

REGULAR MEETING of the Town Council held Wednesday, April 10, 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 March 27, 2013, the joint meeting held March 26, 2013 and the public hearing held March 27, 2013 and dispense with the reading of said minutes.

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.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

Councilor David J. Place announced a flag sale by American Legion Post 88.

Councilor David J. Place encouraged graduating high school seniors to apply for the Ocean State Power scholarship.

Councilor Edward J. Blanchard announced a Relay for Life sign-up event scheduled at Uncle Ronnie's Red Tavern.

Councilor John F. Pacheco III announced coaches training, sponsored by the Parks & Recreation Department at the Binns Building on April 15, 2013.

Councilor John F. Pacheco III said that town historian Pat Mehrtens had scheduled a book signing at Re:Discover on April 20, 2013.

Councilor Stephen N. Rawson encouraged participation in the April 20, 2013 Earth Day cleanup, hosted by the Burrillville Conservation Commission and the Lions' Club.

Michael C. Wood, Town Manager, discussed the 2013 Family Fair, scheduled for June 15, 2013 at Stillwater Mill Center.

Council President Nancy F. Binns announced Earth Day crafts at the Pascoag Library.

5. Petitions: None

6. Special Business:

13-074 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 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.

13-075 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 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.

13-076 VOTED to grant an annual hawkers & peddlers license to Kenneth Vaillant d/b/a Big Richard's to operate a food and beverage

truck at 249 Hill Road, Harrisville (Map 124, Lot 6) on property owned by Janet Mignone, if all stipulations are met, on the condition that the truck cannot be parked (at that location) overnight.

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.

13-077 VOTED to grant a victualing license to Nasonville Volunteer Fire Department for the Spring & Fall Chowder & Clam Cake dinners to be held on April 14 and September 15, 2013 and a Class F liquor license for April 14, 2013 at 2577 Victory Highway, Nasonville on property owned by the Nasonville Fire District (Map 114, Lot 32).

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.

7. Public Hearing:

13-069 Relative to proposed amendments to the Revised General Ordinances of the Town of Burrillville, Chapter 26, Sec. 26-32. - No

parking schedule of streets, as it relates to Sayles Avenue.

NOTES: Notice of the public hearing was duly advertised in the legal section of the Woonsocket Call on April 8, 2013.

A. Comments/Input/Recommendations by the Administration

Michael C. Wood, Town Manager, discussed the residents' request to allow parking along portions of the north end of Sayles Avenue and reviewed the plan before the Town Council. Council President Nancy F. Binns commented on the Ordinance Subcommittee's procedure, the purpose of the ordinance. The Council President indicated that the Subcommittee supported adoption.

B. The hearing of all interested parties in regard to proposed amendments. Note: Persons who wish to address the Town Council shall state their names and addresses.

1) Proponents:

Michele Romblad of 333 Sayles Avenue indicated that residents were happy with the plan followed this past winter and supported the proposal.

2) Opponents: None

C. VOTED to close the public hearing.

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.

D. Town Council Members Comments/Input/Deliberation

Councilor David J. Place raised a question about allowing parking on the south end of Sayles Avenue. Traffic issues were discussed.

E. VOTED to adopt amendments to the Revised General Ordinances of the Town of Burrillville, Chapter 26, Sec. 26-32. - No parking schedule of streets, as it related to Sayles Avenue, as follow:

The Town Council of the Town of Burrillville hereby ordains as follows:

The Revised General Ordinances, Town of Burrillville, RI, 2004, Chapter 26 entitled Traffic and Vehicles as it related to Sayles Avenue, is hereby amended as follows:

Sec. 26-32. - No parking schedule of streets.

[(a)] No person shall park a vehicle at any time on any of the following

described streets or parts of streets:

Sayles Avenue west Village of Pascoag, from intersection with the Frank H. Potter Memorial Bridgeway to intersection with Main Street, except as provided in section 26-38;

and beginning at utility pole #6, located in front of 62 Sayles Avenue, and continuing to the posted location approximately 200' north of the intersection of Sayles Avenue and Irving Avenue; and from a point approximately 150' south of the intersection of Sayles Avenue and Laurel Hill Avenue to the corner, as posted.

Sayles Avenue east Beginning in front of 63 Sayles Avenue at a point across from utility pole #6 to the intersection of Sayles Avenue and Laurel Hill Avenue; with the exception that parking is permitted in the vicinity of 183 Sayles Avenue during services provided that the exempt area is marked by temporary parking signs during services

This ordinance shall be effective 10 days after passage.

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.

F. VOTED to adjourn the public hearing.

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.

Public Hearing:

13- 078 Application for deck/patio privilege for Uncle Ronnie's Fine Catering d/b/a Uncle Ronnie's Red Tavern, in a building owned by Uncle Ronnie's Realty, LLC, for property located at 2692 Victory Highway, (Map 114, Lot 51).

NOTES: Notice of the public hearing was duly advertised in the legal section of the Woonsocket Call on Wednesday, March 27 and Wednesday, April 3, 2013.

Issuance of liquor licenses is subject to:

- payment of taxes owed to the Town of Burrillville**
- costs associated with deck/patio privilege**
- establishment being in compliance with all state and local building and fire codes**
- establishment being in compliance with requirements of Sec. 8-55 (b) of the ordinances of the Town of Burrillville**

A. Comments/Input/Recommendations by the Administration

Michael C. Wood, Town Manager, reviewed the conditions listed, noting that the survey required by the ordinance had not yet been submitted but all other conditions appeared to have been met. Timothy F. Kane, Town Solicitor, provided his legal opinion that the ordinance was not intended to restrict owners' use of their property. Therefore, he said, the fact that there is a residence incorporated in the building where the restaurant is housed and the deck is planned would not preclude the Town Council's ability to grant the deck privilege. Mr. Kane indicated that the Town Council could use their discretion in granting the privilege.

There was discussion of the requirement for a survey and consideration of tabling the matter to a future meeting.

B. The hearing of all interested parties in regard to proposed amendments. Note: Persons who wish to address the Town Council shall state their names and addresses.

1) Proponents:

Mark Palmer of 99 Nasonville Road spoke in support of deck/patio privilege, noting that Uncle Ronnie's Red Tavern has been a good neighbor, maintains a clean property and has had no issues with any of the neighbors of which Mr. Palmer was aware.

David Bolander, 389 Sayles Avenue, indicated that he had dined at

Uncle Ronnie's on one occasion and would frequent the restaurant if they were granted deck/patio privilege. Mr. Bolander spoke in favor of supporting neighborhood businesses.

2) Opponents: None

C. VOTED to close the public hearing.

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.

D. Town Council Members Comments/Input/Deliberation

Councilor David J. Place supported granting the license with issuance subject to compliance with stipulations.

E. Consider and take action on the application from Uncle Ronnie's Fine Catering d/b/a Uncle Ronnie's Red Tavern for deck/patio privilege

VOTED to grant the application pending the certification of the survey, and subject to payment of taxes owed to the Town of Burrillville, and payment of costs associated with deck/patio

privilege, and establishment being in compliance with all state and local building and fire codes, and establishment being in compliance with requirements of Sec. 8-55 (b) of the ordinances of the Town of Burrillville

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.

F. VOTED to adjourn the public hearing.

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. Unfinished Business: None

9. New Business:

13-079 VOTED to open the correspondence from Dr. Frank Pallotta, Superintendent, Burrillville School Department relative to the high school roof and school safety.

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, introduced Tom Walsczak, President of Roof Management Consultants, Inc. Mr. Walsczak commented on his report related to the Burrillville High School Roof, a copy of which is on file with the record of the meeting. The plan for an on-going roof replacement program was discussed.

Dr. Frank Pallotta, Superintendent of Schools and Burrillville Police Lieutenant Dennis Leahey commented on the safety/school risk assessment, a copy of which is on file with the record of the meeting.

There was discussion of the implementation of these programs. Michael C. Wood, Town Manager, commented that if the Town Council wished to proceed they might ask the School Committee to go out to bid and return with hard numbers and a phase-in plan. Mr. Wood discussed possible funding sources. The matter was discussed. It was agreed that the School Department would work with the Finance Director to obtain costs and structure a phased approach, with security issues taking priority.

13-080 VOTED to open the correspondence from Christopher Piccardi, President of the Downtown Pascoag & Neighborhood Association requesting temporary parking bans and road closures during the Downtown Pascoag Neighborhood Block Party to be held on Saturday, June 1, 2013.

Motion by Councilor Edward J. Blanchard. 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.

Discussion: Councilor Edward J. Blanchard commented on the block party. Elizabeth Morin and Pauline Lima of the Downtown Pascoag & Neighborhood Association (DPNA) addressed the Town Council. There was discussion of the DPNA's plans for a block party, parking issues for residents whose roads are closed and the responsibility for applying for licenses for the event. It was suggested that a formal parking plan be presented and license applications be submitted at a future meeting.

VOTED to table to the next meeting with additional information.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor 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.

13-081 VOTED to open the correspondence from Christine Mulligan, Secretary, Burrillville Rubbish and Recycling Committee, relating to Recycling Pilot Projects – Condos/Businesses & Excess Residential Recycling.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor 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: Michael C. Wood, Town Manager, reviewed the Rubbish and Recycling Committee's recommendations to institute two pilot programs. The first program was to offer a town-sponsored recycling program to a limited number of condominium complexes and businesses. The second program would offer an additional recycling cart to residents who find one 95-gallon recycling cart inadequate. The Committee proposed that associated expenses for the programs could come from the recycling fund. Mr. Wood explained his support of the condo/business proposal and his objections to the proposal related to excess residential recycling. Both programs were discussed.

Point of Order: The Solicitor suggested that Councilors Blanchard and Place might wish to recuse since, as condominium owners, they might be affected by a Town Council decision related to a recycling pilot project for condominium owners.

Discussion of the impact of each proposal continued. It was noted that the standard 65-gallon recycling cart can be exchanged for a 95-gallon cart if the resident finds the smaller cart insufficient. There was discussion of the expense of rubbish removal and recycling to businesses and the state requirement that businesses recycle.

VOTED to implement the program offering recycling to select businesses and condominiums for the one-year trial period and waiting on the second.

Motion by Councilor Kimberly Brissette Brown.

Councilor John F. Pacheco III recommended that the Town consider waiving the \$15.00 administrative charge for exchanging the 65-gallon for a 95-gallon cart.

Seconded by Councilor Wallace F. Lees. The motion carried, five in favor, two recusals. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kimberly Brissette Brown, John F. Pacheco III and Stephen N. Rawson. Councilors Edward J. Blanchard and David J. Place recused themselves.

13-082 VOTED to grant the request from the Armenian National Committee of Rhode Island that the Armenian flag be flown over the Town Building on April 24, 2013.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The motion carried, six in favor, one abstention. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III and Stephen N. Rawson. Councilor David J. Place abstained.

13-083 VOTED to refer to the Screening Subcommittee the vacancy on the Personnel Board created by the departure of James H. Moran.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor 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

13-084 VOTED to open the correspondence from Blanche Boisvert, Chair of the Burrillville Board of Canvassers, requesting the Town Council support their position opposing mandatory appointment of

monitors for future elections.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor 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: Council President Nancy F. Binns commented on the Board of Canvassers concerns with bills that required increased election expense with no advantage in operation of the polls.

VOTED to support the Board of Canvassers in their position opposing mandatory monitors.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The motion carried, six in favor, one opposed. Voting in favor were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Edward J. Blanchard voted in opposition.

13-085 Correspondence from the Charlestown Town Council requesting support of their resolutions, as follow:

VOTED to receive and file the resolution objecting to 2013 – S 0640, 2013 – S 0672 and 2013 – H 5393 relating to Municipal Notice Registry.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor 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 receive and file the resolution objecting to 2013 – H 5425 relating to On-Site Sewage Disposal Systems.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor 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 receive and file the resolution objecting to 2013 – H 5703 relating to the Dry Lands Bill.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor 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:

13-086 VOTED to declare surplus certain items listed, as follows:

- 1. Metal cabinet with one door and three drawers, no asset tag**
- 2. IBM Wheelwriter 6 typewriter, no asset tag**
- 3. Hedman check writer, asset tag #1145**
- 4. Metal signature plate, asset tag #24**

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor 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.

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13-087 Correspondence from Nancy F. Binns, Town Council President, regarding a workshop scheduled for May 13, 2013 with the Department of Transportation relative to the intersection of Route 107 and Harrisville Main Street.

VOTED to support.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor 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.

13-088 VOTED to receive and file the correspondence from Andrea Hall, Recycling Coordinator/Program & Special Project Assistant regarding the Recycling Awareness Poster Contest.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor 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.

13-089 Correspondence from Judy Lopez, Chair, Burrillville Recreation Commission, relating to the Commission's support of multi-department events.

VOTED to support.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor 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.

13-090 VOTED to receive and file the invitation to the awarding of the 2013 Recreational Trail Grants, to be held Friday, April 26, 2013 at

1:00 P.M. in the Governor's State Room, Rhode Island State House.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor 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. Additional New Business: None

12. VOTED to adjourn at 7:53 P.M.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor 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