

**REGULAR MEETING of the Town Council held Wednesday, February 13, 2013 at 7:00 P.M. in Council Chambers, 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 January 23, 2013 and dispense with the reading of said minutes.**

**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.**

**3. Public Comment**

**Ronald A. Pennington of Colwell Road addressed the Town Council about item #13-036 regarding the Nasonville district taxpayers**

**request that the Town hire a company to conduct an independent feasibility study of the present fire and rescue services. Mr. Pennington spoke of the intensity of and reasons for the request.**

**Robert Hulton, Eagle Peak Road, addressed the Town Council about item #13-032 regarding his request for revisions to the Open Fires ordinance, Chapter 14 Section 14-1.**

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

**Councilor John Pacheco commented on the High School Band trip to Disney during February vacation.**

**Councilor Edward J. Blanchard announced the 2013 Relay for Life kickoff event held February 13, 2013.**

**Councilor David J. Place announced the Burrillville Gridiron Club Wine Tasting scheduled for March 8, 2013.**

**Councilor David J. Place announced that Nasonville Fire District would conduct CPR training on March 4, 2013.**

**Councilor Kimberly Brissette Brown commented on many events to be held at the Jesse M. Smith Library.**

**Council President Nancy F. Binns commended the police department,**

**public works employees, the Pascoag Utility District and National Grid for a job well done during the recent snow storm. Michael C. Wood, Town Manager, added his thanks to emergency personnel and all residents for their cooperation.**

**4. Petitions: None**

**5. Special Business:**

**13-029 Application for an annual victualing license and holiday license for J & S Business Investments, LLC d/b/a Neighborhood Dollar Groceries at 1452 Broncos Highway (Map 145 Lot 14).**

**VOTED to grant, subject to the applicant meeting all requirements.**

**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.**

**6. Public Hearing: None**

**7. Unfinished Business:**

**12-220 VOTED to open the correspondence from Dr. Frank Pallotta regarding his funding request related to curriculum writing and**

**professional development.**

**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.**

**Discussion: Dr. Frank Pallotta, Superintendent of Schools, reviewed the request for \$50,000 to complete the three-year curriculum writing and professional development project. Members of the Council posed questions related to the School Department's plans for their surplus funds. Various financial matters were discussed.**

**VOTED that the School Department will continue spending the available funding that they have for curriculum development; no later than two to three months from now, the Superintendent will come back to the Council with an exact figure for what is required to finish the curriculum development; the motion being that at that time the Council will consider recompensing the School Department for the exact figure.**

**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.**

**8. New Business:**

**13-030 VOTED to open the correspondence from John P. Mainville, Finance Director regarding the annual town audit and Comprehensive Annual Financial Report for fiscal year ending June 30, 2012.**

**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.**

**Discussion: Donna T. Caccia of Cayer Caccia LLP summarized the reports presented to the Town Council in association with the audit. A copy of all documents is on file with the record of the meeting.**

**Note: Councilor David J. Place left Council chambers.**

**13-031 Recommendation by John P. Mainville, Finance Director that the following reserve funds be increased via a transfer from the Town's unassigned general fund balance:**

**Debt Reduction \$400,000**

**OPEB [Other Post Employment Benefits] 55,000**

**Unfunded Liability**

**150,000**

**Total \$605,000**

**NOTE: The transfer of these funds requires the affirmative vote of six (6) Council members due to the appropriation of funds from the unreserved undesignated general fund balance [Town Charter 3.14 (j)].**

**VOTED that the following reserve funds be increased via a transfer from the town's unassigned general fund balance:**

**Debt Reduction \$400,000**

**OPEB [Other Post Employment Benefits] 55,000**

**Unfunded Liability**

**150,000**

**Total \$605,000**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Kimberly Brissette Brown.**

**Discussion: Michael C. Wood, Town Manager, explained the purpose of the transfer.**

**Note: Councilor David J. Place returned to Council Chambers.**

**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.**

**13-032 Correspondence from Councilor Kimberly Brissette Brown regarding a resident's request for revisions to the Open Fires ordinance, Chapter 14 Section 14-1.**

**VOTED to refer to the Ordinance Subcommittee.**

**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.**

**13-033 VOTED to open the recommendation from the Burrillville Planning Board regarding the acceptance of Oakland Avenue, Oakland into the Town's roadway system.**

**Motion by Councilor Stephen N. Rawson. 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.**

**VOTED to accept Oakland Avenue, Oakland into the Town's roadway**

**system.**

**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.**

**13-034 VOTED to declare surplus certain items listed in the correspondence of Jeffrey M. McCormick, Director of Public Works.**

**Motion by Councilor Stephen N. Rawson.**

**Discussion: There was discussion of the diesel replacement program that required destruction of equipment replaced through the program.**

**Seconded by Councilor Wallace F. Lees.**

**It was noted that money gained by sale of surplus equipment was deposited to the general fund as a miscellaneous receipt.**

**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.**

**13-035 VOTED to refer to the Screening Subcommittee the applications from Richard R. Dionne for reappointment to the Conservation Commission, Michael Lupis, Jeffrey Partington and Marc J. Tremblay for reappointment to the Planning Board and Newton Stevens for reappointment to the Burrillville Extended Care Board.**

**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.**

**13-036 VOTED to open the correspondence from Janet Raymond, Chairperson for the Nasonville Fire District, relative to the district taxpayers request that the Town hire a company to conduct an independent feasibility study of the present fire and rescue services.**

**Motion by Councilor David J. Place. 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.**

**Discussion: The Town Council discussed the cost and purpose of the proposed study, the independent status of the fire districts, the**

**prudence of communicating will all fire districts, the source and intent of the request and the Town's role relative to the fire districts.**

**VOTED that the remaining districts be contacted, forwarded a copy of the letter from Nasonville and asked if they are interested in being a part of that or not.**

**Motion by Councilor Nancy F. Binns. 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.**

### **Pending Legislation**

**13-037 VOTED to open the correspondence from Richard E. Kyte, Jr., Esq. regarding potential legislation that would change the location where civil and criminal matters are heard at the District Court level.**

**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.**

**Discussion: There was discussion of the support of the Police**

**Department for the proposal. The benefits of the change of location from Providence to Kent County were discussed.**

**VOTED to formulate a resolution requesting the General Assembly to change the location of cases heard at district court level to the Warwick facility instead of Providence; that is Burrillville would go from the sixth district to the third district.**

**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.**

**13-038 VOTED to support the Smithfield School Committee resolutions to oppose contract continuation, to oppose mandatory binding arbitration legislation and to pass 2013 – S 49 and 2013 – H 5066 moving the teacher layoff notice deadline from March 1 to June 1.**

**Motion by Councilor Stephen N. Rawson. 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.**

## **9. Town Clerk/Communication:**

**13-039 VOTED to receive and file correspondence from John P. Mainville, Finance Director, regarding the CIP Carryover from Fiscal Year Ended June 30, 2012.**

**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.**

**13-040 VOTED to receive and file the correspondence from Bruce Payton, Deputy Chief, Rhode Island Department of Environmental Management, Division of Forest Environment, regarding Tree City USA program.**

**Motion by Councilor Stephen N. Rawson. 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. Additional New Business:**

**13-041 VOTED to grant the request for executive session from Town Manager Michael C. Wood, pursuant to Rhode Island Open Meeting**

**Law §42-46-5(a)(5) for review, discussion and considerations related to the acquisition, sale and exchange of real property (Map 71, Lot 14 – Hill Road).**

**Motion by Councilor Stephen N. Rawson. 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.**

**There was a recess before executive session.**

**The Town Council returned to open session at 8:29 P.M.**

**VOTED to seal the minutes of executive session, noting one vote had been taken.**

**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.**

**11. VOTED to adjourn at 8:29 P.M.**

**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.**

**The meeting was recorded.**

**Louise R. Phaneuf, Town Clerk**