REGULAR MEETING of the Burrillville Town Council held Wednesday, December 13, 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:

   Councilor Stephen N. Rawson wished everyone a Merry Christmas.

   Michael C. Wood, Town Manager, invited everybody to visit Fountain Square Park in downtown Pascoag to see the holiday light display.

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.

   23-343 Approved the minutes of the regular meeting of November 8, 2023, and the special meeting of November 20, 2023; and dispense with the reading of said minutes.

   23-344 Accepted the fiscal year ending June 30, 2025 budget calendar and scheduled public hearings as listed therein.

   23-345 Received and filed the correspondence from Donald and Suzanne Dumas thanking the Town for the work performed by Department of Public Works to fix erosion on their property due to run off from the road.

   23-346 Received and filed the letter from Rhode Island Housing regarding the awarding of the Rhode Island Housing Predevelopment Grant for the proposed Pleasant Street affordable housing project.

   23-347 Received and filed the ARPA Predevelopment Program deed restriction and grant agreement between Rhode Island Housing and Mortgage Finance Corporation and the Town for the property located at 0 Steere Farm Road (Burrillville Assessor's map 247, lot 011).

   23-348 Appointed William Guertin to be the town tree warden for 2024, subject to the approval of the Director of the Department of Environmental Management.
23-349 Referred the following applications to the Screening Subcommittee:

- Russell Couture for reappointment to the Board of Assessment Review
- Tony Wood for reappointment to the Personnel Board
- Marissa Ruff and Kathan Lambert for reappointment to the Juvenile Hearing Board
- Christopher Toti and Betty Mencucci for appointment to the Burrillville 250 Commission

23-350 Approved the reappointment of Sandra Carter as a member of the Housing Authority to serve a five-year term to expire October 31, 2028 as recommended by the Screening Subcommittee.

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

5. Special Business: None

6. Petitions: None

7. Unfinished Business: None

8. Public Hearings:

23-351 Proposed amendments to the Revised General Ordinances of the Town of Burrillville, RI, 2004, as amended, Ch. 4 Animals and Sec. 30 -71 Zoning district uses, to add guidelines for the keeping, raising or housing of chickens.

Note: This is a continuation of the public hearing held on Monday, November 20, 2023. Notice of the public hearing was advertised in the Woonsocket Call on November 1, 8 & 15, 2023.

VOTED to reopen the public hearing.

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

A. Comments/Input/Recommendations from the Ordinance Subcommittee

Councilor Stephen N. Rawson, Chair of the Ordinance Subcommittee, stated that because of time constraints the Subcommittee has not had a chance to review the proposal after the last public hearing and an administrative meeting. The Ordinance Subcommittee will be meeting later in the month and would like the Town Council to send it back to them.

B. Comments/Input/Recommendation by Administration

Michael C. Wood, Town Manager, stated that he has taken the input from the last public hearing and the administrative meeting to put together a recommendation for some changes. He outlined some of
the changes noted in his recommendation. He stated that the next step is to look at beefing up enforcement.

C. Proponents: None

D. Opponents

Ben Ryan, of Victory Highway, commented on enforcement, which he said would be complaint driven and would rely on animosity between neighbors. He stated that the requirement of special use permits for free ranging should be eliminated. He says the Right to Farm Act protects farms from nuisance actions.

E. VOTED to close the public hearing

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

F. Town Council Deliberation

It was discussed that the proposed ordinance is a good start. The intent was to save people from having to go to the Zoning Board of Review for a special use permit, which can be costly. We wish to find a balance between allowing chickens and not causing a disturbance in neighborhoods.

Councilor Jeremy P. Bailey stated that most of the issues raised at the first public hearing have been addressed in this revision, but would like to consider eliminating restrictions on free ranging and is concerned that roosters are allowed in residential zones.

Councilor Stephen N. Rawson recognized that we will not be able to make everybody happy with any ordinance we come up with. He said he would like it to be referred back to the Ordinance Subcommittee to consider everything discussed in the public hearings.

G. Consider and act on adopting amendments to the Revised General Ordinances of the Town of Burrillville, RI, 2004, as amended, Ch. 4 Animals and Sec. 30 -71 Zoning district uses, to add guidelines for the keeping, raising or housing of chickens.

VOTED to refer back to the Ordinance Subcommittee.

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

H. VOTED to adjourn the public hearing

Motion by Councilor David Houle. The motion carried unanimously.
Note: Notice of the public hearing was advertised in The Woonsocket Call on November 22 & 29 and December 6, 2023.

A. Comments/Input/Recommendations from the Ordinance Subcommittee

Councilor Stephen N. Rawson, Chair of the Ordinance Subcommittee, stated that these proposed amendments are in response to changes in state laws that were made this past legislative season.

B. Comments/Input/Recommendation by Administration

Michael C. Wood, Town Manager, stated that these were new laws, forced on us by the State, trying to accommodate affordable housing.

Ray Goff, Town Planner, said that the State has been working on ways to spur more development of housing, in particular affordable housing. These new laws were passed this past September with a January 2024 implementation date. All 39 cities and towns in Rhode Island are working on the same changes. He reviewed the proposed amendments to the Affordable Housing and Zoning ordinances.

C. Proponents: None

D. Opponents: None

E. VOTED to close the public hearing

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

F. Town Council Deliberation

It was discussed that the changes from the State were geared toward cities without considering communities like Burrillville. The proposed changes are a good response to the State edicts.

G. VOTED to adopt amendments to the Revised General Ordinances of the Town of Burrillville, RI, 2004, as amended, Chapter 10.5 entitled Community development, Article II Affordable housing, and Chapter 30 entitled Zoning in response to recent changes in State laws.

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

Note: A full copy of the ordinance, as adopted, is on file with the record of this meeting.

9. New Business:

Note: Councilor Stephen N. Rawson asked that item #23-358 be taken up at this time.

23-358 Consider and act on a request from Ray Goff, Town Planner, to authorize funds for pre-design and schematic design for the Senior Housing Project; or take any other action thereon.
Discussion: Ray Goff, Town Planner, explained that we received a grant for $250,000 to fund design and engineering work in preparation for the construction of senior housing. He is requesting that the Town Council authorize the expenditure of $50,000 for Senior Housing Pre-design and Schematic Design for Steere Farm Road from Joe Casali Engineering, to be taken from the Affordable Housing Fund (#0222) the establishment of which will be considered later in this agenda.

VOTED to approve.

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

23-353 VOTED to adopt a resolution authorizing fiscal year end appropriations and transfers, as follows:

Burrillville Town Council Resolution
Undesignated Fund Transfers - General Fund

The Finance Director is hereby authorized to appropriate and/or transfer $1,076,000 from the Unreserved Undesignated General Fund Balance to the respected Side Funds / Line Items listed below.

A. Appropriate and transfer $31,000 from the Unassigned Fund Balance (Unreserved Undesignated General Fund Balance) to the Recycling Programs Fund (fund 0440). (6 votes)
   (To purchase rubbish and recycling carts and other recycling expenses)
B. Appropriate and transfer $50,000 from the Unassigned Fund Balance (Unreserved Undesignated General Fund Balance) to the Revaluation Project Fund (fund 1220). (6 votes)
   (Cumulative to the next revaluation project)
C. Appropriate and transfer $50,000 from the Unassigned Fund Balance (Unreserved Undesignated General Fund Balance) to the Other Post Employment Benefits (OPEB) Fund (fund 3805). (6 votes)
D. Appropriate and transfer $75,000 from the Unassigned Fund Balance (Unreserved Undesignated General Fund Balance) to the Burrillville Addiction Assistance Program / Narcotic Guidance Council – Local Fund (fund 0720). (6 votes)
   (Funding for substance abuse and addiction assistance programs)
E. Appropriate and transfer $100,000 from the Unassigned Fund Balance (Unreserved Undesignated General Fund Balance) to the Unfunded Sick/Vacation Leave Reserve (Unfunded Liabilities) Fund (fund 3810). (6 votes)
F. Appropriate and transfer $250,000 from the Unassigned Fund Balance (Unreserved Undesignated General Fund Balance) to the Economic Redevelopment Fund (fund 1110). (6 votes)
G. Appropriate and transfer $250,000 from the Unassigned Fund Balance (Unreserved Undesignated General Fund Balance) to the Debt Reduction Fund (fund 3880). (6 votes)
H. Appropriate and transfer $250,000 from the Unassigned Fund Balance (Unreserved Undesignated General Fund Balance) to the Major Capital Fund (fund 3820). (6 votes)
I. Appropriate and transfer $20,000 from the Unassigned Fund Balance (Unreserved Undesignated General Fund Balance) to the Senior Program Fund (fund 0781). (6 votes)
   (Senior Lunch and Learn and other formal senior programs or activities)
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.

23-354 Consider and act on request from Leslie McGovern, Finance Director, to approve annual audit transfers and Capital Improvement Program carryovers; or take any other action thereon.

VOTED to approve as presented.

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

23-355 Consider and act on a request from Leslie McGovern, Finance Director, to establish the Affordable Housing Fund; or take any other action thereon.

VOTED to:
- Establish fund #0222 – Affordable Housing Fund for the purpose of segregating the cost and funding for the Affordable Housing Project.
- Transfer all Town Council approved funding related to the Affordable Housing Project (plat 247, lot 011), past and future, to the Affordable Housing Fund (#0222).
- Transfer any future Town Council approved funding related to the Affordable Housing Fund (#0222).

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

23-356 Consider and act on a request from Donald A. Fox, Town Council President, that the Town Council consider showing support for Israel; or take any other action thereon.

Discussion: Council President Donald A. Fox stated that he is appalled by the actions of other public bodies that have not condemned the attacks of Hamas against Israeli citizens on October 7. We have, in the past, flown the Armenian flag and would like to do the same for Israel to show our support. The majority of the Town Council agreed to flying the flag as a symbol of our support of them, and possibly adopt a resolution at a future Council meeting.

Ben Ryan, of Victory Highway, said he did not agree that the Town Council should show support for any side of a foreign war.

Councilor Jeremy P. Bailey stated that showing support for Israel is not showing support of war, and that he wished for peace in the Middle East.

Councilor David House stated that he is in full support of Israel, but does not think we should fly the flag. He believes that it may open us up for being sued, as had happened in a town in Massachusetts where a town flew the Israeli flag and was sued for not also flying the Palestinian flag. William C. Dimitri, Town Solicitor, stated that he has not seen this case or any decisions, but he believes the Town Council can show support by flying the Israeli flag without being made to fly any other flag.
VOTED that the Town of Burrillville fly the Israeli flag for thirty days.

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

10. Town Clerk/Communication: None

11. VOTED to receive reports A – X:

A) Affordable Housing Board: Minutes of September 7, 2023
B) Animal Control Officer: Reports of October & November 2023
C) Board of Canvassers: No Report
D) Budget Board: No Report
E) Building Official: No Report
F) Burrillville Extended Care Board of Directors: Minutes of July 12, 2023
G) Burrillville Extended Care: No Report
H) Burrillville Prevention Action Coalition: No Report
I) Conservation Commission: Minutes of September 19, 2023
J) Finance Department: Tax Collector Report of October 2023; Treasurer’s Reports of August & September 2023
K) Housing Authority: No Report
L) Jesse M. Smith Library Board of Trustees: No Report
M) Ordinance Subcommittee: No Report
N) Personnel Board: Minutes of October 10, 2023
O) Planning Board: Minutes of October 2, 2023
P) Planning Department: Reports of October & November 2023
Q) Police Department: Reports of October & November 2023
R) Recreation Commission: Minutes of August 15 & September 11, 2023
S) Redevelopment Agency: Minutes of August 26 & October 24, 2023
T) School Committee: No Report
U) Screening Subcommittee: Minutes of September 19 & October 19, 2023
V) Senior Housing Exploratory Committee: No Report
W) Sewer Commission: Minutes of October 10, 2023
X) Zoning Board: Minutes of October 10, 2023

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

12. Additional new business to be considered and acted on:

23-357 Request for executive session:

A. VOTED to grant the request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meetings Law §42-46-5(a)(5) for discussion, consideration, and possible action relative to the sale of real property
located at 0 Snake Hill Road (Burrillville Assessor’s map 180, lot 002), or take any other action thereon.

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

B. The Town Council returned to open session at 8:22 p.m.

C. VOTED to seal the minutes of executive session, making note that no votes were taken.

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

D. Consider and act on disclosing any votes taken in executive session, as appropriate.

Note: There were no votes taken in executive session. There was no action taken on this item.

23-358 Consider and act on a request from Ray Goff, Town Planner, to authorize funds for pre-design and schematic design for the Senior Housing Project; or take any other action thereon.

Note: This item was taken up earlier in the agenda.

13. VOTED to adjourn at 8:23 P.M.

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

Vicki T. Martin, Town Clerk