

REGULAR MEETING of the Burrillville Town Council held Wednesday, April 13, 2016 at 7:00 P.M. in the Burrillville High School Media Center, 425 East Avenue, Harrisville, RI for and within the Town of Burrillville.

PRESENT: Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place

MEMBERS ABSENT: Donald A. Fox was tardy

The meeting was called to order at 7:00 P.M. in the Burrillville High School Media Center.

VOTED to relocate the public meeting to the auditorium to accommodate the large crowd and to hopefully improve on the audio.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was not present when the vote was taken.

The meeting reconvened in the auditorium at 7:18 P.M.

1. Council President John F. Pacheco III led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meeting held March 23, 2016 and dispense with the reading of said minutes.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown and David J. Place. Councilor Donald A. Fox was not present when the vote was taken.

3. Public Comment:

Irene Watson of Jackson Schoolhouse Road, Jessica Stensrud of Pawtucket, RI, Paul Lefebvre of Pascoag, Erin Olkowski of Harrisville and Darlene Derooy of Pascoag commented on the power plant proposed for Wallum Lake Road.

Kevin Cleary, Conservation Commission, announced Earth Day, scheduled for April 23, 2016. The event is co-sponsored by the Conservation Commission, Parks & Recreation Department and the Public Works Department.

Raymond Trinque of Pascoag, Valerie Clark of Connecticut, Donna

Woods of Pascoag, Jeremy Bailey of Pascoag, Ava Woods of Pascoag and Jaylin O'Rourke of Burrillville commented on the power plant proposed for Wallum Lake Road.

Kathryn Sherman of Pascoag commented on noise at Spectra Energy on April 12, 2016.

Brian Putnam of Chepachet and Pascoag, John Anthony Scott, Jan Luby of Pascoag, Ron Lizotte of Pascoag, Mike Skurka of Pascoag, Donald Champigny of Pascoag, Kristen Raymond of Harrisville and Anita Bevans of Pascoag commented on the power plant proposed for Wallum Lake Road.

Kevin Frenette of Harrisville commented on the power plant proposed for Wallum Lake Road. Mr. Frenette requested town support in discussions with National Grid related to past purchase of wood for his home.

Jonathan Whaley of Pascoag commented on the power plant proposed for Wallum Lake Road.

4. General Good and Welfare of the Town of Burrillville

Councilor Donald A. Fox commended the Burrillville Police Department for their work related to recent heroin arrests.

Councilor Donald A. Fox recognized the Burrillville Middle School

Band, which had a performance on April 13, 2016.

5. Special Business:

16-090 VOTED to grant an annual hawkers and peddlers license to Juliette Lopez d/b/a Anabell's Ice Cream LLC to apply throughout the Town of Burrillville

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Nancy F. Binns. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-091 VOTED to grant an annual arcade license to John J. Bateman d/b/a Spring Lake Arcade to apply at 52 Old Hillside Drive on property owned by the Town of Burrillville

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-092 VOTED to grant an annual victualing house license to Melissa

Donnellan d/b/a Smiling Moose Food Company to apply at 255 Hill Road, Harrisville on property owned by Janet Mignone (Map 124, Lot 006)

Motion by Councilor Michelle D. Bouchard. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-093 VOTED to grant to Nasonville Fire Department a victualing license and a Class F liquor license for a chowder and clam cake fundraiser scheduled for April 17, 2016 at 2577 Victory Highway, Nasonville on property owned by the Nasonville Volunteer Fire Department (Map 114, Lot 32)

Motion by Councilor Nancy F. Binns. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-094 VOTED to grant to RI Pagan Pride an entertainment license for Rhode Island Pagan Pride Day to apply on August 27, 2016 at The Assembly grounds and gazebo area on property owned by the

Burrillville Board of Administration and the Town of Burrillville

Motion by Councilor Nancy F. Binns. Seconded by Councilor Donald A. Fox. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-095 VOTED to grant to Veronica Huguenin d/b/a Burrillville Arts Festival a victualing license to apply at Rhode Island Pagan Pride Day on August 27, 2016 at The Assembly grounds and gazebo area on property owned by the Burrillville Board of Administration and the Town of Burrillville

Motion by Councilor Donald A. Fox. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-096 VOTED to grant to Patricia Meneguzzo d/b/a Rocket Fine Street Food a hawkers and peddlers license to apply throughout the Town of Burrillville

Motion by Councilor Nancy F. Binns. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion

were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-097 VOTED to grant an annual victualing license to apply at Spring Lake Beach, 48 Old Hillside Road on property owned by the Town of Burrillville (Map 93, Lot 41)

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Donald A. Fox. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

6. Petitions: None

7. Public Hearing:

16-098 Relative to obtaining citizens' requests and views on proposed Community Development Block Grant (CDBG) activities

NOTE: The above was duly advertised in the Woonsocket Call on Saturday, April 2, 2016

VOTED to open.

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

Comments/Input/Recommendations from the Administration

Thomas J. Kravitz, Town Planner commented on the recommendation, noting that the \$500,000 request is the third year of a three year housing set aside program and the \$50,000 would fund the Burrillville housing rehabilitation loan and grant program. Mr. Kravitz noted that the recommendation is consistent with the comprehensive plan.

Public Input: None

VOTED to close the public hearing.

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 John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

Town Council Members Comments/Input/Deliberation

Action relative to funding requests, setting priorities and adoption of the proposed resolution relative to the CDBG application

Note: Councilor Kimberly Brissette Brown left the meeting.

VOTED to adopt the resolution, as follows:

Burrillville Town Council

Resolution

WHEREAS, funds are available under the Rhode Island Community Development Block Grant Program and Housing Setaside Fund, administered by the Department of Administration, division of Planning, Office of Housing and Community Development; and

WHEREAS, the Governor of the State of Rhode Island has authorized the Director of said department to disburse such funds; and

WHEREAS, it is in the interest of the citizens of the Town of Burrillville that application be made to undertake a local Community Development Program, as well as application to said Housing Setaside Fund.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Burrillville that the filing of this application for the amount of \$50,000 and continued disbursement of a committed \$1.5 million in

Housing Set Aside Funds to implement the activities proposed herein hereby authorized and that John F. Pacheco III, Town Council President (Chief Executive Officer) is hereby authorized and directed to file this application with the Office of Housing and Community Development, 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 April 2016

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was not present when the vote was taken.

VOTED to adjourn the public hearing.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco

III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was not present when the vote was taken.

8. Unfinished Business: None

9. New Business:

16-099 VOTED to open the correspondence from Colonel Stephen J. Lynch, Chief of Police, regarding his request for advanced approval for FY17 funding to select a candidate for the July 2016 RI Municipal Police Academy session

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was not present when the vote was taken.

Discussion: The schedules for the Rhode Island Police Academy and the FY2017 budget adoption were reviewed. The Town Council was asked to support the request for advanced approval for FY17 funding to select a candidate for the July 2016 Rhode Island Municipal Police Academy session.

VOTED to approve.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was not present when the vote was taken.

16-100 VOTED to open consideration and action on a motion to purchase food service equipment, reach-in coolers and concession equipment from Juliette Lopez in the amount of \$12,500 with funding from the Spring Lake Beach side fund

Motion by Councilor Nancy F. Binns. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place. Councilor Kimberly Brissette Brown was not present when the vote was taken.

Note: Councilor Brown returned to the meeting.

VOTED to purchase food service equipment, reach-in coolers and concession equipment from Juliette Lopez in the amount of \$12,500 with funding from the Spring Lake Beach side fund.

Motion by Councilor Michelle D. Bouchard. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-101 VOTED to declare surplus vehicles and other equipment, as listed, as requested by Jeffrey M. McCormick, Director of Public Works, as follows:

- 1. Truck #31 2000 Ford f-350, 99682 miles, 7.3 diesel 5 speed, VIN# 1FTSF31 f0YEA94617**
- 2. 2000 Ford Explorer, mileage unknown for parts, VIN# 1FM2U73E22ZB07637, police vehicle**
- 3. 1987 Chevy k-30 6-wheel drive flatbed, V-8 Gas engine, VIN# 1GLHV34K5HJ142268, 88278 miles**
- 4. 1996 Ford Turtle Top Bus, automatic transmission, 250,000 miles, VIN#1FDKE30FI THB24215.**
- 5. 1996 International 4900, 6 wheel dump truck 35,000 lb GVW diesel engine with automatic 5+2 Spicer trans, 83,832 miles; VIN# 1HTSDAAR2VH447053**
- 6. 1988 International S1900, mileage unknown cab an chassis VIN#1HTLDTVR4KH663475, dt466 with automatic 5+2 Spicer trans**
- 7. 1995 International 4900, 6-wheel dump 35,000lb GVW in running**

condition in need of rust repair 6-8 yard Gallion steel body VIN# I HTSGOOO I TH304256

8. Stock #4212, 9ft fisher min mount plow with headgear, hydraulic driven

9. Stock #4214, 9ft fisher min mount plow with headgear hydraulic driven

10. Stock #4215, 8ft fisher min mount plow with headgear, no pump or motor

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-102 VOTED to declare surplus electronic equipment, as listed, as requested by Edward J. Pienkos, Information Systems Manager, as follows:

Battery Back Ups: Back Ups ES500, asset tag# 001420

Television: Sylvania TV/DVD player, asset tag# 001576

Monitors: View Sonic models VG900B, asset tag# 001730 and VA903B, asset tag# 5055

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were

Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-103 VOTED to award the bid for the town's heating oil to Superior Plus Energy Services in the amount of +.1080 for the first year and + .1124 over Providence terminal tank car price for the second year (funding from departments' operating budgets)

Motion by Councilor Nancy F. Binns. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-104 VOTED to open the correspondence from Councilor Kimberly Brissette Brown regarding tentative workshop dates related to Invenergy application to the Energy Facility Siting Board to construct the Clear River Energy Center power plant in Burrillville, RI

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

Discussion: The proposal was discussed.

VOTED to approve scheduling a series of workshops at the call of the Chair.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-105 Correspondence from resident Kathleen P. Martley regarding talking “about the proposed Clear River Power Plant. As well as the zoning issue.”

Discussion: Council President John F. Pacheco III reviewed the process for submitting agenda items.

VOTED to open correspondence from resident Kathleen P. Martley regarding talking “about the proposed Clear River Power Plant. As well as the zoning issue.”

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen

N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

Discussion: Kathleen Martley of B.A.S.E. addressed the Town Council about zoning variances and special use permits. Oleg Nikolyszyn, Town Solicitor, outlined the Energy Facility Siting Board (EFSB) process. Residents inquired about tax treaty negotiations. The matter was discussed. The EFSB process and tax treaties were reviewed and discussed.

16-106 Correspondence from Gary “Squeaky” Patterson regarding:

- 1. What the Town Council hopes to accomplish with the information they get from their consultants; and**
- 2. Circumstances under which the Town Council would say no to Invenergy**

Mr. Patterson commented on his concerns related to the environment. There was general discussion of the EFSB process, tax treaties, which governmental agencies have authority over the proposed project and the health and safety of the community.

16-107 Correspondence from the Burrillville Planning Board regarding the resignation of Rick Lemek

VOTED to accept with regret, to send a letter of thanks and to refer the vacancy to the Screening Subcommittee.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-108 VOTED to receive and file the resolution of the Narragansett Town Council in support of Budget Article 15 related to the timeframe for revaluation

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-109 VOTED to receive and file the correspondence from Blackstone Valley Tourism requesting a Town Council resolution in support of a proposed “RI Green Economy” bond issue.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

10. Town Clerk/Communication:

16-110 VOTED to receive and file correspondence from Jeff McCormick, Director of Public Works & Engineering Services, regarding the purchase of dump trucks as approved in the FY2016 CIP budget

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

16-111 VOTED to receive and file correspondence from RI DEM regarding the inspection of Dam #008 – Harrisville Pond

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

11. Additional New Business:

16-112 Request for Executive Session from Oleg Nikolyszyn, Town

Solicitor, regarding his request for executive session pursuant to Rhode Island Open Meetings law §42-46-5(a)(2) for review, discussion and action related to potential litigation (Piskunov)

The request for executive session was withdrawn.

VOTED to adjourn at 10:25 P.M.

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 John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Kimberly Brissette Brown, Donald A. Fox and David J. Place.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk