REGULAR MEETING of the Burrillville Town Council held Wednesday, October 11, 2023 at 7:00 P.M. in the Wallace F. Lees Public Safety Complex, 1477 Victory Highway, Oakland, RI, for and within the Town of Burrillville.

MEMBERS PRESENT: Council President Donald A. Fox and Councilors Stephen N. Rawson, Dennis M. Anderson, Jeremy P. Bailey, Justin P. Batalon, David Houle and Raymond J. Trinque.

MEMBERS ABSENT: None

1. Council President Donald A. Fox led those present in pledging allegiance to the flag.

2. Public Comment: None

3. General Good and Welfare of the Town of Burrillville:

   Council President Donald A. Fox announced his support of Israel.

   Councilor Dennis M. Anderson announced the Burrillville Bronco 5K being held at AT Levy School on November 12. It's a fundraiser hosted by BPAC to raise money for scholarships. Sign up online at www.runsignup.com (search for Burrillville Bronco 5K) to walk, run or just donate.

   Councilor Justin P. Batalon noted that the lottery jackpot is very high, he announced events at the Assembly Theatre, Jesse Smith Library and Levy Ice Rink; and the swearing in ceremony for Chief Fontenault at Harrisville Fire Department on October 16.

4. Consent Agenda:

   Note: All items on the consent agenda were acted on as one item and equivalent to taking the action on each item individually.

   23-308 VOTED to approve the minutes of the regular meeting of September 27, 2023; and dispense with the reading of said minutes.

   23-309 VOTED to receive and file the Learn365RI Grant notification from the Rhode Island Department of Elementary and Secondary Education.

   23-310 VOTED to refer to the Screening Subcommittee the application from James Alix for reappointment to the Burrillville Extended Care Board of Directors.

Motion by Councilor Justin P. Batalon. The motion carried unanimously.

5. Special Business:

   23-311 Application from Devin Ellinwood d/b/a Power Home Remodeling for a Hawkers & Peddlers license for door-to-door sales of windows, siding and roofing to apply throughout the Town of Burrillville.
VOTED to grant with the stipulation that all requirements are met.

Motion by Councilor Justin P. Batalon. The motion carried unanimously.

6. Petitions: None

7. Unfinished Business:

23-305 Consider and act on adopting a proclamation congratulating Harrisville Fire Chief Michael Gingell on his retirement.

VOTED to adopt a proclamation, as follows:

Burrillville Town Council
Proclamation

WHEREAS, Chief Michael Gingell, a lifelong resident of Burrillville, has dedicated many years servicing the town in a variety of positions for the Harrisville Hose Company and Harrisville Fire District; and

WHEREAS, Mike, after serving more than 35 years, retired on September 1, 2023; and

WHEREAS, Mike and his wife Brenda of 44 years, raised their two daughters Stacey and Amanda in Burrillville. They enjoy watching their grandchildren Aliza, Devin and Kennadie grow up here as well; and

WHEREAS, Mike started his career at the age of 16 as a junior member of the Harrisville Hose Company and became a senior member in 1977; and

WHEREAS, Mike also served as a Rescue Lieutenant and Engine 21 Lieutenant before becoming a full time employee of the Harrisville Fire District in 1987; and

WHEREAS, Mike continued to move up the ladder to Fire Captain, Acting Rescue Captain, Assistant Chief and Deputy Chief; and

WHEREAS, On April 1, 2018 Mike became the Fire Chief of the Harrisville Fire District while also filling in as interim Chief of the Nasonville Fire Department; and

WHEREAS, Mike was also involved in many local and state agencies such as the Rhode Island Local Assistance State Team (LAST Team) and the Rhode Island Association of Fire Chiefs; and

WHEREAS, During Mike’s tenure on the Harrisville Fire Department he also served on the Burrillville Housing Authority and spent many hours volunteering at St. Patrick’s Church; and
WHEREAS, Mike’s dedication to the community is commendable. This proclamation is presented to serve as a reminder that although he is retiring, he will be remembered as being dedicated to both his position and our community.

NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville on this 11th day of October 2023, in their sincere appreciation of Michael Gingell’s dedicated service, congratulate him on his retirement.

BE IT FURTHER RESOLVED that we, the Town Council, honor and commend Michael Gingell and wish him, and his family, well.

Motion by Councilor Jeremy P. Bailey. The motion carried unanimously.

8. Public Hearings:


Note: Notice of the public hearing was advertised in The Woonsocket Call on September 20 & 27 and October 4, 2023.

VOTED to open.
Motion by Councilor Raymond J. Trinque. The motion carried unanimously.

A. Comments/Input/Recommendations from the Ordinance Subcommittee

Councilor Stephen N. Rawson, Chair of the Ordinance Subcommittee, stated that the Ordinance Subcommittee was not able to review the ordinance and do not have a recommendation.

B. Comments/Input/Recommendation by Administration – Solicitor, Town Manager

William C. Dimitri, Town Solicitor, stated he has read the proposed ordinance and says that it’s good. Col. Stephen J. Lynch, Police Chief and Acting Town Manager, stated that it’s consistent with the Downtown Pascoag and Stillwater Redevelopment Districts and the Administration supports it.

C. Proponents: None

D. Opponents: None

E. VOTED to close the public hearing.
Motion by Councilor Raymond J. Trinque. The motion carried unanimously.

F. Town Council Deliberation

Councilor Dennis M. Anderson stated that this has been in the works for years and it’s about time this gets done. Councilors Justin P. Batalon and David Houle agreed that this is long overdue. Councilor
Raymond J. Trinque stated that the people from Nasonville turned out to the public hearings in support of this.

G. VOTED to adopt amendments to the Revised General Ordinances of the Town of Burrillville, RI, 2004, as amended, designating Nasonville Redevelopment District, as follows:

**ORDINANCE DESIGNATING THE NASONVILLE REDEVELOPMENT AREA**

The Town Council of the Town of Burrillville hereby ordains as follows:

The Revised General Ordinances, Town of Burrillville, Rhode Island, 2004 as amended, Chapter 19 entitled Redevelopment Agency, is hereby amended by adding:

WHEREAS, the Comprehensive Plan for the Town of Burrillville recognizes the Nasonville area as an area which suffers from substandard blighted conditions and is in need of redevelopment; and

WHEREAS, the Burrillville Redevelopment Agency (BRA) has after extensive study with public input formulated a redevelopment plan for the Nasonville area known as the Nasonville Redevelopment Plan which is incorporated herein by reference; and

WHEREAS, the Nasonville Redevelopment Plan incorporates and describes with specificity the Nasonville Redevelopment Area as required by RIGL §45-32-8; and

WHEREAS, prior to passage of an ordinance approving the Nasonville Redevelopment Plan the Burrillville Town Council must pursuant to RIGL §45-32-4 officially designate by ordinance the Nasonville area as a redevelopment area which designation shall include a description of the boundaries of the area or areas designated as a redevelopment area; and

WHEREAS, pursuant to RIGL §45-32-7 the Burrillville Planning Board has made positive findings that the Nasonville Redevelopment Plan is consistent with the Comprehensive Plan for the Town of Burrillville.

NOW, THEREFORE, pursuant to RIGL §45-32-4 the Burrillville Town Council hereby designates the below-described area as the Nasonville Redevelopment District, which may also be referred to as the Nasonville Redevelopment Area.

**AREA BOUNDARIES**

The Redevelopment area comprises 76 assessor's lots totaling 340 +/- acres in the Village of Nasonville, Town of Burrillville, Rhode Island. The redevelopment area is bounded to the north by Broncos Highway, to the south Walling Road and Gig Road, to the west by parcels located along Victory Highway and to the east by the Town Line with North Smithfield. Table I lists the properties included in the redevelopment area.

**TABLE I. REDEVELOPMENT AREA LOTS**
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This ordinance shall take effect upon passage.

And,

**ORDINANCE ADOPTING**

**THE NASONVILLE REDEVELOPMENT DISTRICT**

**REDEVELOPMENT PLAN**

The Town Council of the Town of Burrillville hereby ordains as follows:

The Revised General Ordinances, Town of Burrillville, Rhode Island, 2004 as amended, Chapter 19 entitled *Redevelopment Agency*, is hereby amended by adding:

Section 1: The Burrillville Redevelopment Agency has forwarded to the Town Council the Nasonville Redevelopment Plan, which comprises 76 assessor’s lots totaling 340 +/- acres in the Village of Nasonville, Town of Burrillville, Rhode Island. The redevelopment area is bounded to
the north by Broncos Highway, to the south Walling Road and Gig Road, to the west by parcels located along Victory Highway and to the east by the Town Line with North Smithfield. The area shall be known as the Nasonville Redevelopment District or Nasonville Redevelopment Area.

Section 2: The Town Council hereby expressly finds that the Nasonville Redevelopment District suffers from blighted and substandard conditions and requires clearance, re-planning, redevelopment, rehabilitations, improvement or a combination of these remedies.

Section 3. The purpose and intent of the Burrillville Town Council is that the Nasonville Redevelopment District be redeveloped in accordance with and pursuant to the Nasonville Redevelopment Plan, which is hereby incorporated by reference.

Section 4. The Burrillville Town Council hereby determines that the Nasonville Redevelopment Plan is feasible and conforms to the Comprehensive Plan for the Town of Burrillville and if carried out will promote public health, safety, morals and welfare of the community, and would effectuate the purposes of RIGL §45-31 through 33.

Section 5. The Burrillville Town Council has provided for an appropriation for the purposes of carrying out the Nasonville Redevelopment Plan.

Section 6. The Nasonville Redevelopment Plan envisions the reconstruction, construction and improvement of infrastructure including roadways and utilities to support proposed private and public investment and uses called for under the plan and it is the intent of the Town Council to institute any proceedings necessary to assist in improvement of said infrastructure necessary to effectuate the Nasonville Redevelopment Plan.

Section 7. The Burrillville Redevelopment Agency shall not exercise its power of condemnation within the Nasonville Redevelopment District unless it has identified and set aside the amount of appraised value of the property to be condemned.

Section 8. The Nasonville Redevelopment Plan provides that the Burrillville Redevelopment Agency may retain controls and establish restrictions and covenants which may run with real property sold, leased or otherwise disposed of for private or public use.

Section 9. The Nasonville Redevelopment Plan which is incorporated herein by reference is hereby designated as the approved plan for the Nasonville Redevelopment Area.

This ordinance shall take effect upon passage.

Motion by Councilor Justin P. Batalon. The motion carried unanimously.

9. New Business:

23-313 Consider and act on a report on the artificial turf project and a recommendation from Jeffrey McCormick, DPW Director, regarding how to proceed with the project; or take any other action thereon.

Discussion: Jeffrey McCormick, DPW Director, gave a presentation of the proposed artificial turf project at the high school. The presentation is on file with the record of the meeting.
VOTED to approve the procurement strategy and engagement of FieldTurf to design, manufacture and build the artificial turf field, lighting and bleachers scope of the project for up to $3,200,000. This engagement shall be within the next 90 days and subject to the Town Manager’s review, secured funding, legal review and town applied conditions.

Motion by Councilor Stephen N. Rawson. The motion carried unanimously.

23-314 Correspondence from Dr. Michael Sollitto, Burrillville School Superintendent, requesting the Town Council appoint a council member as liaison to the Burrillville Teachers Association contract negotiating committee.

VOTED to appoint Councilors Justin P. Batalon and Raymond J. Trinque as liaisons to the Burrillville Teachers Association contract negotiating committee.

Motion by Councilor David Houle. The motion carried unanimously.

23-315 Consider and act on a request for support from Ray Goff, Town Planner, for an application to Rhode Island Housing for their Municipal Technical Assistance Program; or take any other action thereon.

Discussion: Ray Goff, Town Planner, explained that Rhode Island Housing has this grant to assist cities and towns with revising ordinances to include the recently passed zoning and land use legislation.

VOTED to authorize the Town Planner, Ray Goff, to apply to Rhode Island Housing for their Municipal Technical Assistance Program.

Motion by Councilor Justin P. Batalon. The motion carried unanimously.

23-316 VOTED to establish fund 0226, the Municipal Road and Bridge Fund, for the purpose of segregating grant revenue and expenses for the Municipal Road and Bridge Project.

Motion by Councilor Raymond J. Trinque. The motion carried unanimously.

23-317 VOTED to establish fund 1365, the LEARN365 Fund, for the purpose of segregating the cost and funding for the LEARN365 grant.

Motion by Councilor Dennis M. Anderson. The motion carried unanimously.

23-318 VOTED that all costs and appropriated funding for the Burrillville Skate Park Renovation and Expansion Project be transferred and/or recorded in the Skateboard Fund (fund #1445) to ensure accurate tracking.

Motion by Councilor Justin P. Batalon. The motion carried unanimously.

23-319 VOTED to award the bid for carpet replacement at the Burrillville police department [bid #24-004] to Kelly Floor Covering for the amount of $32,000 with funding previously approved in the FY2024 CIP budget.
Motion by Councilor Dennis M. Anderson. The motion carried unanimously.

23-320 Consider and act on a request from Donald A. Fox, Town Council President, to discuss and consider action regarding the Burrillville Arts & Craft Festival Event; or take any other action thereon.

Discussion: Council President Donald A. Fox outlined all of the issues identified by the Board of Administration (BOA) and Patrons of the Assembly (POA) which include spray paint on pavement, overflowing trash containers, the moving of dumpster and trailer, and equipment and porta-johns left on the property for a full week. Also of concern is that the terms of the liquor license issued to the Arts & Crafts Festival Association were violated. The license was for beer and wine only, and it had come to Mr. Fox’s attention that there was hard liquor served there.

Lisa Bevilacqua, chair of the Burrillville Festival Association, stated that she had no idea that the BOA and POA had issues with them, she had not received any letters. She said she had found out this day about the spray paint and it has already been cleaned up. She addressed the other concerns and indicated that she did not realize there were different liquor licenses.

It was discussed that the only issue the Town Council would entertain is the violation of the liquor license. It was explained that the license the Festival Association applied for, and was granted, was a class f, beer and wine, license. Mr. Fox reiterated that hard liquor was served at the event and that could have caused a huge liability if anything had happened to a patron.

VOTED to schedule a show cause hearing to review the liquor license at the call of the chair.

Motion by Councilor Raymond J. Trinque. The motion carried unanimously, six in favor, one opposed. Voting in favor of the motion were Council President Donald A. Fox and Councilors Stephen N. Rawson, Dennis M. Anderson, Justin P. Batalon, David Houle and Raymond J. Trinque; voting in opposition was Councilor Jeremy P. Bailey.

10. Town Clerk/Communication: None

11. Additional new business:

23-321 Request for executive session:

A. VOTED to grant the request for executive session from:

- Donald A. Fox, Town Council President, pursuant to Rhode Island Open Meetings Law §42-46-5(a)(5) for discussion, consideration, and possible action relative to a State right-of-way adjacent to Broncos Highway (Rt. 102) and Central Street, or take any other action thereon.
- William C. Dimitri, Town Solicitor, pursuant to Rhode Island Open Meetings Law §42-46-5(a)(5) for discussion, consideration and possible action regarding the litigation of real property (Assessor’s map 142, lot 045); or take any other action thereon.
- Ray Goff, Town Planner, pursuant to Rhode Island Open Meetings Law §42-46-5(a)(5) for discussion, consideration and possible action regarding the
acquisition of real property located at 0 Chapel Street (Assessor’s map 159, lot 001); or take any other action thereon.

Motion by Councilor Justin P. Batalon. The motion carried unanimously.

B. The Town Council returned to open session at 8:59 p.m.

C. Consider and act on sealing the minutes of executive session, making note of any votes taken.

MOTION to seal the minutes of executive session, making note that two votes were taken.

Motion by Councilor Raymond J. Trinque. There was no second, the motion failed.

VOTED to seal the minutes of executive session, making note that four votes were taken.

Motion by Councilor Raymond J. Trinque. The motion carried unanimously, six in favor, one opposed. Voting in favor of the motion were Council President Donald A. Fox and Councilors Stephen N. Rawson, Dennis M. Anderson, Jeremy P. Bailey, Justin P. Batalon and David Houle; voting in opposition was Councilor Raymond J. Trinque.

D. VOTED to disclose two votes taken in executive session, as follows:

- Voted to withdraw our intent to purchase location 26,503+ square feet State right of way, adjacent to Broncos Highway (Route 102) and Central Street in Burrillville.
- Voted to authorize the submission of a grant request to the State of Rhode Island Natural Heritage Preservation Commission Local Open Space Conservation and Acquisition Grant Program for the purchase of the property located at Burrillville Assessor’s map 159, lot 001 totaling approximately 6.646 acres, and adopt a resolution authorizing the same. Funds for this purchase, appraisal and survey of $62,620 are to come from the unreserved, undesignated fund balance of the general fund.

Note: Pursuant to Sec. 3.14(J) of the Burrillville Town Charter, the appropriation of money from the unreserved, undesignated fund balance of the general fund shall require the affirmative vote of six (6) members of the Town Council.

Motion by Councilor Raymond J. Trinque. The motion carried unanimously by the six members present.

12. VOTED to adjourn at 9:01 P.M.

Motion by Councilor Jeremy P. Bailey. The motion carried unanimously.

Vicki T. Martin, Town Clerk