

REGULAR MEETING of the Burrillville Town Council to be held Monday, November 23, 2015 at 7:00 P.M. in Council Chambers, 105 Harrisville Main St., Harrisville, 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:

1. **Pledge of Allegiance**
2. **Minutes:** That the question of accepting the minutes of the regular meeting held November 9, 2015 and dispensing with the reading of said minutes be now taken up.
3. **Public Comment**
4. **General Good and Welfare of the Town of Burrillville**
5. **Special Business to be considered and acted on:**
 - 15-322 Correspondence from the Burrillville Conservation Commission to National Grid acknowledging assistance provided with the beautification project in the area of the welcome sign on Route 102.
 - 15-323 Notice of lawsuit and request for waiver of service of summons (Alice B. Hector v. Burrillville School Department et al).
6. **Petitions:** None
7. **Public Hearing:**

Annual License Renewals: Consider and act on license applications, as follows:

Note: Complete files of applications and supporting data are available in the Town Clerk's office. Please see the Clerk if you would like to review this information.

Notice of the public hearing was duly advertised in the Legal Section of the Woonsocket Call on November 9 and 16, 2015.

- I. **Alcoholic Beverage Licenses:** That the following renewals of **Alcoholic Beverage Licenses** under the provisions of RIGL §3.7 for the period beginning December 1, 2015 and ending November 30, 2016.

Issuance of liquor licenses is subject to:

- obtaining a Certificate of Good Standing from the State Division of Taxation
- payment of taxes owed to the Town of Burrillville
- establishment being in compliance with all state and local building and fire codes

- receipt of copy of certification from the Rhode Island Department of Health, and proof of alcohol server training
- certificate of insurance in compliance with §8-28 of the Town ordinances

A. Retail Licenses Class A (Store): Consider and act on a

MOTION to grant Class A retail liquor licenses and Sunday & Holiday licenses to the following:

- 1) Champs Discount Liquors Inc. d/b/a Champs Discount Liquors Inc.
- 2) Chums Spirits, Ltd. d/b/a Chums
- 3) Solution Specialist Installations Inc. d/b/a Corkscrew Wine & Spirits

B. Retail License Class B(Ltd): Consider and act on a

MOTION to grant Class B Limited retail liquor licenses to the following, subject to stipulation that applicants meet all the requirements noted above.

- Monty's Victory Diner Corp. d/b/a Monty's Victory Diner

C. Retail License Class B (Victualer): Consider and act on a

MOTION to grant Class B (V) retail liquor licenses and annual victualing licenses to the following, subject to stipulation that applicants meet all the requirements noted above.

- 1) AJAR Inc. d/b/a Western Hotel Pizza and Tavern
- 2) Dev's Café Inc. d/b/a Dev's Café
- 3) Eldredge Tavern LLC d/b/a Pascoag Café
- 4) Elite Pizza Restaurant II, LLC d/b/a Elite Pizza Restaurant II
- 5) GCAL Inc. d/b/a Bella; and renew permission to serve alcoholic beverages on the patio
- 6) James Davidge Inc. d/b/a Spritzers Café
- 7) Kevin Bliss d/b/a Crystal Lake Tavern Inc
- 8) Mark Murphy Inc. d/b/a George's Pizza
- 9) Serios Pizzarama & Restaurant Inc. d/b/a Serios Pizzarama
- 10) Thai Time LLC d/b/a Thai Royal Restaurant and Bar
- 11) Toti's Inc. d/b/a Toti's Café
- 12) Uncle Ronnie's Fine Catering Inc. d/b/a Uncle Ronnie's Red Tavern; and renew permission to serve alcoholic beverages on the patio
- 13) Videtta Golf Management d/b/a Country View Golf Club
- 14) Waterfall Café Inc. d/b/a Waterfall Café
- 15) Wright's Farm Corp. d/b/a Wright's Farm Restaurant

D. Retail License Class D (Full Privilege): Consider and act on a

MOTION to grant a Class D (Full Privilege Club) retail licenses to the following, subject to stipulation that applicants meet all the requirements noted above.

- 1) Addieville East Conservation Club
- 2) The Townsmen Club
- 3) Wallum Lake Rod & Gun Club Inc. d/b/a Wallum Lake Rod & Gun Club

E. New Years Eve – Late Closing: Consider and act on a

MOTION that the Class B (Victualer) and Class D (Full Privilege) Liquor Licensees are hereby granted permission to remain open until 3:00 A.M. on New Year's Day January 1, 2016 and no intoxicating liquor shall be sold after 2:00 A.M. until the legal opening hours of January 1, 2016 and no dancing shall be permitted after 3:00 A.M. on New Year's morning until the legal opening hour. Licensees who plan to remain open must notify the Chief of Police, Colonel Stephen J. Lynch on or before November 30, 2015.

II. New Alcoholic Beverage Licenses: That the following new application for an Alcoholic Beverage License under the provisions of RIGL §3.7 for the period beginning December 1, 2015 and ending November 30, 2016.

A. Retail License Class B(Ltd): Consider and act on a

MOTION to grant Class B(Ltd.) retail liquor license, Philip Oakley d/b/a Sweet Caroline's in building owned by Philip Oakley, for premises located at 1950 Broncos Highway, Glendale (Map 130, Lot 001); subject to stipulation that applicant meets all the requirements noted above, for the period beginning December 1, 2015 and ending November 30, 2016.

III. Other Licenses:

A. Victualing Licenses:

Issuance of victualing licenses is subject to:

- payment of taxes owed to the Town of Burrillville
- establishment being in compliance with all state and local building and fire codes
- receipt of copy of certification from the Rhode Island Department of Health
- certificate of insurance in compliance with RIGL §5-77-1

Consider and act on a

MOTION to grant Victualing House Licenses and Holiday licenses to the following, subject to stipulation that applicants meet all the requirements noted above, for the period beginning December 1, 2015 and ending November 30, 2016:

- 1) Burrillville Donuts Inc. d/b/a Dunkin Donuts
- 2) Butcher Block Meats Ltd. d/b/a Brigido's Fresh Market
- 3) JJS Sandwiches Inc. d/b/a Subway
- 4) Kaleva Inc. d/b/a Li'l General
- 5) Likovrisi Corp. d/b/a Niko's Pizza House
- 6) MLC Enterprises, LLC d/b/a New England Farms of RI
- 7) Ohm Ganesh Inc. d/b/a Country Farms
- 8) Pascoag Donuts Inc. d/b/a Dunkin Donuts
- 9) Philip Oakley d/b/a Sweet Caroline's
- 10) Prash, LLC d/b/a Country Farms
- 11) Rhode Island CVS Pharmacy LLC d/b/a CVS Pharmacy #1075
- 12) T & K Corporation d/b/a Olympia Famous Pizza
- 13) The Townsmen Club
- 14) Vietro, Angela d/b/a The Taco Shop
- 15) Wallum Lake Rod & Gun Club Inc. d/b/a Wallum Lake Rod & Gun Club

B. Pool Table License: Consider and act on a

MOTION to grant a Pool Table License under the provisions of RIGL §5.2 and §5.22 to the following, for a period beginning December 1, 2015 and ending November 30, 2016.

- 1) Dev's Café Inc. d/b/a Dev's Café
- 2) James Davidge Inc. d/b/a Spritzer's Café

C. Annual Entertainment License: Consider and act on a

MOTION to grant an Annual Entertainment License under the provisions of RIGL §5.2 and §5.22 to the following, for a period beginning December 1, 2015 and ending November 30, 2016.

- 1) AJAR Inc. d/b/a Western Hotel Pizza
- 2) Dev's Café Inc. d/b/a Dev's Café
- 3) Eldredge Tavern LLC d/b/a Pascoag Cafe
- 4) GCAL Inc. d/b/a Bella
- 5) James Davidge Inc. d/b/a Spritzer's Café
- 6) Kevin Bliss d/b/a Crystal Lake Tavern
- 7) Mark Murphy Inc. d/b/a George's Pizza
- 8) Uncle Ronnie's Fine Catering Inc. d/b/a Uncle Ronnie's Red Tavern
- 9) Wallum Lake Rod & Gun Club Inc. d/b/a Wallum Lake Rod & Gun Club
- 10) Waterfall Café Inc. d/b/a Waterfall Café
- 11) Wright's Farm Corp. d/b/a Wright's Farm Restaurant

D. Firearms License: Consider and act on a

MOTION to grant the renewal of firearms license for Paula Gaebe d/b/a Addieville East Farm to apply at 200 Pheasant Drive (Map 198, Lot 14), for a period beginning January 1, 2016 and ending December 31, 2016.

E. Rubbish: Consider and act on a

MOTION to grant the renewal of rubbish licenses for the following in accordance with and subject to the provisions of Chapter 8, Article 5 of the Ordinances of the Town of Burrillville entitled Transporting Garbage or Rubbish, for a period of one year commencing January 1, 2016 and ending December 31, 2016.

- 1) John Rambone d/b/a Rambone Disposal Services Inc., 2153R Plainfield Pike, Johnston, RI 02919
- 2) Waste Management of RI, 1610 Pontiac Avenue, Cranston, RI 02920

IV. MOTION to adjourn the public hearing.

8. Unfinished Business to be considered and acted on:

- 15-309 Correspondence from Councilor Stephen N. Rawson regarding discussion and consideration of the Bronco Highway overlay zoning restriction.

- 15-310 Correspondence from Councilor Stephen N. Rawson regarding discussion and consideration of modifying the Aquifer Ordinance restriction that prohibits underground gasoline storage within the Aquifer Overlay Zones.

9. New Business to be considered and acted on:

- 15-324 Correspondence from William A. Andrews, Chairman, Burrillville Sewer Commission regarding the Commission's request for a joint meeting with the Town Council to be held on Tuesday, December 1, 2015 to discuss the ratification of the collective bargaining agreement between the Sewer Commission and RI Laborers' District Council – Local 1322.
- 15-325 Correspondence from Councilor David J. Place regarding his request for a discussion and potential referral to the administration for the establishment of a capital account dedicated to youth sports leagues with funding from any annual surplus.
- 15-326 Correspondence from Councilor David J. Place regarding his request for a discussion and possible review of The Burrillville Code of Ordinances, Chapter 30 entitled Zoning, Sec. 25-42. – Exemption or stabilization on qualifying manufacturing or commercial property and Sec. 25-48. – Tax stabilization for exterior improvements in substandard areas.
- 15-327 Correspondence from Rep. Brian C. Newberry, Minority Leader, RI House of Representatives, regarding HUD's Affirmatively Furthering Fair Housing (AFFH) rule.
- 15-328 Correspondence from Michael DiBiase, Chairman, State Planning Council, regarding the Transportation Improvement Program FFY2017-2025.

10. Town Clerk/Communication to be considered and acted on:

- 15-329 Energy Facility Siting Board Docket No. SB-2015 Clear River Energy Center:
- 1) Notification that Invenergy Thermal Development LLC's application to construct a major energy facility, the Clear River Energy Center, comprising of a power plant and certain associated structures in Burrillville, RI is docketed as of November 16, 2015;
 - 2) Notice of Preliminary Hearing that the Energy Facility Siting Board will conduct a public preliminary hearing on Tuesday, January 12, 2016 at 9:30 A.M. in Hearing Room A of the Public Utilities Commission office building, 89 Jefferson Boulevard, Warwick, RI.

- 15-330 Transportation Improvement Program (TIP) 2017 – 2025 Notice of Solicitation for Transportation Projects.
- 15-331 Notice of public hearing by the State Planning Council relative to amendment to the rules and standards of the State Planning Council scheduled for Monday, December 7, 2015 at the RI Department of Administration.
- 15-332 Appellee’s designation of attorney presenting oral argument relative to Ocean State Power and Ocean State Power II v. Susan Makar, in her capacity as Tax Assessor for the Town of Burrillville – No. SU-15-0026.

11. Additional Business to be considered and acted on:

- 15-333 Request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law:
- 1) §42-46-5(a)(2) for discussion and action relative to matters of litigation between the Town and TransCanada (Ocean State Power); and
 - 2) §42-46(a)(6) for discussions relating to a prospective business or industry locating within the Town of Burrillville: Invenergy LLC - Clear River Energy Center
- 15-334 Consider and act on possible motion to seek intervenor status regarding Docket No. SB-2015 Clear River Energy Center pursuant to the Energy Facility Siting Board Rules of Procedure.

12. Adjournment

The Town of Burrillville will provide accommodations needed to ensure equal participation. Please contact the Burrillville Town Clerk at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting it. A request for this service can be made in writing or by calling (401) 568-4300 (voice) or “via RI Relay 1-800-745-5555” (TTY).