

REGULAR MEETING of the Burrillville Town Council held Wednesday, April 10, 2024 at 7:00 P.M. in the Burrillville Town Building, 105 Harrisville Main Street, Harrisville for and within the Town of Burrillville.

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

MEMBERS ABSENT: Councilor Raymond J. Trinique was excused.

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:** None
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.

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| 24-112 | VOTED to approve the minutes of the regular meeting of March 27, 2024; and dispense with the reading of said minutes.  |
| 24-113 | VOTED to declare surplus items previously used by the Building Department as requested by Leslie McGovern, Finance Director.   |
| 24-114 | VOTED to receive and file the executed FY2023 Community Project Funding Grant agreement between the Town of Burrillville and the US Department of Housing and Urban Development.   |
| 24-115 | VOTED to receive and file the executed Main Street Rhode Island Streetscape Improvement Grant agreement between the Town of Burrillville and the Rhode Island Commerce Corporation.  |
| 24-116 | VOTED to receive and file the executed Access and Use agreement between the Town of Burrillville and Kathleen and Bradford Provencal.  |
| 24-117 | VOTED to refer to the Screening Subcommittee the following applications: <ul style="list-style-type: none"><li>• Anthony Zampello for reappointment to the Budget Board</li><li>• Corey M. Hastings for appointment to the Recreation Commission</li></ul> |

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

5. **Special Business:** None

**APPROVED**

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**6. Petitions: None**

**7. Unfinished Business: None**

**8. Public Hearings:**

24-118 Capital Improvement Program for fiscal year ending June 30, 2025:

**NOTE:** The above was duly advertised in the Woonsocket Call on April 3, 2024.

**NOTE:** Capital Improvement Program documents are available for the public by calling the Burrillville Town Clerk's office or on our website at: <https://www.burrillville.org/finance/pages/fy2025-budget-information>.

- A. Recommendations from the Budget Board regarding the Capital Improvement Program for Fiscal Year Ending June 30, 2025

Nathan St. Pierre, Chair of the Burrillville Budget Board, commented on the Budget Board's FY2025 Capital Improvement Program recommendation based on the information they had at the time. He reviewed each of the items in their recommendation.

- B. Recommendations from Michael C. Wood, Town Manager:
1. Capital Improvement Program for Fiscal Year Ending June 30, 2025
  2. Capital Improvement Program – Five (5) and Ten (10) Year Plan

Michael C. Wood, Town Manager, reviewed his recommendations. He reviewed the two major departures from the Budget Board's recommendation, which include the JMS Library roof and the Steere Farm Elementary boiler. Other priority projects in the coming year include, but are not limited to, Harrisville Mill Pond dam, fuel station at Department of Public Works, water and sewer in Nasonville. Mr. Wood explained that the funds for the Capital Improvement Program come mostly from Ocean State Power receipts and are dwindling each year until the agreement ends. A copy of his full recommendation is on file with the record of this meeting, and online at the link above.

C. Proponents: None

D. Opponents: None

E. VOTED to close the public hearing

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

F. Town Council Members Comments/Input/Deliberation

Discussion: The Town Council discussed the recommended CIP budget for FY2025. It was noted that the Capital Improvement Program may get adjusted again during the operating budget adoption.

- G. VOTED to adopt the resolution adopting the Capital Improvement Program for fiscal year ending June 30, 2025, as follows:

Burrillville Town Council Resolution  
Adopting the Capital Improvement Project Program  
FYE June 30, 2025

The Burrillville Town Council hereby resolves that the Capital Improvement Project Program for fiscal year ending June 30, 2025 be adopted as recommended by the Town Manager. The total appropriation is \$8,608,350. Detail of the program is as follows:

**PROPOSED CAPITAL IMPROVEMENT PROJECT BUDGET**

Municipal – Departmental	\$320,500
School – Departmental	645,300
Engineering	281,000
Infrastructure (Roads & Projects)	6,987,500
Board of Administration	30,000
JMS Library	91,250
Major Capital Transfer	<u>252,800</u>
Total	\$8,608,350

**PROPOSED CAPITAL IMPROVEMENT FUNDING**

OSP – Tax Levy	\$2,298,800
Major Capital / Debt Reduction	795,300
Bond / Loan	3,500,000
ARPA	1,142,500
Undesignated Fund Balance	255,000
Potential Grants	<u>616,750</u>
Total	\$8,608,350

The Capital Budget as presented is adopted and shall be included in its entirety in the annual budget for Fiscal Year Beginning July 1, 2024. The Town may encumber funds against these accounts prior to July 1<sup>st</sup>. This will allow the Town to enter into contracts prior to the effective date of July 1, 2024.

Adopted this 10<sup>th</sup> day of April 2024.

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

**9. New Business:**



- 24-119 Consider and act on a recommendation from Beth Ullucci, Library Director, regarding the JMS Library Roof Project; or take any other action thereon.

Discussion: Beth Ullucci, Library Director, outlined the history of the roof at the Jesse M. Smith Memorial Library.

VOTED to:

- Award the bid for the JMS Library Roof Project (bid #24-009) to Commercial Roofing, the lowest bidder, for an amount not to exceed \$493,000.
- Authorize the following funding totaling \$493,000 for the JMS Library Roof Project:
  - \$154,000 of previously appropriated funds
  - Additional funding of \$26,800 from the Library Undesignated (Fund 2555)
  - Additional funding of \$312,200 from the Major Capital (Fund 3820)
  - Any excess funds and or rebates to be returned to Major Capital (Fund 3820)

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

- 24-120 Consider and act on a recommendation from Dr. Michael Sollitto, Burrillville School Superintendent, regarding the Steere Farm Elementary School boiler project; or take any other action thereon.

Note: This item contained a recommendation from Dr. Michael Sollitto, Burrillville School Superintendent, on the awarding of the bid; and Leslie McGovern, Finance Director, on the funding for the project. The bid was awarded by the Burrillville School Committee. Those recommendations are on file with the record of this meeting.

VOTED to:

- Appropriate and transfer \$567,420 from the Unassigned Fund Balance (Unreserved Undesignated General Fund Balance) (Fund 0100) to the School Capital Project Fund (1390) for the replacement of the SFE boiler. **(6 votes)**

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

- Appropriate and transfer the \$567,420 from the School Capital Project Fund (Fund 1390) back to the Unassigned Fund Balance (Unreserved Undesignated General Fund Balance) (Fund 0100) when bond proceeds are received.
- Transfer funding (excluding school housing aid reimbursements) related to the Necessity of School Construction projects into the School Capital Project Fund (Fund 1390) as funds are appropriated and / or received.

Motion by Councilor Dennis M. Anderson. The motion carried unanimously by the six members present.

- 24-121 Consider and act on a recommendation from Jeff McCormick, DPW Director, regarding the BHS Synthetic Turf Athletic Field and Field House project; or take any other action thereon.

Discussion: Jeff McCormick, DPW Director, reviewed the bid for the project. He explained that the base bid is field prep, earthwork and utilities; and the add alternate is the field house building. The bids for the field house (add alternate) came in higher than our budget, so we'll put that part of the project on hold for now to review funding.

Karen Hundley, of Burrillville, asked about the grant we just received. It was explained that was for the handicapped viewing plaza that is part of the artificial turf field project.

John Lawrence, of Burrillville, asked about the funds that have already been allocated for the artificial turf field project at Burrillville High School.

VOTED to:

- Appropriate \$847,500 from ARPA Fund (Fund #0458) and transferred to the Synthetic Turf Field Fund (Fund #1396); any excess funds and/or rebates/reimbursements to be returned to the ARPA Fund (Fund #0458) not to exceed \$847,500.
- Appropriate \$275,000 of bond premium from the \$3.2M Artificial Turf Bond from the Synthetic Turf Field Fund (Fund #1396).
- Approve awarding the contract for Bid #24-008, BHS Synthetic Turf Athletic Field and Field House to O'Keefe Trucking and Equipment Inc. for the base bid price of \$975,000, for the field only; field house project has been postponed.

Motion by Councilor Dennis M. Anderson. The motion carried unanimously by the six members present.

- 24-122 Consider and act on a recommendation from Jeff McCormick, DPW Director, regarding the police station water main extension project; or take any other action thereon.

Discussion: Jeff McCormick, DPW Director, discussed the need to extend the water main from the police station to the Harrisville water system, 800 feet away. The Town is targeting grants to try to get water and fire protection service to this 40 year old system. The project preliminary construction cost estimate is \$300,000.

VOTED to authorize the Administration to appropriate \$150,000 from Major Capital Fund (#3820) to be applied to the \$300,000 project provided that we receive a \$150,000 matching grant.

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

- 24-123 Consider and act on a recommendation from Jeff McCormick, DPW Director, regarding the Harrisville Village Neighborhood Sidewalk, Reclamation and Resurfacing project; or take any other action thereon.

Discussion: Jeff McCormick, DPW Director, reviewed the project and the bids received.



VOTED to approve awarding the contract for Bid #24-006, Harrisville Village Neighborhood Sidewalk, Reclamation and Resurfacing Project to Pawtucket Hot Mix Asphalt, Inc., for the bid price of \$1,929,372.50.

Motion by Councilor Dennis M. Anderson. The motion carried unanimously by the six members present.

- 24-124 Consider and act on a recommendation from Jeff McCormick, DPW Director, regarding the BMS Tennis Court Restoration project; or take any other action thereon.

Discussion: Jeff McCormick, DPW Director, reviewed his recommendation regarding the project and the bids received. He recommends rejecting all bids in full and placing repainting, repairing the tennis courts on hold indefinitely. DPW will attempt repairing cracks as needed.

VOTED to receive and file.

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

- 24-125 Consider and action on a recommendation from Leslie McGovern, Finance Director, regarding proposed ordinances to extinguish bond authorizations from 1987 and 1989; or take any other action thereon.

VOTED to refer to Ordinance Subcommittee.

Motion by Councilor Dennis M. Anderson. The motion carried unanimously by the six members present.

- 24-126 VOTED to adopt a resolution requesting reconsideration of the reconstruction of Victory Highway and Church Street.

Motion by Councilor Dennis M. Anderson. The motion carried unanimously by the six members present.

The resolution is as follows:

Resolution of the Town of Burrillville  
Victory Highway and Church Street Reconstruction

WHEREAS, Burrillville requests immediate reconsideration to fund the reconstruction of Victory Highway (old Route 102) in Burrillville; and

WHEREAS, the Town has been working pro-actively since 2012 with the Rhode Island Department of Transportation (RIDOT) to plan for and reconstruct Victory Highway; and

WHEREAS, subsequently, the project was included in the 2012 Transportation Improvement Program (TIP) and scheduled for construction in federal years 2013-2016; and

WHEREAS, construction plans reached 90% and the Town agreed and paid for additional design work for a 0.5-mile segment of the road from the intersection of Route 7, westward; and

WHEREAS, RIDOT advised the Town that the project was scheduled to be advertised for bid in January 2013, subject to available funding; identified as RI Contract No. 2006-EH-009, RIFAP No. STP-DESN (001), 90%; and

WHEREAS, as far back as 2012/2013, the condition of the road and associated infrastructure was identified as fair to poor, and the roadway and abutting infrastructure has certainly not improved in the twelve years that have passed; and

WHEREAS, Victory Highway is an important thoroughfare in Burrillville where the Burrillville Police Station, which includes our Town-wide Communications Center, and Oakland Mapleville Fire Station are located, necessitating a large volume of emergency vehicles travelling over this road; and

WHEREAS, it is a liability and, in some areas, dangerous for motorists traveling on Victory Highway and potentially dangerous to pedestrians and abutting property owners; and

WHEREAS, Church Street, in the village of Pascoag, is a main thoroughfare, experiencing significant pavement deterioration and drainage problems.

NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville do hereby respectfully request immediate reconsideration, from whatever funding source is available, for the reconstruction of Victory Highway and Church Street in Burrillville.

PASSED AS A RESOLUTION of the Burrillville Town Council this 10<sup>th</sup> day of April 2024.

- 24-127 Consider and act on a request from the Blackstone River Valley Greenway Challenge to allow their team relay race to pass through Burrillville; or take any other action thereon.

VOTED to authorize the administration to give permission to the Blackstone River Valley Greenway Challenge to allow their team relay race to pass through Burrillville.

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

**Legislation:**

- 24-128 Consider and act on House Bill 2024 – H 8109 An Act Relating to Taxation – Statewide Tangible Property Tax Exemption; or take any other action thereon.

VOTED to authorize the Town Clerk to draft a resolution in opposition to House Bill 2024 – H 8109; and authorize the Town Council President to sign; and direct that the resolution be sent to the General Assembly and Burrillville legislators.

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

- 24-129 Consider and act on letters to the House Municipal Government and Housing Committee regarding House Bill 2024 – H 7461 and House Bill 2024 – H 7464; or take any other action thereon.

VOTED to receive and file.

Motion by Councilor Dennis M. Anderson. The motion carried unanimously by the six members present.



- 24-130 Consider and act on a resolution from the North Smithfield Public Schools regarding healthy school meals for all, universal free school meals; or take any other action thereon.

Discussion: It was discussed that the Town Council would like to know the School Committee's stance on this before taking any action.

VOTED to table.

Motion by Councilor Jeremy P. Bailey. The motion carried unanimously by the six members present.

- 24-131 Consider and act on legislation pending before the Rhode Island General Assembly relative to housing that will impact our community; or take any other action thereon.

Discussion: The Town Council reviewed the list of legislation and the proposed resolution in opposition to the legislation.

VOTED to adopt the resolution as presented.

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

The resolution is as follows:

Burrillville Town Council Resolution  
In Opposition to Legislation Regarding Housing and Land Use

- WHEREAS, the Town of Burrillville understands that there is a critical shortage of affordable housing in the State; and
- WHEREAS, the Town of Burrillville joins other municipalities in their concerns relative to legislation that seemingly targets that shortage, but increasingly overrides local regulations and management rights. Each municipality has unique needs, priorities and visions for land use planning and zoning; and
- WHEREAS, while the shortage of affordable housing may be an issue statewide, the solutions proposed that work in one community do not necessarily work in smaller, less densely populated communities; and
- WHEREAS, city and town councils, supported by their professional planning and zoning departments, and local planning and economic development boards, are the ones best equipped to determine what works in their own communities; and
- WHEREAS, the Town of Burrillville has identified a few bills that may have great impact on our community, they are as follows:
- Senate Bill 2632 and House Bill 7958 would require higher density development in residentially zoned areas of towns who meet the population threshold. This bill impacts local control. This type of change is only acceptable if they are optional and not mandatory; and



House Bill 7951 places an arbitrary time limit on a community's ability to temporarily stop development to correct a problem. This bill proposes a limit of 60 days on any moratorium a municipality would like to put in place. Our own experience with developing new ordinances show that would not be enough time for every possible situation. By way of example, if a sewer or water treatment plant is out of compliance (code) or needs upgrades, 60 days would not be enough time to complete the needs analysis, never mind the improvements. No arbitrary time limit should be placed on a community. This takes away local control and decision making; and

House Bill 7980 would allow mobile homes on any lot that is buildable in a community. This bill diminishes local control a community has on the siting of mobile homes. Many years ago, towns in Rhode Island decided to limit where mobile homes are allowed. This decision had to do with maintaining property values and quality of life. This bill would erode local control and diminish property values; and

House Bill 7981 would allow the establishment of residential uses within existing commercial and industrial zones. Since most towns have a limited amount of commercial and industrial zoned land, this is not a benefit to a community. This bill runs counterintuitive to the reason to separate uses. Truck traffic, noise, odors and dust are many times associated with heavy industrial uses and some commercial uses. By allowing residential uses in these zones, public health, safety and welfare could be in jeopardy. We do not support this bill in any form; and

House Bill 7986 involves providing the state with a list of abandoned properties, and gives priority sale for low- and moderate-income units in areas of the municipality where they are not consistent with a comprehensive plan or affordable housing plan. This bill will further erode local control. Communities currently can work with property owners and developers to bring properties back to use. We feel this is a local community's responsibility and should remain so.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Burrillville does hereby oppose the aforementioned legislation.

BE IT FURTHER RESOLVED that the Town Council of the Town of Burrillville respectfully requests Burrillville legislators, the Rhode Island General Assembly, and the Rhode Island cities and towns to oppose this legislation.

Passed as a resolution of the Burrillville Town Council this 10<sup>th</sup> day of April 2024.

- 24-132      Consider and act on a resolution from the town of Hopkinton in opposition to House Bill 2024 – H 7382, legislation relating to towns and cities – zoning ordinances; or take any other action thereon.

VOTED to support and adopt a resolution of our own.

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

- 24-133 Consider and act on a resolution from the town of Hopkinton in opposition to House Bill 2024 – H 7324, legislation relating to towns and cities – zoning ordinances; or take any other action thereon.

VOTED to support and draft a resolution of our own.

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

- 24-134 Consider and act on a resolution from the town of Hopkinton in support of Senate Bill 2024 – S 2016, legislation relating to towns and cities – low and moderate income housing; or take any other action thereon.

VOTED to support and draft a resolution of our own.

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

- 24-135 Consider and act on a resolution from the town of Hopkinton in opposition of House Bill 2024 – H 7978, legislation relating to subdivision of land; or take any other action thereon.

VOTED to support and draft a resolution of our own.

Motion by Councilor Jeremy P. Bailey. The motion carried unanimously by the six members present.

- 24-136 Consider and act on responses from other municipalities regarding working together to address the State's school funding formula; or take any other action thereon.

Discussion: Council Vice President Stephen N. Rawson reviewed the efforts we've made to include other communities in our endeavor to address the State's school funding formula. We sent a letter to other communities that have been hit with a great reduction in funding and have received just two responses.

VOTED to authorize the administration to draft a resolution supporting the legislative efforts to amend the funding formula and the School Committee's resolution; and reach out to Portsmouth and Tiverton to ask if they would like to sign on to a joint resolution doing the same.

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six members present.

- 24-137 Consider and act on legislation pending before the Rhode Island General Assembly; or take any other action thereon.

There was no action taken on this item.

**10. Town Clerk/Communication: None**

**11. Additional new business to be considered and acted on:**

- 24-111 Request for executive session:

- A. VOTED to grant the request for executive session from:
- Town Council President Donald A. Fox pursuant to Rhode Island Open Meetings Law §42-46-5(a)(2) for discussion, consideration and possible action relative to Burrillville's withdrawal from RISE Prep Mayoral Academy; 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 relative to real property (Assessor's map 191, lot 108 and map 209, lot 143), and unidentified body of water located above Pascoag Reservoir with no map and lot assigned; or take any other action thereon.

Motion by Councilor Justin P. Batalon. The motion carried unanimously by the six member present.

- B. The Town Council returned to open session at 9:20 p.m.
- C. VOTED to seal the minutes of executive session, making note that four votes were taken.

Motion by Councilor Dennis M. Anderson. The motion carried unanimously by the six members present.

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

There was no action taken on this item.

**12. VOTED to adjourn at 9:21 P.M.**

Motion by Councilor Jeremy P. Bailey. The motion carried unanimously by the six members present.



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Vicki T. Martin, Town Clerk