

TOWN OF BURRILLVILLE

Office of Town Manager
Michael C. Wood, Town Manager



TOWN BUILDING
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May 6, 2024

The Honorable Stephen Casey, Chair
House Committee on Municipal Government & Housing
Rhode Island State House
Providence, RI 02903

VIA Email to: HouseMunicipalGovernmentandHousing@rilegislature.gov

Dear Representative Casey and Committee Members:

The Town of Burrillville respectfully submits this letter as testimony in support of House Bill 2025 – H 6283. At their meeting of Wednesday, April 24, 2025, the Burrillville Town Council adopted a resolution requesting that legislation be submitted to the General Assembly to amend Chapters 59 and 65 of the Public Laws of 2000 by changing the name to Burrillville Land Conservancy. A copy of the resolution is attached for your convenience.

Chapters 59 and 65 of the Public Laws of 2000 established a public land trust for the Town of Burrillville and is still a viable entity, however it holds the same name as a private land trust who later assigned itself the same name without consulting or concurrence with elected Town leaders.

Elected officials are more accountable to the local residents. Transparency will be enhanced because a public land trust will follow State open meetings and public records laws.

The Town, per se, has the resources and capacity to acquire property if and when it becomes available verses other private entities.

Members of the public Burrillville Land Trust spoke at a meeting of the Burrillville Town Council in March. One member said "We do feel that a municipal land trust would be wonderful. The more land preserved, and water, wildlife preserved the better." And another Burrillville Land Trust member said "We need to work together. If you want to make a municipal land trust, fine, the more land conserved the better."

The Town of Burrillville respectfully urges the General Assembly to pass this bill.

Sincerely,



Michael C. Wood, Town Manager
Town of Burrillville

CC: Representative David Place
Representative Brian Newberry
Senator Jessica de la Cruz
Burrillville Town Council

TOWN OF BURRILLVILLE

Office of Town Clerk
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**Burrillville Town Council
Resolution No. 25-13
Requesting Amendment to Chapters 59 and 65 of the Public laws of 2000,
entitled "Relating to An Act Establishing the Burrillville Land Trust"**

At a regular meeting of the Burrillville Town Council held Wednesday, April 23, 2025, at which time a quorum was present and acting throughout, the Burrillville Town Council voted to request that the General Assembly submit legislation to amend *Chapters 59 and 65 of the Public laws of 2000* by changing the name to Burrillville Land Conservancy, as attached.

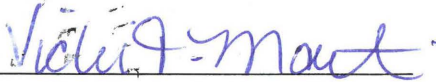
Now therefore be it resolved that we, the Town Council of the Town of Burrillville, respectfully request that Senator Jessica de la Cruz, Representative David Place and Representative Brian C. Newberry introduce legislation to enact the proposed amendments.

Adopted this 23rd day of April, 2025.



Donald A. Fox, President
Burrillville Town Council

ATTEST:



Vicki T. Martin, Town Clerk



2025 – S

STATE OF RHODE ISLAND
IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

AN ACT

RELATING TO AN ACT ESTABLISHING THE BURRILLVILLE LAND ~~TRUST~~CONSERVANCY

Introduced By: .

Date Introduced:

It is enacted by the General Assembly as follows:

SECTION 1. The Town Council of Burrillville is hereby authorized to establish the Burrillville Land ~~Trust~~Conservancy (hereinafter called the ~~Trust~~Conservancy), a body politic and corporate and a public instrumentality. The ~~Trust~~Conservancy shall have the authority to acquire, hold, and manage real property and interests therein situated in whole or in part in the Town of Burrillville, consisting of open, agricultural, or littoral property, including existing and future wellfields and aquifer recharge areas, fresh water marshes, and adjoining uplands, wildlife habitats, land providing access to or views of the lakes and ponds, land for bicycling and hiking paths and for future public recreational use and land for agricultural use. With the exception of property acquired for public recreational purposes, the ~~Trust~~Conservancy shall hold all property solely as open space or for agricultural uses or for whatever purposes as the ~~trustee~~Conservancy members may determine.

SECTION 2. The mission of the Burrillville Land ~~Trust~~Conservancy is to protect the Town of Burrillville's rural character and natural heritage. This accomplished by preserving land as open space through acquisition and conservation easement while maintaining, where possible, public access to these natural resources.

The ~~trust~~Conservancy will: preserve open space, protect wetlands, ground and surface water, farmland, unusual and exemplary natural habitats, historical or cultural places of significance as well as scenic views through a program of sustained acquisition and stewardship. The ~~Trust~~Conservancy will provide public access for recreation and appreciation, and opportunities for research and natural resources education, where possible, on Land ~~Trust~~Conservancy properties.

SECTION 3. The management, administration and organization of the ~~Trust~~Conservancy shall be by ordinance duly adopted by the Town Council of the Town of Burrillville. ~~Trustee~~Conservancy members shall be electors of the Town of Burrillville. No elected official may serve as a ~~trustee~~Conservancy member.

SECTION 4. Rules and regulations governing the conduct of ~~Trust~~Conservancy affairs, including but not limited to the acquisition and management of its holdings, not inconsistent with the provisions of this act and the ordinance(s), shall be adopted by the ~~trustee~~Conservancy members. The Town Council of the Town of Burrillville shall approve all rules and regulations and modifications thereof. Any changes or modifications to the rules and regulations shall be approved by the Town Council. The Town Council shall also have the authority sua sponte to change or modify rules and regulations of

the ~~Trust~~Conservancy. The Town Council shall hold at least one (1) public hearing on the proposed changes or modification(s), which shall be advertised in a publication having general circulation in the Town not less than forty-eight (48) hours prior to the date and time of the public hearing.

The ~~trustee~~Conservancy members shall keep accurate records of their meetings and actions and shall file an annual report with the Town Council not later than sixty (60) calendar days from June 30. All meetings of the ~~Trust~~Conservancy shall be open to the public in accordance with Chapter 46 of Title 42 of the general laws.

SECTION 5. The ~~trust~~Conservancy shall have the power to:

(a) Purchase, receive by gift, or otherwise acquire fee simple or lesser interests in real property, including development rights of any kind or any interest in real property consistent with purposes of this act;

(b) Accept gifts, grants or loans of funds or services from any source, public or private, and comply, subject to the provisions of this act and town ordinance(s), with any terms and conditions thereof;

(c) Accept from state and/or federal agencies, loans or grants for use in carrying out the ~~Trust~~Conservancy's purposes and enter into agreements with such agencies respecting any such loans or grants;

(d) With approval of the Town Council, employ counsel, auditors, engineers, appraisers, private consultants, advisors, secretaries or other personnel needed to perform its duties;

(e) Administer and manage land and interests in land held by it in a manner which allows public use and enjoyment consistent with the natural and scenic resources thereof, including conveyance of any such land or interests in land to, and contracts with, nonprofit organizations, provided such land shall continue to be used in a manner consistent with the purposes of this act and with the terms of any grant or devise by which such land was acquired by the ~~Trust~~Conservancy;

(f) Dispose of all or any portion of its real property or interest therein held by it, whenever in the opinion of the ~~trustee~~Conservancy members said lands or properties have become unsuitable or have ceased to be used for the purpose set forth in this act. Nothing in this subsection shall be construed to authorize the sale, lease or conveyance of lands or improvements held by the ~~Trust~~Conservancy as part of a charitable ~~trust~~Conservancy or acquired by gift or devise for the public use, whether or not such gift or devise is subject to a condition subsequent or reverter;

(g) Otherwise do all things necessary for the performance of its duties, the fulfillment of its obligation and the conduct of its business.

SECTION 6. The ordinance establishing the management and administration of the ~~Trust~~Conservancy shall set forth the process for receipt, accounting and expenditure of all monetary assests. The fiscal year of the ~~Trust~~Conservancy shall be July 1 to June 30. The treasurer of the Town of Burrillville shall prudently invest available assests of the fund(s), and all income thereon shall accrue to the respective fund(s). Upon termination or dissolution of the ~~Trust~~Conservancy, the title of all funds and other properties owned by the ~~trust~~Conservancy which remain after payment or making provision for payment of all bonds, notes and other obligations of the ~~trust~~Conservancy shall vest in the Town of Burrillville which shall manage the lands of the dissolved ~~Trust~~Conservancy in the open space function for which they were donated or purchased to the best interest of the purposes of the ~~Trust~~Conservancy. If, in the opinion of the Town Council, said lands no longer function for the purposes set forth in this act, the town

may dispose of those properties.

SECTION 7. The ~~trust~~Conservancy and all its revenues, income and real and personal property used by the ~~Trust~~Conservancy for furtherances of its public purposes, shall be exempt from taxation and from betterments and special assessments, and the ~~Trust~~Conservancy shall not be required to pay any tax, excise or assessment to the state or any of its political subdivisions.

SECTION 8. Nothing in this act shall affect the eligibility of the Town to acquire property and receive funds under the general laws or any other state land acquisition program.

SECTION 9. The provisions of this act are severable, and if any provision thereof shall be held invalid in any circumstances such invalidity shall not affect any other provisions or circumstances. This act shall be construed in all respects so as to meet all constitutional requirements. In carrying out the purposes and provisions of this act, all steps shall be taken which are necessary to meet constitutional requirements whether or not such steps are required by statute.

SECTION 10. This act shall take effect upon passage.