

REGULAR MEETING of the Burrillville Town Council held Wednesday, April 27, 2016 at 7:00 P.M. in the Municipal Court Room, Wallace F. Lees Public Safety Complex, 1477 Victory Highway, Burrillville 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: None

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

2. VOTED that the question of accepting the minutes of the regular meeting held April 13, 2016 and the question of dispensing with the reading of said minutes be continued to the next meeting as the Clerk was unable to complete due to work schedule.

Motion by Councilor David J. Place. 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.

3. Public Comment

Jan Luby of Sayles Ave, Terri Lacey of Town Farm Road, Paul Roselli of Maureen Circle representing the Burrillville Land Trust, Jason Olkowski of East Avenue, Kelly Hunt of Church St., Robin Muksian of Round Top Road, Ken Putnam Jr. of Wallum Lake Road, Kevin Stockwell of Old Wallum Lake Road, Mary Bailey of Wallum Lake Road and Jeremy Bailey of Wallum Lake Road commented on the proposed power plant.

4. General Good and Welfare of the Town of Burrillville: None

5. Special Business:

Note: Council President John F. Pacheco III noted that item #16-125 would be taken up at this point on the agenda.

16-125 VOTED to open the correspondence from Oleg Nikolyszyn to the Burrillville Planning Board, Zoning Board of Review and Zoning Official regarding their April 28, 2016 workshop session relative to the proposed Clear River Energy Center, Pascoag.

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.

Discussion: Oleg Nikolyszyn, Town Solicitor, reviewed and commented on his April 24, 2016 memorandum, a copy of which is on file with the record of the meeting. The matter was discussed.

16-113 VOTED to adopt a proclamation recognizing the second full week in May as Women’s Lung Health Week, as follows:

Burrillville Town Council

Proclamation

Designating the second full week in May as “Women’s Lung Health Week”

WHEREAS, every eight minutes, one woman in the U.S. loses her battle with lung cancer; and

WHEREAS, lung cancer is the #1 cancer killer of women and men in the U.S.; and

WHEREAS, the number of women dying from lung cancer has nearly doubled over the past 30 years; and

WHEREAS, advocacy and increased awareness will result in more and better treatments and early detection for people with lung cancer that will ultimately save lives; and

WHEREAS, LUNG FORCE is a fast-growing initiative led by the American Lung Association, with the mission of making lung cancer

history – uniting the nation in the fight against lung cancer.

Now therefore be it resolved that we, the Town Council of the Town of Burrillville do hereby designate the second full week in May as Women’s Lung Health Week throughout the community, and encourage all residents to learn more about the detection and treatment of lung cancer.

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.

16-114 VOTED to grant an annual hawkers and peddlers license to Frederick Seng d/b/a Ellwood’s Dog House to apply throughout the Town of Burrillville, subject to the provision that all stipulations are met.

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.

16-115 VOTED to grant a special event victualing license to Reverend

Michael J. McMahon, St. Theresa's Church, to apply at 35 Dion Drive, Harrisville on June 3, August 5 and December 2, 2016 on property owned by the Diocese of Providence (Map 97, Lot 16), subject to all stipulations being met.

Motion by Councilor Donald A. Fox. 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.

16-116 VOTED to grant an annual victualing and annual holiday license to Paradise Food Mart Inc d/b/a Star Mart to apply at 168 Pascoag Main St. on property owned by Da X Heng (Map 175, Lot 24)

Motion by Councilor Michelle D. Bouchard. 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: None

8. Unfinished Business: None

9. New Business:

16-117 VOTED to open consideration and action on the final report of the 2015 Charter Review Commission.

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.

Discussion: Robin Muksian, Chair of the 2015 Charter Review Commission, presented the final report, a copy of which is on file with the record of the meeting.

VOTED to accept the report with thanks for all their time devoted to this cause and for the care and concern for this commission.

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.

16-118 VOTED to declare surplus certain office furnishings, as follows:

- **Desk, office chair and wooden bookcase (finance director's office); no asset tags**
- **Metal cabinet, asset tag #241**

Motion by Councilor David J. Place. 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.

16-119 VOTED to open the correspondence from Burrillville residents Terri Lacey, Andrew A. Vanable, Jason Olkowski, Jeremy Bailey and Deborah Yablonski, regarding their requests related to negotiations with Invenergy regarding a tax treaty and the provisions of a proposed treaty.

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: Oleg Nikolyszyn, Town Solicitor, reviewed the procedure of establishing a tax treaty. Ms. Lacey and Mr. Vanable commented on

the process. Mr. Nikolyszyn responded to questions from Mr. Olkowski and Mr. Bailey. The matter was discussed.

16-120 VOTED to refer to the Screening Subcommittee applications from Michael J. Dutilly Sr., Paul A. Roselli and Nathan M. St. Pierre.

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.

10. Town Clerk/Communication:

16-121 VOTED to open correspondence from John F. Pacheco III regarding the schedule of workshops related to the proposed Invenergy power plant.

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.

Discussion: The agenda for the meetings was to be set as the process moved forward.

VOTED to endorse the schedule (as follows):

May 4, 2016 at 7:00 P.M. at The Lodge

May 18, 2016 at 7:00 P.M. at The Assembly

June 1, 2016 at 7:00 P.M. at Champlin Hall, Spring Lake Beach

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.

16-122 VOTED to open the letter of commendation from Kelly C. Hunt.

Motion by Councilor Donald A. Fox. 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: Kelly Hunt read her letter commending Louise Phaneuf for her work with the Charter Review Commission. Ms. Phaneuf acknowledged the Commission.

16-123 VOTED to receive and file the correspondence from Kevin

Young, Young Energy Services, LLC, regarding the relicensing of Riverdale Mills Hydroelectric Project (Project No. 9100)

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.

16-125 Correspondence from Oleg Nikolyszyn to the Burrillville Planning Board, Zoning Board of Review and Zoning Official regarding their April 28, 2016 Workshop Session relative to the proposed Clear River Energy Center, Pascoag.

Note – Item #16-125 was addressed earlier on the agenda.

11. VOTED to receive reports (a through x):

- a) Animal Control Officer: Report of March 2016**
- b) Board of Canvassers: Meetings of March 8 & 29, 2016**
- c) B-PAC: No report**
- d) Budget Board: Meetings of March 10 & 17, 2016**
- e) Building Official: Report of March 2016**
- f) Burrillville Extended Care Board of Directors: Meeting of March 8, 2016**
- g) Burrillville Extended Care: No report**

- h) Charter Review Commission: Meetings of March 2, 2016**
- i) Conservation Commission: Meetings of January 12 and February 9, 2016**
- j) Emergency Management Agency: No report**
- k) Finance Dept. Treasurer and Tax Collector: Report of March 2016**
- l) Housing Authority: Meeting of March 9, 2016**
- m) Information Systems Department: No report**
- n) Jesse M. Smith Library Board of Trustees: No report**
- o) Ordinance Subcommittee: No report**
- p) Personnel Board: Meeting of March 9, 2016**
- q) Planning Board/Town Planner: Meeting of March 7, 2016**
- r) Police Department: Report of March 2016**
- s) Public Works: No report**
- t) Recreation Commission: Meeting of January 11, 2016**
- u) Redevelopment Agency: Meeting of February 23, 2016**
- v) School Committee: Meeting of February 9, 2016**
- w) Screening Subcommittee: No report**
- x) Sewer Commission: No report**

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.

12. Additional New Business:

16-124 VOTED to grant the request for Executive Session from Michael C. Wood, Town Manager, regarding his request for executive session pursuant to Rhode Island Open Meetings law

§42-46-5(a)(6) for discussions relating to a prospective business or industry locating within the Town of Burrillville: Invenergy LLC - Clear River Energy Center; and

§42-46-5(a)(3) for discussions regarding security related to the Burrillville Police Department

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.

There was a recess before executive session.

The Town Council returned to open session at 11:35 P.M.

VOTED to seal the minutes of executive session, noting one vote was taken in reference to security related to the Police Department in Burrillville.

Motion by Councilor David J. Place. 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.

VOTED to adjourn at 11:36 P.M.

Motion by Councilor David J. Place. 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.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk