

REGULAR MEETING of the Burrillville Town Council held Wednesday, April 23, 2014 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. The Pledge of Allegiance was preceded by a moment of silence in memory of former Council President Marcel Fontenault Sr. and retired Burrillville Police Department Sergeant Leonard Bailey. Council Vice President Wallace F. Lees commented on the police career of Sergeant Bailey and extended condolences to the Bailey family.

2. VOTED to accept the minutes of the regular meeting held April 9, 2014 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: None

4. General Good and Welfare of the Town of Burrillville

Councilor David J. Place announced the Earth Day cleanup, a Farmers Market preview which would include soil testing, seeds, informational tips, recycling, and a pasta dinner fundraiser, all scheduled for April 26, 2014.

Councilor Edward J. Blanchard announced a fundraiser for the Girls Lacrosse team to be held on April 25, 2014 at the Townsmen Club and noted that the spring edition of The Bugle had been published.

5. Special Business:

14-089 VOTED to open a proclamation recognizing Fire Explorer Ryan Peck of Pascoag relative to the rescue of an ice fisherman.

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.

Councilor Edward J. Blanchard presented a citation to Fire Explorer Ryan Peck, recognizing his use of the life saving techniques he learned as a Fire Explorer when an associate fell through the ice

while fishing.

14-090 VOTED to grant an annual Arcade License to Spring Lake Arcade to apply at 52 Old Hillside Drive 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.

14-091 Special event license application from Berean Baptist Church for a Clamapalooza event scheduled for May 10, 2014 at 474 Chapel Street, Harrisville on property owned by Berean Baptist Church.

Note: Council President Nancy F. Binns recused from discussion and voting on item #14-091, turning the meeting to Vice President Wallace F. Lees.

VOTED to grant.

Motion by Council Vice President Wallace F. Lees. Seconded by Councilor Kimberly Brissette Brown. The motion carried, six in favor, one recusal. Voting in favor of the motion were Council Vice President Wallace F. Lees and Councilors Edward J. Blanchard,

Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Council President Nancy F. Binns recused.

Note: Council President Nancy F. Binns resumed chairmanship of the meeting.

14-092 VOTED to grant an annual Hawkers & Peddlers License to Kate A. Nealis d/b/a Noble Knots, LLC. for a food truck to operate 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.

14-093 VOTED to grant an annual Hawkers & Peddlers License to Patricia Meneguzzo d/b/a Rocket LLC for a mobile food truck to operate 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.

6. Petitions: None

7. Public Hearing: None

8. Unfinished Business:

14-082 VOTED to open consideration and action on appointment of a liaison between the Town Council and the Industrial Foundation of Burrillville.

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 table to a future date.

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.

9. New Business:

14-094 VOTED that the bid for AEDs (Automated External

Defibrillators) be awarded to the low bidder, Bound Tree Medical, at a cost per machine of \$1,079.34 for the Philips FRx and \$744.30 for the Philips OnSite.

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.

14-095 Consider and act on the recommendation of John P. Mainville, Finance Director, regarding the awarding of bids.

VOTED that bid #14-005 for fertilizer/weed control be awarded to the low bidder, Above and Beyond Lawn Services, for \$14,180.

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.

VOTED that bid #14-006 for split rail fencing be awarded to the low bidder, United Fence Co., Inc. for \$8,000.

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.

VOTED that bid #14-008 for the 74” walker mower be awarded to the low bidder, Morridge Manufacturing Inc., for \$13,505.

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.

14-096 VOTED to open the correspondence from Barbara Dixon, Event Coordinator, Blackstone River Valley National Heritage Corridor, regarding a request to use town property for the Blackstone River Valley Greenway Challenge.

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.

Discussion: Greenway Challenge Chairman Charles Thompson and

Blackstone River Valley National Heritage Corridor Special Events Coordinator Barbara Dixon addressed the Town Council about the 2014 Blackstone River Valley Greenway Challenge, scheduled for September 27, 2014. The proposal to end the 2014 Challenge at the Spring Lake Beach recreational facility was discussed.

VOTED to approve the request to use town property on September 27, 2014 with a rain date the following Saturday, October 4, 2014.

Motion by Councilor Kimberly Brissette Brown. 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.

14-097 Correspondence from Councilor Wallace F. Lees, Chairman, Screening Subcommittee, regarding the Subcommittee's recommendations.

VOTED to reappoint Sandra Cooney as an alternate member of the Zoning Board of Review to serve a one-year term to expire March 31, 2015.

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.

VOTED to reappoint Leo Felice as a member of the Planning Board to serve a three-year term to expire March 31, 2017.

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.

VOTED to reappoint Richard Lemek as a member of the Planning Board to serve a three-year term to expire March 31, 2017.

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.

VOTED to reappoint Dov Pick as a member of the Planning Board to serve a three-year term to expire March 31, 2017.

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.

14-098 VOTED to refer to the Screening Subcommittee the application of Cortney Lacey for appointment to the Recreation Commission.

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.

14-099 VOTED to receive with regret the correspondence from Valerie Ann Leduc regarding her resignation from the Personnel Board; to send a letter of thanks, and to refer to the Screening Subcommittee.

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.

14-100 VOTED to open the correspondence from Don C. Wolfe, Chairman, Burrillville Sewer Commission, regarding the Commission's resolution requesting the Town Council adopt a

resolution authorizing the issuance of bonds to fund improvements to the Burrillville Wastewater Treatment Plant.

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.

VOTED to adopt a resolution authorizing issuance of bonds to fund improvements to the Burrillville Wastewater Treatment Plant, as presented, as follows:

RESOLUTION

TOWN OF BURRILLVILLE, RHODE ISLAND

RESOLUTION OF THE TOWN OF BURRILLVILLE APPROVING THE FINANCING OF THE DESIGN, CONSTRUCTION, EQUIPPING, REPLACEMENT, REPAIR AND REHABILITATION OF THE TOWN'S WASTEWATER TREATMENT PLANT, INCLUDING BUT NOT LIMITED TO, UPGRADES TO COPPER AND PHOSPHORUS REMOVAL FACILITIES AND APPROVING THE ISSUANCE OF BONDS AND NOTES THEREFOR IN AN AMOUNT NOT TO EXCEED \$5,000,000

RESOLVED, That:

SECTION 1. Pursuant to Rhode Island General Laws Section 45-12-2 and Section 3.14(L) of the Burrillville Town Charter (the "Charter"), an amount not to exceed \$5,000,000 is appropriated for the purpose of financing the design, construction, equipping, replacement, repair and rehabilitation of the Town's wastewater treatment plant, including but not limited to, upgrades to copper and phosphorus removal facilities (the "Project").

SECTION 2. The Director of Finance and the President of the Town Council be and hereby are authorized to issue on behalf of the Town, an amount not exceeding Five Million Dollars (\$5,000,000) bonds of the Town, at one time, or from time to time in order to meet the foregoing appropriation.

SECTION 3. The said officers from time to time may issue and refund not exceeding \$5,000,000 interest bearing or discounted notes in anticipation of the issue of said bonds or in anticipation of the receipt of federal or state aid for the purpose specified in Section 1 hereof.

SECTION 4. The manner of sale, amount, denominations, maturities, conversion or registration privileges, interest rates, medium of payment, and other terms, conditions and details of the bonds or notes may be fixed by the officers authorized to sign the bonds or notes.

SECTION 5. The said officers from time to time may apply for, contract for and expend any federal or state advances or other grants or assistance which may be available for the purposes specified in Section 1 hereof. The Town may enter into financing agreements with the Rhode Island Clean Water Finance Agency (the "RICWFA") in

accordance with chapter 46-12.2 of the general laws, and with respect to notes or bonds issued in connection with the financing agreements, if any, may elect to have the provisions of chapter 46-12.2 apply to the issuance of the bonds and notes, to the extent the provisions of chapter 46-12.2 are inconsistent with the provisions of chapter 45-12 of the general laws or the Charter.

SECTION 6. Pending the issuance of the bonds under Section 2 hereof or pending or in lieu of the issue of notes under Section 3 hereof, the Director of Finance may expend funds from the general treasury of the Town for the purposes specified in Section 1 hereof. Any advances made under this section shall be repaid without interest from the proceeds of the bonds or notes issued hereunder or from the proceeds of applicable federal or state assistance or from other available funds.

SECTION 7. The Director of Finance and the President of the Town Council are also authorized, empowered and directed, on behalf of the Town, to: (i) execute, acknowledge and deliver any and all other documents, certificates or instruments necessary to effectuate such borrowing; (ii) amend, modify or supplement the bonds or notes any and all other documents, certificates or instruments at any time and from time to time, in such manner and for such purposes as such officers shall deem necessary, desirable or advisable; (iii) do and perform all such other acts and things deemed by such officers to be necessary, desirable or advisable with respect to any matters contemplated by this resolution in order to effectuate said borrowing and the intent hereof.

SECTION 8. The Director of Finance together with the President of the Town Council be, and hereby are, authorized to deliver the bonds or notes to the purchaser or purchasers and, if the bonds or notes are to be issued on a tax-exempt basis, said officers be, and hereby are, authorized and instructed to take all actions, on behalf of the Town, necessary to ensure that interest on the bonds or notes will be excludable from gross income for federal income tax purposes and to refrain from all actions which would cause interest on the bonds or notes to become subject to federal income taxes.

SECTION 9. This resolution is an affirmative action of the Town Council of the Town toward the issuance of bonds or notes in accordance with the purposes of the laws of the State. This resolution constitutes the Town's declaration of official intent, pursuant to Treasury Regulation §1.150(2), to reimburse the Town for certain capital expenditures for the Project paid on or after the date which is sixty (60) days prior to the date of this resolution but prior to the issuance of the bonds or notes. Such amounts to be reimbursed shall not exceed \$5,000,000 and shall be reimbursed not later than eighteen (18) months after (a) the date on which the expenditure is paid or (b) the date the Project is placed in service or abandoned but in no event later than three (3) years after the date the expenditure is paid.

SECTION 10. This resolution shall take effect upon passage.

PASSED AS A RESOLUTION of the Burrillville Town Council this 23rd day of April 2014

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.

14-101 VOTED to receive and file a copy of the April 3, 2014 Rhode Island Clean Water Finance Agency loan questionnaire.

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.

14-102 VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding the police table of organization.

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: The proposed table of organization and the possible multi-year phase-in was discussed.

VOTED that we adopt the suggested reorganization chart as presented, as follows:

Motion by Councilor Stephen N. Rawson. 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.

VOTED to support a police officer candidate for the July 2014 police academy.

Motion by Councilor Edward J. Blanchard. 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.

Legislation

14-103 Consider and act on legislation pending before the Rhode Island General Assembly, as follows:

A) S 2087 Relating to Taxation – Levy & Assessment of Local Taxes

- B) S 2757 Relating to labor and labor relations – Arbitration**
- C) H 7504 Relating to Towns and Cities – Foreclosed Property Upkeep Act**
- D) H 7623 Relating to Public Property and Works – Labor and Payment of Debts by Contractors**
- E) H 7471 Relating to Taxation – Personal Income Tax**
- F) H 7552 Relating to Taxation – Personal Income Tax**
- G) S 2206 Relating to Taxation – Personal Income Tax**
- H) H 7064 Relating to Taxation – Estate Tax**
- I) H 7140 An Act Relating to Taxation – Estate and Transfer Tax**
- J) H 7290 An Act Relating to Taxation – Business Corp Tax**
- K) Other legislation of interest to the town which is pending before the general assembly**

VOTED to endorse the recommendation of both the Administration and the Chamber of Commerce as written in the statement; and to support the legislation H 7504.

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.

10. Town Clerk/Communication:

14-104 VOTED to receive and file the correspondence from Dr. Frank Pallotta regarding Goodwill receptacles at some Burrillville Schools.

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 receive reports #1 through 26, as follows:

- 1. Town Treasurer: Report of March 2014**
- 2. Burrillville Sewer Commission: Meetings of February 11 and March 11, 2014 and report of March 2014**
- 3. Tax Collector: Report of March 2014**
- 4. Department of Public Works: No report**
- 5. Chief of Police: Report of March 2014**
- 6. Office of Building Official: Report of March 2014**
- 7. Animal Control Officer: Reports of March 2014**
- 8. Parks and Recreation Department: No report**
- 9. Burrillville Extended Care: No report**
- 10. Emergency Management Agency: No report**
- 11. Information Systems Department: Report of April 2014**
- 12. Burrillville Housing Authority: Meeting of March 12, 2014**
- 13. Planning Board/Town Planner: Meeting of January 6, 2014**
- 14. Burrillville Conservation Commission: No report**

- 15. Recreation Commission: Meetings of December 2, 2013 and February 10, 2014**
- 16. Ordinance Subcommittee: No reports**
- 17. Redevelopment Agency: Meeting of February 25, 2014**
- 18. B-PAC: No report**
- 19. Personnel Board: Meetings of January 14, February 11 and March 25, 2014**
- 20. Screening Subcommittee: Meeting of March 12, 2014**
- 21. Budget Board: Meetings of March 6 and 13, 2014**
- 22. Burrillville School Committee: Meeting of March 11, 2014**
- 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. 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 8:07 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