

REGULAR MEETING of the Burrillville Town Council held Wednesday, November 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 that the question of accepting the minutes of the regular meeting held October 23, 2013 be continued to a future meeting.

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: None

4. General Good and Welfare of the Town of Burrillville

Councilor David J. Place announced a November 30, 2013 fundraiser scheduled at the Columbus Club of Burrillville to benefit a resident injured in an accident.

In honor of Veterans Day, Councilor Edward J. Blanchard recognized and thanked Burrillville veterans for their service.

Councilor Kimberly Brissette Brown announced several Jesse M. Smith Memorial Library holiday events, including workshops for children, teens and adults and a visit from Santa.

Councilor John F. Pacheco III congratulated the High School Girls Soccer team on winning the State championship, asking that a citation be included on the next agenda.

Council President Nancy F. Binns commented on the Northeast Navy Band concert at The Assembly Theatre.

Council President Nancy F. Binns noted the passing of David Hebert, acknowledging his community service, and extending condolences to the family.

5. Petitions: None

6. Special Business:

13-239 VOTED to grant an annual victualing license to Angela M. Vietro d/b/a The Taco Shop to apply at 459 Chapel Street on property owned by Cale Keable (Map 159, Lot 026); to apply from date of issuance through November 30, 2014, when all stipulations are in order.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Kimberly Brissette Brown. 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: None

8. Unfinished Business:

13-207 VOTED to ratify the Burrillville Extended Care (BEC) Board of Directors by-laws as adopted by the Board at their duly held meeting of November 5, 2013, as follows:

Bylaws – Burrillville Extended Care

ARTICLE I – NAME

The name of this organization shall be “Burrillville Extended Care”.

ARTICLE II — PURPOSE

The purpose of the Burrillville Extended Care (BEC) is to provide a secure and safe environment for Burrillville children for periods prior

to the commencement of the school day and for a period after classes and during school vacation(s)/summer.

ARTICLE III – BOARD OF DIRECTORS

There shall be a BEC board of directors (board) appointed by the Burrillville Town Council pursuant to §16.5-54 of the Ordinances of the Town of Burrillville revised.

Section 1. Membership: Members of the board shall be appointed in accordance with Chapter 16.5 of the General Ordinances of the Town of Burrillville, as revised.

Section 2. Duties and Responsibilities: The board shall assist the BEC director in establishing programs, policies and procedures concerning the operation of BEC.

Section 3. Compensation: Subject to annual appropriation by the Town Council, board members will be compensated as follows:

Chairperson	Regular Member	Alternate Member
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\$65.00 per meeting	\$50.00 per meeting	\$35.00 per meeting
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(a) The maximum number of meetings per member, per fiscal year for which meeting stipends will be paid is six (6) between July 1st and June 30th

(b) Board members must be present for the entire meeting in order to qualify for the meeting stipend.

(c) If the alternate member acts in a voting capacity, the stipend to be paid for that meeting will be \$50.00.

Section 4. Resignation and vacancies:

(a) Any board member who fails to attend three (3) consecutive

regular meetings without being excused by a vote of a majority of the membership of the board, shall forfeit his/her office. The BEC director shall notify the town council.

(b) Members who resign from the board shall notify the town council of their resignation.

(c) Vacancies shall be filled pursuant to §19.14 of the town charter.

ARTICLE IV - OFFICERS

Section 1. Election:

The board shall elect a chairperson and a vice chairperson from its members at the annual meeting. Any member may make nominations for officers.

(a) The term of each office shall be one year; officers may serve multiple terms.

(b) Officers shall serve until their successors are elected and qualified.

(c) A person who ceases to be a board member becomes ineligible to remain an officer.

Section 2. Duties of Officers:

The chairperson shall preside at all meetings of the board and shall perform all other duties pertaining to this office. The vice chairperson will serve as chairperson in the absence of the chairperson.

Section 3. Vacancies: When a vacancy occurs in the office of chairperson or vice chairperson such vacancy shall be filled by majority vote of the remaining members of the board. Vacancies shall be filled at the next regular meeting of the board. Any member may make nominations to fill the vacant office. The member elected to fill

the vacancy shall serve for the remainder of the term that was vacated.

ARTICLE V – MEETINGS

Section 1. Regular Meetings: Regular meetings of the board shall be held bimonthly in January, March, May, July, September and November on the first Tuesday of each month at 6:30 P.M. unless otherwise ordered by the board.

Section 2. Special Meetings: Special meetings may be called by the chairperson or, in the absence or incapacity of the chairperson, by the vice chairperson. Special meetings may also be called with a written request from any three (3) members of the board.

Section 3. Annual Meeting: The September meeting shall be the annual meeting.

Section 4. Quorum: Three (3) members of the board shall constitute a quorum to take any action.

Section 5. Open Meetings: All meetings shall be in conformance with Chapter 46 of Title 42 of the Rhode Island General Laws as amended, entitled Open Meetings.

ARTICLE VI – COMMITTEES

Special Committees: The chairperson shall have the power to create and appoint such special committees as the business of the BEC may require from time to time.

ARTICLE VII – SCOPE OF SERVICES

BEC scope of services shall be as follows, unless otherwise determined by the board working in conjunction with the BEC director:

(a) BEC shall provide educational programs and developmental activities for children enrolled in the program.

(b) BEC shall continue to develop and implement quality day care services.

(c) BEC shall provide services to children in school grades kindergarten through grade seven (7).

(d) BEC shall offer services for periods prior to the commencement of the school day, after school, all day during school recess for vacations and summer, including early release and in-service days and at other times as may be established

ARTICLE VIII - POLICIES

(a) The board, working in conjunction with the BEC director and/or his/her designee, may create and maintain parent and staff handbooks, policy and procedure manuals, regulations and guidelines as the director deems necessary.

(b) Policies, rules, regulations and guidelines for operating the programs and for the personnel associated with the programs, shall be consistent with state law and the town's general ordinances and policies.

(c) After review and approval by the town manager or designee all rules and procedures shall be published and submitted to the town clerk.

(d) All BEC policies shall be reviewed by the director on an on-going basis. The director shall submit any amendments she/he deems necessary to the board for review.

ARTICLE IX — BUDGET

(a) The BEC director will develop and submit the annual budget as provided by the Town Charter and the General Ordinances of the Town.

(b) The director's budget recommendation will be submitted for the board's consideration at a regular meeting or a special meeting called for that purpose, to be held no later than the first Tuesday of December.

(c) Working in conjunction with the BEC director, the board will review the recommendations and make changes they deem proper.

(d) The BEC director shall submit the budget through the process as set forth in the Town Charter.

ARTICLE X — PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Roberts Rules of Order Newly Revised shall govern the board in all cases to which they are applicable and in which they are not inconsistent with the Rhode Island General Laws, the General Ordinances of the Town of Burrillville and these bylaws.

ARTICLE XI — AMENDMENT

(a) Any member may propose an amendment to the bylaws by submitting the proposal in writing to be included on the written agenda of a meeting. No amendment shall be adopted by the board at the meeting at which it was introduced.

(b) Amendment to these bylaws requires adoption by a two-thirds vote of the board at any duly called meeting of the board and shall become effective upon the ratification of the Burrillville town council.

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.

13-210 VOTED to open consideration and action relative to a request from Councilor Stephen N. Rawson regarding the Burrillville School Building Committee: update, consideration and action.

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.

Discussion: Councilor Stephen N. Rawson reported on his discussions with the Burrillville School Facility Committee and School Administration. Councilor Rawson reviewed project progress and explained his concerns with the Rhode Island Department of Education (RIDE) regulations, recommending that the Town appeal the regulations. The schedule for roof repairs was discussed.

VOTED to amend our funding commitment by deleting the commitment for roofs in 2017 and 2018 in the amount of \$1,245,316 in 2017 and the \$887,425 in 2018 and to request that the School

Committee come to us when they are prepared to present these roof projects within the 2016 fiscal year.

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.

13-232 VOTED to open the correspondence from Andrea Hall, Recycling Coordinator/Program and Special Project Assistant regarding the 2013 Holiday Card contest winners.

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 winners of the Holiday Card contest were Hailie Allard and Gabby Arroyo from William L. Callahan School and Madison Moriarty, Eamon Busse and Juliana Kamer from the Steere Farm Elementary School. Congratulations from the Town Council were extended to all.

13-233 VOTED to open the correspondence from Timothy F. Kane, Town Solicitor, regarding the Maplehill Mobile Home Park Residents

Association request that the Town Council establish a policy for abatement of taxes on abandoned mobile homes at the Park.

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.

Discussion: Timothy F. Kane, Town Solicitor, reported on his meeting with the Maplehill Mobile Home Park Residents Association and explained the letter he recommends sending the Association, a copy of which is on file with the record of the meeting.

VOTED to authorize the Solicitor to send the letter, as written.

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.

9. New Business:

13-240 VOTED to open the correspondence from RI DEM regarding applications for Rhode Island Recreation Acquisition and

Development Grants.

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.

VOTED to authorize the grant application for the large grant for the bike path project.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Stephen N. Rawson. The motion carried, six in favor, one opposed. 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 and Stephen N. Rawson. Councilor David J. Place voted in opposition.

VOTED to authorize the small grant application for the White Mill Community Park project as the first priority and the Spring Lake Brown House project as the second priority.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Wallace F. Lees. The motion carried unanimously. 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 make the Stillwater playground project the choice for the historic/passive park grant.

Motion by Councilor Kimberly Brissette Brown. 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.

VOTED to approve this resolution as presented.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Edward J. Blanchard. The motion carried, six in favor, one opposed. 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 and Stephen N. Rawson. Councilor David J. Place voted in opposition.

Burrillville Town Council

Resolution

WHEREAS, the Rhode Island Department of Environmental Management has announced that it is accepting applications for Rhode Island Recreation Acquisition and Development Grants; and

WHEREAS, it is in the interest of the citizens of the Town of Burrillville that application be made to undertake the acquisition and development of recreation in the Town of Burrillville.

NOW, THEREFORE, BE IT RESOLVED that we, the Town Council of the Town of Burrillville, do hereby authorize the following grant applications:

1. Large Grant: For the Oakland (Burrillville) Bike Path Extension project for a Large Grant in the amount of \$400,000; hereby authorizing matching funds in an amount not to exceed \$400,000 from the Major Capital account; with matching funds subject to the grant being awarded to the Town; and

2. Small Grant:

For the upgrade to the White Mill Park project for the Town of Burrillville priority #1 for a Small Grant in the amount of \$75,000; hereby authorizing matching funds in an amount not to exceed \$75,000 from the Major Capital account; with matching funds subject to the grant being awarded to the Town;

and for the brown house at Spring Lake Beach (fka Inn at Herring Pond) for the Town of Burrillville priority #2 for a Small Grant in the amount of \$75,000; hereby authorizing matching funds in an amount not to exceed \$75,000 from the Major Capital account; with matching funds subject to the grant being awarded to the Town; and

3. Historic/Passive Park Grant: For the Stillwater playground project for a Historic/Passive Park Grant in the amount of \$100,000; hereby

authorizing matching funds in an amount not to exceed \$10,000 from the Major Capital account; with matching funds subject to the grant being awarded to the Town.

BE IT FURTHER RESOLVED that Michael C. Wood, Town Manager, is hereby authorized and directed to file this application with The Rhode Island Department of Environmental Management, Division of Planning and Development, and 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 13th day of November 2013.

13-241 VOTED to award the bid for two Kawasaki Prairie 360 4X4 ATVs with accessories to MTR Racing, Inc. in the total amount of \$12,377.98.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Wallace F. Lees. The motion carried, six in favor, one opposed. 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 and Stephen N. Rawson. Councilor David J. Place voted in opposition.

13-242 Motion to authorize the attached listing of \$125,900 in increases/decreases in budget appropriations for the respective municipal departments.

VOTED to open.

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.

VOTED to authorize the attached listing of \$125,900 in increases/decreases in budget appropriations for the respective municipal departments.

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.

13-243 Correspondence from Don C. Wolfe, Chairman, Burrillville Sewer Commission, regarding the resignation of Irene Smith.

VOTED to accept with regret and refer to the Screening Subcommittee.

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.

13-244 Correspondence from Robyn Volpini regarding her resignation from the Rubbish and Recycling Committee.

VOTED to accept with regret.

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.

13-245 VOTED to declare surplus certain items, as listed.

5 Office chairs Asset tags 1413, 1150, 848, 840, 777

1 Metal cabinet Asset tag 251

1 Printer table Asset tag 144

2 Metal book shelves -

1 2008 Crown Victoria VIN 2FAFP71V98X179165

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.

13-246 VOTED to refer the disorderly conduct ordinance to the Ordinance Subcommittee for study and recommendation.

Motion by Councilor Kimberly Brissette Brown. 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.

10. Town Clerk/Communication:

13-247 VOTED to receive and file the notice from the US Department of the Interior, Fish and Wildlife Service, regarding public comment periods for two recent proposed rules.

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.

13-248 VOTED to receive and file the notice from the Rhode Island State Planning Council regarding a public comment period on proposed rules of procedure.

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.

11. Additional Business: None

12. VOTED to adjourn at 7:48 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