d/b/a Country View Golf Club
- (16) Waterfall Café Inc. d/b/a Waterfall Café
- (17) Wright's Farm Corp. d/b/a Wright's Farm Restaurant; and to grant an annual entertainment license

**Note: The Clerk requested that the Town Council also consider the late application for an entertainment license for GCAL, Inc. d/b/a Bella.**

**MOTION to grant as read with the amendment for Bella to add an additional entertainment license.**

**Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson.**

**Discussion: Councilor Edward J. Blanchard recommended a six-month license for Casa Fernandes to allow them time to meet all stipulations. It was noted that there is no provision in law for a six-month liquor license. The matter was discussed.**

**Public Comment: None**

**Retail License Class D (Full Privilege):**

**MOTION to grant Class D (Full Privilege Club) retail licenses to the following,**

**(1) Addieville East Conservation Club**

**(2) Columbus Club of Burrillville Inc.; and to grant an annual victualing and entertainment license**

**(3) The Townsmen Club; and to grant an annual victualing license;**

**(4) Wallum Lake Rod & Gun Club, Inc. d/b/a Wallum Lake Road & Gun Club, Inc. and to grant an annual victualing license, a license for one (1) pool table and an annual entertainment license subject to all the stipulations.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place.**

**Public Comment: None**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**New Years Eve – Late Closing:**

**VOTED that the Class B (Victualer) and Class D (Full Privilege) liquor licensees are hereby granted permission to remain open until 3:00 A.M. on New Year's Day January 1, 2013 and no intoxicating liquor shall be sold after 2:00 A.M. until the legal opening hours of January 1, 2013 and no dancing shall be permitted after 3:00 A.M. on New Year's morning until the legal opening hour. Licensees who plan to remain open must notify the Chief of Police, Colonel Bernard E. Gannon on or before November 30, 2012.**

**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 and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**License Transfer:**

**MOTION to grant transfer of a license to sell beverages under Title 3, Chapter 5 of the General Laws of Rhode Island 1956, and amendments thereto, be made as follows:**

**FROM: ICEHOUSE TAVERN, INC. d/b/a Tuffy's Sports Bar & Grille, in building owned by Brandon Investments, LLC, 1120 Victory Highway, Oakland (Map 179 Lot 102)**

**TO: ICEHOUSE TAVERN, INC. d/b/a Tuffy's Sports Bar & Grille, in building owned by Brandon Investments, LLC, 1120 Victory Highway, Oakland (Map 179 Lot 102);**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson.**

**Discussion: It was noted that the transfer related to a change in the corporate officers.**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J.**

**Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**Victualing Licenses:**

**Issuance of victualing licenses is subject to:**

- payment of taxes owed to the Town of Burrillville, and**
- establishment being in compliance with all state and local building and fire codes, and**
- receipt of copy of certification from the Rhode Island Department of Health, and**
- certificate of insurance in compliance with RIGL § 5-77-1.**

**MOTION to grant Victualing House Licenses and Holiday licenses to the following, and to grant a pool table license to Icehouse Tavern d/b/a Tuffy's Sports Bar and Grille; subject to stipulation that applicants meet all the requirements noted above, for the period beginning December 1, 2012 and ending November 30, 2013:**

- (1) A Jaysons Place, Inc. d/b/a Ideal Pizza**
- (2) Burrillville Donuts, Inc. d/b/a Dunkin Donuts**
- (3) Butchers Block Meats Ltd. d/b/a Brigido's Fresh Market**
- (4) Flex Gym, LLC**
- (5) Fun in the Sun Entertainment Center, Inc. d/b/a Mr. Doughboy**
- (6) Icehouse Tavern d/b/a Tuffy's Sports Bar and Grille**
- (7) JJS Sandwiches, Inc. d/b/a Subway**
- (8) Kaleva, Inc. d/b/a Li'l General**

**(9) Likovrisi Corp. d/b/a Niko's Pizza House**

**(10) MLC Enterprises, LLC d/b/a New England Farms of RI**

**(11) Ohm Ganesh, Inc. d/b/a Country Farms**

**(12) Pascoag Donuts, Inc. d/b/a Dunkin Donuts**

**(13) Prash, LLC d/b/a Country Farms**

**(14) Rhode Island CVS Pharmacy LLC d/b/a CVS/Pharmacy #1075**

**(15) T & K Corporation d/b/a Olympia Famous Pizza**

**and a holiday license to:**

**(1) Thomas J. Staples Jr. d/b/a Bobby's Bait & Tackle Box**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard.**

**Public Comment: None**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**Firearms License:**

**VOTED to grant the renewal of firearms license for Paula Gaebe d/b/a Addieville East Farm to apply at 200 Pheasant Drive (Map 198, Lot 14).**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors**

**Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**Rubbish:**

**VOTED to grant the renewal of rubbish licenses for the following in accordance with and subject to the provisions of Chapter 8, Article 5 of the Ordinances of the Town of Burrillville entitled Transporting Garbage or Rubbish, for a period of one year commencing January 1, 2013 and ending December 31, 2013, as follow, subject to all stipulations being completed:**

**(1) John Porter d/b/a Allied Waste Services, 1080 Airport Road, Fall River, MA 02720**

**(2) Waste Management of RI, 1610 Pontiac Avenue, Cranston, RI 02920**

**(3) Waste Haulers LLC, 1 Starline Way, Cranston, RI 02921**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place.**

**Public Comment: None**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

## **Junk Collection/Junk Yard:**

**VOTED to grant the renewal of an annual Junk Collection License and a Junk Yard License from Rhode Island Auto Recycling, Inc. to apply at 1134 South Main St (Map 265, Lots 005 and 006), subject to all stipulations required.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place.**

**Public Comment: None**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**VOTED to adjourn the public hearing**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John F. Pacheco III. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**8. Unfinished Business:**

**12-221 VOTED to award the bid for one Ford Police Interceptor to Imperial Municipal Partners in the amount of \$29,995.**

**Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson.**

**Amendment: To take funds from police detail receipts.**

**Amendment by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote on the motion, as amended, was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

## **9. New Business:**

**12-264 VOTED to open the application from Arthur S. Russo, Jr., Esq., of Hobson & Coutu, representing Landcraft Corporation, for adoption of a Zoning amendment for large-scale ground-mounted solar photovoltaic installations.**

**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 and Councilors Wallace F.**

**Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**Discussion: Timothy F. Kane, Town Solicitor, reviewed provisions of RIGL Title -24, Zoning Ordinances, §45-24-53 Adoption – Notice and hearing requirements and Chapter 30, Zoning, §30-35. – Amendments of the Revised General Ordinances, Town of Burrillville, Rhode Island, 2004. Arthur S. Russo, Jr. summarized the reason for the application.**

**Councilor Stephen N. Rawson noted that the Planning Board might require additional time for study and recommendation. Timothy F. Kane, Town Solicitor, suggested that if the applicant did not object, the timeframe for public hearing could be extended. Mr. Russo indicated that the applicant did not object.**

**VOTED to schedule a public hearing for February 13, 2013.**

**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 and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**12-265 Correspondence from Mark S. Brizard regarding his resignation from the Burrillville Budget Board and the Burrillville Redevelopment Agency.**

**VOTED to receive the resignation with regret and refer it to the Screening Subcommittee.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place.**

**Discussion: Council President Nancy F. Binns thanked Mr. Brizard for his time and effort on the Budget Board and Redevelopment Agency.**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**12-266 Correspondence from Evelyn M. Levesque regarding her resignation from the Board of Canvassers.**

**VOTED to receive the resignation with regret.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place.**

**Discussion: The Town Clerk commented on the long, effective service of Evelyn Levesque on the Board of Canvassers.**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J.**

**Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**12-267 VOTED to refer to the Screening Subcommittee the application of Aaron J. Coutu for appointment to a Board or Commission.**

**Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**12-268 VOTED to refer to the Screening Subcommittee the application of Tammy Harrigan for appointment to the Burrillville Extended Care Division Board of Directors.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**10. Town Clerk/Communication:**

**12-269 VOTED to receive and file the correspondence from Steven W. Pristawa, P.E. regarding the Town Council's request for a four-way**

**stop control or traffic signal at the intersection of East Avenue (Route 107) and Harrisville Main Street.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John F. Pacheco III. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**11. VOTED that reports #1 – 26 to be received, as follows:**

- 1. Town Treasurer: No report**
- 2. Burrillville Sewer Commission: Report of October 2012 and Meeting of October 9, 2012**
- 3. Tax Collector: Report of October 2012**
- 4. Department of Public Works: Report of October 2012**
- 5. Chief of Police: Report of October 2012**
- 6. Office of Building Official: Report of October 2012**
- 7. Animal Control Officer: Report of October 2012**
- 8. Parks and Recreation Department: No report**
- 9. Burrillville Extended Care: Report of October 2012**
- 10. Emergency Management Agency: No report**
- 11. Information Systems Department: Report of November 2012**
- 12. Burrillville Housing Authority: Meeting of October 10, 2012**
- 13. Planning Board/Town Planner: Meeting of October 1, 2012**
- 14. Recreation Commission: No report**

- 15. Burrillville Conservation Commission: Meeting of September 11, 2012**
- 16. Ordinance Subcommittee: No report**
- 17. Redevelopment Agency: Meetings of September 18 & 25, 2012**
- 18. B-PAC: No report**
- 19. Personnel Board: Meetings of October 9 & 30, 2012**
- 20. Screening Subcommittee: No report**
- 21. Budget Board: No report**
- 22. Burrillville School Committee: Meeting of October 9, 2012**
- 23. Rubbish & Recycling Committee: Meeting of August 23, 2012**
- 24. Cemetery Maintenance Committee: No report**
- 25. Board of Canvassers: No report**
- 26. Juvenile Hearing Board: No report**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place.**

**Discussion: A question was raised about the number of “no report” entries. The administration would research and give an account.**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**12. Additional New Business: None**

**13. VOTED to adjourn at 8:15 P.M.**

**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 and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.**

**The meeting was recorded.**

**Louise R. Phaneuf, Town Clerk**