

**REGULAR MEETING of the Burrillville Town Council held Wednesday, September 25, 2013 at 7:00 P.M. in Council Chambers, Town Building, 105 Harrisville Main St., Harrisville, RI for and within the Town of Burrillville.**

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

**MEMBERS ABSENT: Councilors Edward J. Blanchard and Kimberly Brissette Brown were excused**

**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 August 28, 2013 and dispense with the reading of said minutes.**

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

**3. Public Comment: None**

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

**Burrillville Junior Hockey League is offering a free instructional learn to skate day at the Levy Rink on October 6, 2013 at 9:00 A.M.**

#### **5. Petitions:**

**13-195 Petition by Dawn Torres seeking compensation in the death of her son, Markell Torres, as a result of an automobile accident on Broncos Highway (Route 102).**

**VOTED to deny and refer to the town's insurance company.**

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

#### **6. Special Business:**

**13-196 Correspondence from Nancy F. Binns, Town Council President, extending congratulations on behalf of the Burrillville Town Council to Rear Admiral Walter E. Carter, Jr. on his recent appointment as the 54th President of the Newport Naval War College**

**and his promotion to Rear Admiral (UH).**

**VOTED to support.**

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

**13-197 VOTED to grant a Class F liquor license to Our Lady of Good Help parish for Oktoberfest to be held on October 6, 2013 at 1063 Victory Highway, Mapleville, RI on property owned by Notre Dame de Bonsecours.**

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

## **7. Public Hearing:**

**13-198 Relative to proposed amendments to the Revised General Ordinances of the Town of Burrillville, Chapter 2 entitled**

**Administration ,§2-112. – Capital project program, section (b) Funding of capital projects.**

**NOTES: Notice of the public hearing was duly advertised in the legal section of the Woonsocket Call on September 18, 2013.**

**A. Comments/Input/Recommendations by the Administration**

**Michael C. Wood, Town Manager, explained that in the past a greater amount had been appropriated annually than currently provided by the ordinance for the capital project program but that amount was reduced during difficult fiscal times. Mr. Wood recommended that the Town Council reestablish the capital project program appropriation at \$800,000 per year.**

**B. Comments/Input/Recommendations by the Ordinance Subcommittee**

**Council President Nancy F. Binns, Chair of the Ordinance Subcommittee, reviewed the Subcommittee's deliberations. Ms. Binns indicated that the Ordinance Subcommittee supported passage of the ordinance.**

**C. 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: None**

**(2) Opponents: None**

**D. VOTED to close the public hearing.**

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

**E. Town Council Members Comments/Input/Deliberation**

**Funding of capital project programs was reviewed.**

**F. VOTED to adopt amendments to the Revised General Ordinances of the Town of Burrillville, Chapter 2 entitled Administration ,§2-112. – Capital project program, section (b) Funding of capital projects, as follows:**

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

**The Revised General Ordinances, Town of Burrillville, RI, 2004,**

**Chapter 2 entitled Administration, is §2-112. – Capital project program, section (b) Funding of capital projects, hereby amended as follows:**

**(a) Funding of capital projects.**

**(1) As part of the operating budget, the town council shall appropriate: In fiscal year 2015 and thereafter a sum of approximately \$800,000 to fund capital projects as defined in subsection (a)(2) of this section. This amount shall be allocated between the municipal budget and the school department budget. The council may appropriate additional funds for any classification of capital project as it deems necessary.**

**Adopted this 25th day of September 2013**

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

**G. VOTED to adjourn the public hearing**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members**

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

#### **8. Unfinished Business:**

**13-168 VOTED to open the Rhode Island Department of Environmental Management Insignificant Alteration Permit for Mapleville Main, Inc.**

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

**Discussion: Town Solicitor Timothy F. Kane reviewed correspondence related to the Rhode Island Department of Environmental Management Insignificant Alteration Permit for Mapleville Main, Inc.**

**VOTED to receive and file.**

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

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

## **9. New Business:**

**13-199 VOTED to open the correspondence from Colonel Stephen J. Lynch, Burrillville Police Chief, regarding the Burrillville Police Department's All Terrain Vehicle Program.**

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

**Discussion: Michael C. Wood, Town Manager, reviewed the Council's earlier authorization of the program and outlined proposed changes. Colonel Stephen J. Lynch, Chief of Police, reviewed his recommendation.**

**VOTED to support the request of Colonel Lynch for the sum of \$16,006.00 for all terrain vehicles, as follows:**

## **Funding Plan**

### **Cost**

**Two 2012 Kawasaki Prairie All Terrain Vehicles \$14,406.00**

**Training Costs (\$195.00 per trainee – eight trainees) 1,600.00**

**Total Costs \$16,006.00**

### **Funding Sources**

**Byrne Grant \$8,305.00**

**Narcotics Forfeiture Fund 5,000.00**

**Contingency Fund 2,700.00**

**Total \$16,005.00**

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

**13-200 VOTED to adopt a grant of easement to Narragansett Electric Company for property located at 915 Steere Farm Road and to authorize the Town Council President to sign the instrument.**

**Motion by Councilor David J. Place. Seconded by Councilor John F.**

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

**13-201 VOTED to declare surplus certain items, as follows.**

**Personal Computers:**

**Custom built PC, asset tag #001471**

**Custom built PC, asset tag #001698**

**Gateway model ALR 7200, asset tag #001142 Monitors:**

**View Sonic model VA902B, asset tag #001926**

**Acer model AL1511 B, asset tag #001772**

**One metal conference table with six chairs, no asset tag**

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

**13-202 Correspondence from John P. Mainville, Finance Director, regarding his recommendations.**

**VOTED to approve the abatements (\$19,794.67) for the period covering July 1, 2013 to September 12, 2013; and to receive and file the additions (\$10,208.14) for the period covering July 1, 2013 to September 12, 2013.**

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

**13-203 VOTED to refer the application from Lisa Fortier for appointment to a board to the Screening Subcommittee.**

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

**13-204 VOTED to refer the application for reappointment from Juliette Lopez to the Recreation Commission to the Screening Subcommittee.**

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

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

**13-205 Correspondence from Nancy F. Binns, Town Council President, regarding her appointment of Renay McLeish to the Redevelopment Agency.**

**VOTED to approve the appointment.**

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

**13-206 VOTED to refer the correspondence from Hubert Cournoyer regarding his resignation from the Jesse M. Smith Library Board of Trustees and the Budget Board and to send a letter of thanks.**

**Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns**

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

**13-207 First reading and scheduling of a public hearing relative to adoption of proposed amendments to the revised general ordinance, Town of Burrillville, RI, 2004, Chapter 16.5 entitled Parks & Recreation, Division 2. Extended Care Division.**

**VOTED to open.**

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

**Councilor Stephen N. Rawson reviewed the purpose of amending the ordinance.**

**VOTED to schedule a public hearing at the call of the chair.**

**Motion by Councilor Stephen N. Rawson. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, John F. Pacheco III, David J.**

**Place and Stephen N. Rawson. Councilors Edward J. Blanchard and Kimberly Brissette Brown were excused.**

**13-208 Correspondence from the Middletown Town Council requesting support for the concept of bringing the Retired Aircraft Carrier USS John F. Kennedy to Newport County as a Family Attraction, Education and Job Training Center, Disaster Relief Facility, Museum and Memorial.**

**VOTED to support.**

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

**13-209 Correspondence from the Richmond Town Council requesting support of their proclamation declaring November 2013 “Pancreatic Cancer Awareness Month”.**

**VOTED to support.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the five members**

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

**13-210 VOTED to open the correspondence from Dr. Frank Pallotta, Burrillville Superintendent of Schools, regarding:**

**A) the Burrillville School Committee's request that the Council reappropriate \$75,000 from the School Department's undesignated fund balance to the FY2014 budget; and**

**B) allocation of funds for the Burrillville High School roofs A and B; and**

**C) review and discussion of the School Building Committee's recommendations; and**

**D) review and discussion of the letter of intent to request school housing aid funds; and**

**E) the Burrillville School Committee's request that the Town Council ask a community member to serve on the School Construction Building Committee**

**Discussion: Dr. Frank Pallotta reviewed the School Committee requests, each of which was discussed with the Town Council.**

**VOTED reappropriate \$75,000 from the School Department's undesignated fund balance to the FY2014 budget.**

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

**Michael C. Wood, Town Manager, recommended a joint workshop to address the school department capital program requests and the budget process as spelled out in the charter. The program was further discussed.**

**The School Committee's request that a community member be appointed to the School Construction Building Committee was discussed. Councilors were to submit recommendations to the Town Clerk for consideration at the next meeting.**

**All other topics included on this agenda item were continued for consideration and action at the next regular meeting.**

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

**13-211 VOTED to receive and file the correspondence from Andrea Hall, Recycling Coordinator/Program and Special Project Assistant, regarding the Automated Collection Year One Report.**

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

**13-212 VOTED to open the correspondence from John P. Mainville, Finance Director, regarding sale of certain properties pursuant to RIGL §44-9-36.**

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

**Discussion: John P. Mainville, Finance Director, explained the procedure allowed by RIGL §44-9-36, Sale by city or town treasurer without foreclosure.**

**VOTED to refer to John Mainville's staff and Michael Wood to move forward (with the sale).**

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

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

**13-213 VOTED to receive and file the correspondence from the Rhode Island Department of Transportation regarding the Route 102 Safety Assessment.**

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

**13-214 VOTED to receive and file the correspondence from RI DEM regarding the Modified Order of Approval for Route 102 Industrial Complex Sewers (DEM file #03-01).**

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

**Kimberly Brissette Brown were excused.**

**13-215 VOTED to receive and file the correspondence from Joanne Fournier, Executive Director of Burrillville Housing Authority, regarding their Community Development Building Grant approval.**

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

**13-216 VOTED to recognize NBW Inc. for their \$1,000 grant for bike racks.**

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

**13-217 VOTED to open the Motion to Intervene by the Rhode Island League of Cities and Towns regarding Tariff Advice Filing for Customer-Owned Street and Area Lighting Proposal.**

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

**Discussion: The legal action was reviewed.**

**VOTED to receive and file.**

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

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

- 1. Town Treasurer: Reports of July and August 2013**
- 2. Burrillville Sewer Commission: Meeting of August 13, 2013; report of August 2013**
- 3. Tax Collector: Reports of July and August 2013**
- 4. Department of Public Works: No report**

- 5. Chief of Police: Report of August 2013**
- 6. Office of Building Official: Reports of July and August 2013**
- 7. Animal Control Officer: Report of August 2013**
- 8. Parks and Recreation Department: No report**
- 9. Burrillville Extended Care: Report of August and September 2013**
- 10. Emergency Management Agency: No report**
- 11. Information Systems Department: Report of September 2013**
- 12. Burrillville Housing Authority: Meeting of August 14, 2013**
- 13. Planning Board/Town Planner: No report**
- 14. Recreation Commission: Meeting of June 10, 2013**
- 15. Burrillville Conservation Commission: Meetings of May 20, June 11 and July 9, 2013**
- 16. Ordinance Subcommittee: No report**
- 17. Redevelopment Agency: Meeting of July 23, 2013**
- 18. B-PAC: No report**
- 19. Personnel Board: No report**
- 20. Screening Subcommittee: No report**
- 21. Budget Board: No report**
- 22. Burrillville School Committee: No report**
- 23. Rubbish & Recycling Committee: No report**
- 24. Board of Canvassers: No report**
- 25. Juvenile Hearing Board: No report**
- 26. Burrillville Extended Care Board of Directors: No report**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous by the five members present. Voting**

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

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

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

**The meeting was recorded.**

**Louise R. Phaneuf, Town Clerk**