

Town Council Meeting
November 9, 2017

The November 9, 2017, Town Council Meeting was called to order by Denise L. DiFranco, President of the Foster Town Council, at the Foster Town House, Foster, Rhode Island, at 7:00 p.m.

The following members were present:	Also present:
Denise L. DiFranco, President	Solicitor, Joann Achille
Chris Stone, Vice President	Kelli Russ, Treasurer
Gordon Rogers	Chief Ziehl
Michael Dillon	
Cheryl Hawes	

- I. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.
- II. PUBLIC COMMENT

Ron Cervasio
- III. ANNOUNCEMENTS

Denise L. DiFranco announced that there would be a Veterans Day ceremony on Saturday, November 11, at 11 a.m. at the Benjamin Eddy Building. If the weather is prohibitive it would be at the Foster Center Fire Station. Ms. DiFranco also announced that our Chief of Police was selected to represent Rhode Island as a final leg-runner at the 2018 USA Special Olympics games starting in July in Seattle. Law enforcement officers from across the country make up twelve teams to run as torchbearers.
- IV. MINUTES

Gordon Rogers moved, Chris Stone seconded, to accept the Meeting Minutes for October 26, 2017, as presented.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.
- V. WARRANTS

Gordon Rogers moved, Mike Dillon seconded, to approve **Payroll Warrant #16** for \$41,471.38
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers moved, Chris Stone seconded, to approve **Payroll Warrant #17** for \$36,346.27.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers moved, Michael Dillon seconded, to approve **General Warrant #8** for \$133,409.84.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Chris Stone moved, Michael Dillon seconded, to approve **General Warrant #8A** for for \$150.00.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; and Michael Dillon, aye. Gordon Rogers recused himself. Motion carried 4-0 with 1 recusal.

Gordon Rogers moved, Michael Dillon seconded, to approve the **Tax Refund Warrant** for for \$30,972.15.
Denise L. DiFranco clarified that this was due to the Motor Vehicle refund.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.
- VI. QUARTERLY REPORTS

Gordon Rogers moved, Mike Dillon seconded, to accept the Quarterly Reports from the Planning Board, School Committee, Foster Land Trust, and the Moosup Valley Fire Dept..
Cheryl Hawes noted that the School Committee report should have a change, listing Brendan Mara instead of Ron Cervasio. Denise L. DiFranco instructed the Clerk to notify the School Committee of the correction.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.
- VII. OLD BUSINESS

A. EMA Position

Denise L. DiFranco said there were two applicants for the EMA Director's position. Cheryl Hawes moved to interview both applicants for the position. Denise L. DiFranco seconded.

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Discussion: Cheryl Hawes, Denise DiFranco, Ron Cervasio, and Lynne Rider.

Denise L. DiFranco, aye; Cheryl Hawes, aye; Michael Dillon, aye; and Chris Stone, no; Gordon Rogers recused. Motion carried 3-1-1 with 1 recusal.

Denise L. DiFranco moved to interview the candidates on Monday, November 20, at 6 p.m.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

VIII. NEW BUSINESS

A. Storm Ready Presentation

Representatives from RIEMA, Stephan Conard and Anna Swenson, presented the Storm Ready Rhode Island information.

B. AAA Safety Award

Chief William Ziehl presented the AAA Safety Award presentation to Officer Joseph Cole.

C. Life Saving Award

Chief Wm. Ziehl presented the Life Saving Award presentation to Officer Joseph Cole.

D. Storm Report

DPW Director Bob Clarkin and Police Chief Ziehl reviewed the issues that occurred during the storm and the problems with the slow response from National Grid. Mr. Clarkin suggested that a Resolution be created to ask for an oversight committee to review the delays. He stated that DPW workers should be trained to deal with downed wires because we are told we cannot touch them.

Denise L. DiFranco thanked the DPW department and the men who worked there and the many volunteers at the Fire Stations and those who cut away trees and branches to clear roads.

Chief Ziehl related the difficulties communicating with National Grid. Guenter Bay also spoke about the issues created by the storm.

E. Private Road Maintenance

Gordon Rogers stated that he requested that private road maintenance be put on the agenda because of issues that have arisen in the past that he has been contacted about. Denise L. DiFranco asked about the most recent Resolution. Mr. Rogers read the Resolution aloud (see Exhibit A).

Chris Stone moved, Mike Dillon seconded, to create a committee comprised of one council member, the DPW Director, and six residents—one from each road—as listed on the current resolution.

Discussion: Cheryl Hawes, Gordon Rogers, Mark Tourgee, Chief Ziehl, Lynne Rider, Mike Dillon, Gail Servoss, Guenter Bay, Jeff Sheldon, and Joe Carey.

The Clerk was instructed to send letters to the residents of the roads in question informing them of the formation of the committee.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

F. Golden Cane Award

Denise L. DiFranco explained the award of the Boston Post Cane to the oldest citizen of Foster. This resident chose to have a plaque rather than a cane to be placed in his booth at Shady Acres. Ms. DiFranco read the plaque (see Exhibit B) awarding the plaque to William Henry “Hank” Luther, Jr. He will presented the plaque at Shady Acres next Wednesday.

G. Town Council Mtg. Nov. 23

Denise L. DiFranco noted that November 23, the next council meeting is on Thanksgiving Day.

Cheryl Hawes moved, Gordon Rogers seconded, to cancel the November 23 meeting and have the next meeting on December 14.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; and Michael Dillon, aye; Gordon Rogers, no; Motion carried 4-1.

H. The Trust's Revision of Drug Policies

Treasurer Kelli Russ explained that The RI Interlocal Trust sent a draft for a Controlled Substance and Alcohol policy regarding testing for employees and CMV drivers. It basically covers the DPW department. Its guidelines are already being followed because we have honored their policy from years before. They requested that the Town update the policy and have it adopted at the Council level.

Gordon Rogers moved, Cheryl Hawes seconded, to adopt the Controlled Substance and Alcohol Testing Policy for the CMV drivers as presented by The RI Interlocal Trust.

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- Discussion: None.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.
- I. Additions & Abatements**
Gordon Rogers moved, Chris Stone seconded, to approve the 2017 1st Appeal Abatement of \$351.08 and the 2017 Board of Tax Assessment Review Abatements of \$2,090.18 as presented by the Tax Assessor.
Discussion: None.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.
- J. Local 637 IBPO Letter of Concern RE: Building**
Gordon Rogers read the letter from the Police Union regarding the need for a new Police Station (see Exhibit C). Mr. Rogers moved to take the letter under advisement, Chris Stone seconded.
Discussion: Cheryl Hawes, Gordon Rogers, Denise L. DiFranco.
Ms. DiFranco noted that the next Building Committee meeting will be on November 14th at 3 p.m. in the Eddy Building.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.
- K. Snow Plow Driver Pay**
Gordon Rogers read a letter of request from Mr. Clarkin regarding snow plow drivers' pay. He proposed that Non-CDL drivers receive \$15/hr and \$22.50 after 8 hours. CDL drivers in 6-wheel dump trucks with sanders \$18/hr and \$27/hr after 8 hours.
Gordon Rogers moved, Mike Dillon seconded, to go forward with the recommendations on the fees as listed in the letter.
Discussion: Denise DiFranco, Bob Clarkin, Gail Servoss, Gordon Rogers, and Kelli Russ.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.
- L. Budget Changes due to MV Legislation**
Denise L. DiFranco stated that there are budget changes due to the Motor Vehicle legislation. Gordon Rogers read an email to Kelli Russ from Jill Barrette, State Aid and Finance Specialist, stating that the motor vehicle data submitted to the Dept. of Revenue conforms to requirements and indicated that Foster will receive reimbursement. Kelli Russ stated that the Town will receive \$339,000.00 and explained how she will adjust the budget, citing the best practices for levy, revenue, and expenditures.
Chris Stone moved, Gordon Rogers seconded, that the Council accept the budget adjustments as presented by the Treasurer.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.
- M. DPW Director Position**
Gordon Rogers stated that the council needs to advertise for a DPW Director as Bob Clarkin will be leaving. Mr. Rogers asked the Town Clerk to advertise on a DPW website, Kelli Russ suggested using Indeed, and the Town website.
Discussion: Lynne Rider, Bob Clarkin.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.
- N. Surplus Equipment**
DPW Director Bob Clarkin requested approval for the minimum reserve amount for a 2002 Ford F-350 amounting to \$1,500.00 to place on Govdeals.com by 11/17/17.
Gordon Rogers moved, Chris Stone seconded to approve the reserve amount for the 2002 Ford F-350 truck.
Discussion: None.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

IX.

**PUBLIC HEARING
Liquor License
Renewals**

- Denise L. DiFranco opened the Public Hearing and explained the procedure.
- Gordon Rogers moved, Chris Stone seconded, that in conformity with and under the authority of the provisions of Title 3, Chapter 3-5 of the General Laws of the State of Rhode Island, Revision of 1956, as amended, and any and all amendments thereto, the annual fees for Class A Package Store License shall be and are hereby fixed at Four Hundred Dollars (\$400.00) each.

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**Liquor License
Renewals cont.**

That the Annual Fees for Class B Victuallers (BV and BVL) shall be and is hereby fixed at Four Hundred Dollars (\$400.00) each.

That the Annual Fees for Class D Unlimited shall be and is hereby fixed at Eight Hundred Dollars (\$800.00) each.

That the Annual Fee for extra hour closing shall be and is hereby fixed at Two Hundred Dollars (\$200.00)

That the Annual Fee for an Entertainment License shall be and is hereby fixed at Two Hundred Dollars (\$200.00)

That the Annual Fee for Sunday and Holiday Sales is Twenty-five Dollars (\$25) for each.

Discussion: None.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers moved, Chris Stone seconded, that all holders of such licenses hereunder granted except Class A Package Store Licenses are hereby granted permission to hold dances in their respective places so licensed.

Discussion: None.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers moved, Chris Stone seconded, that no transfer application or applications that may be made to have one or more granted licenses transferred from one person to another person or persons at the same location without a specific consideration and determination by the Town Council.

Discussion: None

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers moved, Chris Stone seconded, that the following persons and corporations be and are hereby granted renewal licenses for their respective places of business pending receipt of Certificates of Good Standing from the Rhode Island Division of Taxation to the Town Clerk, with the approval from the Police Chief, Tax Collector, Building Inspector, Fire Chief, and the Rhode Island Department of Health and Certificate of Server Training Program.

Class A Package Store including Sunday and Holiday Sales

1. License for Healey’s Liquor, Inc., d/b/a Healey Liquor Store, 144 Danielson Pike;
2. License for The Watering Hole, LLC, d/b/a The Watering Hole, 185 Hartford Pike;

Discussion: None.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers reiterated his motion for the following:

Class BV licenses:

1. License for Thomas Breard d/b/a Lucky’s Pizza, 143 Danielson Pike;
2. License for Tykamac Enterprises, LLC., d/b/a Foster Country Club, Inc., 67 Johnson Road;
3. License for Helen’s Place Inc. d/b/a Helen’s Place, 172 Danielson Pike;
4. License for Woodland Meeting House, LLC, d/b/a Woodland Meeting House, 115 East Killingly Road

Chris Stone seconded. Discussion: None.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers reiterated his motion for the following:

Class BVL license

- 1. License for Shady Acres Restaurant, LLC, d/b/a Shady Acres, 164 Danielson Pike
Chris Stone seconded. Discussion: None.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers reiterated his motion for the following:

Class D license

- 2. License for Little Rhody Vasa Park, Inc., d/b/a Little Rhody Vasa Park, 10 Boswell Trail
Chris Stone seconded. Discussion: None.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers moved that the number of liquor licenses to be granted and issued for and during the current term next ensuing December 2, 2015 and ending December 1, 2016 shall be as follows:

Class A Package Store	Two (2)
Class B Victuallers	Four (4)
Class BVL	One (1)
Class D Unlimited	One (1)

And furthermore that the Town Clerk shall not receive any other applications without the approval of the Town Council.
Chris Stone seconded.
Discussion: None.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye, and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers moved that the following persons be and are hereby granted Entertainment/Ongoing Open Recreation Event renewal licenses for their respective places of business with the approval from the Police Chief, Tax Collector, Building Inspector, Fire Chief and the RI Department of Health Certificate of Server Training program.

Entertainment / Ongoing Open Recreational Event Licenses

- 3. License for Thomas Breard d/b/a Lucky’s Pizza, 143 Danielson Pike;
- 4. License for Tykamac Enterprise, LLC, d/b/a Foster Country Club, Inc. 67 Johnson Road;
- 5. License for Woodland Meeting House, LLC, d/b/a Woodland Meeting House, 115 East Killingly Road;
- 6. License for Helen’s Place, Inc. d/b/a Helen’s Place, 172 Danielson Pike

Chris Stone seconded.
Discussion: None.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye, and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers moved to approve that the following businesses have applied for renewal of

Game and Amusement Devices Licenses:

1. Lucky’s Pizza	2 machines	1 pool table
2. Helen’s Place	n/a	1 pool table
3. Woodland Meeting House	1 machine	2 pool tables

Chris Stone seconded. Discussion: None.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye, and Michael Dillon, aye. Motion carried 5-0.

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**Liquor License
Renewals cont.**

Gordon Rogers moved that it is so ordered in granting the previously specified and numbered licenses that the provisions of said General Laws of 1956, as amended and all amendments thereof and thereto, and also the provision for any and all laws affecting such licenses shall apply and such licenses are hereby granted subject to such rules and regulations and conditions heretofore established or that may hereafter be established by the Town Council of Foster and that licenses hereby granted shall expire on the first day of December 2016 at twelve o'clock midnight, unless sooner revoked for cause.
Chris Stone seconded. Discussion: None.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye, and Michael Dillon, aye. Motion carried 5-0. Denise L. DiFranco closed the Public Hearing.

- X.

FUTURE AGENDA
ITEMS

a.

Swamp Meadow Theater Half-Shell

b.

Financial Statements and Standards Policies and Procedures for Non-Town entities Receiving Appropriations

c.

EMA-EOC Follow-up

d.

Interviews for EMA

e.

Board Expirations / Appointments

f.

Resolution for PUC Amendments / State Oversight Committee

- XI.

EXECUTIVE
SESSION

Gordon Rogers moved, Michael Dillon seconded, to go into Executive closed Session pursuant to RI General Laws 42-42-4 for the reason stated in RI General Law 42-46-5 (A), (9) International Brotherhood of Police Officers, Local 637, Arbitration and 42-46-5 (A), (1) International Brotherhood of Police Officers, Local 637, Grievance.
Discussion: None.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Executive session convened at 9:07 p.m.

Return to Open Session at 9:25 p.m.
Denise L. DiFranco said that one vote was taken:

Gordon Rogers moved, Chris Stone seconded, to deny the grievance that was presented.. Motion passed 5-0.

- XII.

ADJOURNMENT

Meeting was adjourned at 9:40 p.m.

A digital sound file is made a part of the record for a complete account of the council meeting.

Submitted by

Susan M. Dillon
Town Clerk

TOWN OF FOSTER
RESOLUTION
ADOPTING A POLICY FOR THE MAINTENANCE OF PUBLIC ROADS
WITHIN THE TOWN WHICH ARE NOT TOWN HIGHWAYS

WHEREAS, there are certain roads within the Town of Foster for which a claim has been made that they have been used for a period of more than 20 years by the public and have therefore become public highways within the meaning of section 24-2-1 of the General Laws of the State of Rhode Island, and

WHEREAS, the Town Council has not voted to accept these roads and declare the same as Town Highways, as provided in Chapter 24-2-2 of the General Laws, and

WHEREAS, the Town has from time to time done some maintenance work on these road, though not obligated to do so, and

WHEREAS, the Town Council desires to establish a policy for maintenance of these roads without accepting them as Town Highways;

THEREFORE, BE IT RESOLVED, that the below listed roads will be maintained by the Public Works Department over their currently established widths and lengths in the manner and to the extend of maintenance set forth by the Foster Town Council:

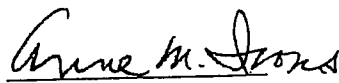
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|----------------------|-----------|
| 1. Rounds Lane | .3 miles |
| 2. Spear's Path | .55 miles |
| 3. Pine Tree Rd | .50 miles |
| 4. Simula's Driveway | .2 miles |
| 5. Stoney Brook Rd | .1 miles |
| 6. Oak Hill Rd | .1 miles |

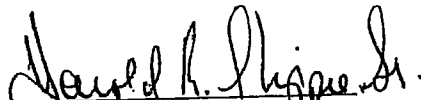
Extent of maintenance shall be plowing, sanding, and grading not to exceed twice a year and gravel at the discretion of the Director of Public Works as needed, however, not to extend 30 yards per road per year.

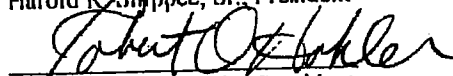
The Town shall not assume any liability for any persons traveling on the aforementioned roads and accepts no other responsibility expressed or implied except as contained herein.

PASSED and ADOPTED this 4th day of November 1999.

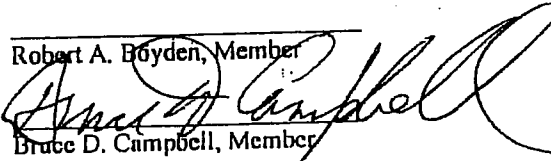
ATTEST:

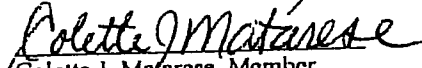

Anne M. Irons
Town Clerk


Harold R. Shippee, Sr., President


Robert O. Hohler, Vice President

Robert A. Boyden, Member

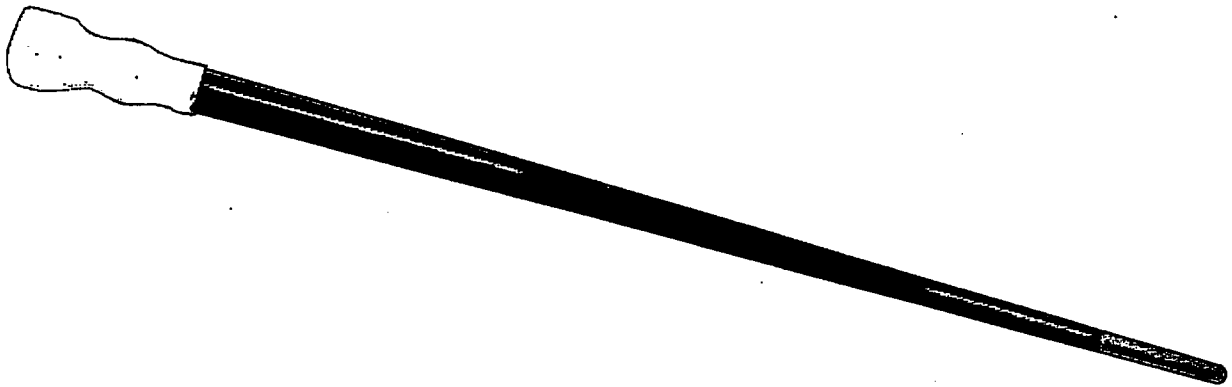

Bruce D. Campbell, Member


Colette J. Matarese, Member

In 1909 *The Boston Post* presented a Gold-Topped Cane to each of 700 selected towns in Rhode Island, Maine, Massachusetts, and New Hampshire to be used to recognize the vigor and longevity of the New England people.

In keeping with this time-honored tradition the Foster Town Council hereby recognizes

WILLIAM "HANK" LUTHER JR.
AS THE OLDEST CITIZEN
OF FOSTER, RHODE ISLAND



On this ninth day of November 2017 we award him

THE HONORARY TITLE OF

Holder of The Boston Post Cane

FOSTER TOWN COUNCIL

Denise L. DiFranco, *President* Chris Stone, *Vice President*
Gordon Rogers • Michael Dillon • Cheryl Hawes



International Brotherhood of Police Officers

A DIVISION OF THE NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES

October 30, 2017

Denise DiFranco
Council President
Town of Foster
181 Howard Hill Road
Foster, RI 02825

Dear President DiFranco,

The IBPO Local 637 (The Union) is addressing this letter to you and your fellow council members in reference to the status of a new Foster Police Department Station.

A letter was sent to you and members of the Foster Town Council on December 1, 2016. The intention of that letter was to advise the Town that the Union agrees that something has to be done in reference to the deplorable, undersized and hazardous working conditions that your police department employees currently operate out of.

Since that letter was sent, we have received no notification from the Foster Town Council with their plans to improve the working conditions, either with fixing known issues or expediting a building project. Chief Ziehl has however, discussed with union members the layout of the proposed building design and the steps the building committee have taken.

The Union has been advised from Town Officials and residents of the Foster, that there were several agencies that took a tour/ inspected the station and notated *several* safety concerns for your town employees and citizens. The Union agrees that if that plan was to be approved, then it would drastically reduce liability and safety concerns.

The Union has been supplied three inspection reports that were conducted at the present Foster Police Department (182 Howard Hill Road). The first report the Union has reviewed was The Rhode Island Interlocal Trust, which was inspected in *January 2016*. There were *14 recommendations* notated in that report. As notated in the report, the electrical system needs to have an entire evaluation conducted by a licensed and insured contractor. The Trust further requested a plan of action for the removal or repair of the knob and tube wiring, *within 30 days*. To our knowledge, only minor repairs have been made, leaving the liability and the safety concerns still present.



International Brotherhood of Police Officers

A DIVISION OF THE NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES

The Union was also supplied with the Rhode Island Police Accreditation Commission report, which was conducted on *February 4, 2016*. This report was intended to provide steps to meet compliance; also, decrease the Town's potential liability. This report notated that the main focus of inspection was the physical requirements necessary to meet compliance with RIPAC standards. The following areas were evaluated with several *requirements not met*: Communications, Main Entrance, Conference Room/ Interview/ Juvenile Holding Room, Holding Facility and Prisoner Processing, Property and Evidence Control.

The Union was also supplied with the Rhode Island Division of State Fire Marshall Inspection Report 16-264-IS, that was conducted on *March 9, 2016* by Sr. Fire Inspector Eric Kiernan. This report listed *13 violations*, with a notation that the violations shall be corrected *within 30 days* of notice.

After reviewing of these reports, it is evident that this building should not be used as a public building as it stands today. From violations – not limited to – ADA (American Disabilities Act) accessibility; health concerns of mold, creosote, lead, radon; to safety concerns of structural integrity, electrical system, walkways, staircases; as well as RIPAC standards. With that in mind, a public building that serves as an emergency headquarters for Police/ Communications Center requires special accommodations, to be in compliant with best practices.

It has also come to the attention of the Union that IBPO - Local 502 (Scituate Police) were operating under similar hazardous working conditions, to include the concerns and/or presence of mold, asbestos, diminished air quality and the structural integrity of the building itself. On September 14, 2017 there was a public meeting where the Scituate Town Council approved the Police Chief's plan to relocate until the Town of Scituate could approve a plan to fix or build a new police department building. In the public meeting, it was also advised that the RI Interlocal Trust advised the previous Scituate Town Council members in 2014 of the hazardous conditions of the police building, however no action was taken, thus leaving their employees in a hazardous and unhealthy working environment.

As stated in the last letter, the current police building increases civil liability against the Town of Foster, violates state and federal building and labor laws, building codes and historically has hindered compliance with law enforcement best practices that jeopardize insurance coverage; to include officer safety, as well as the safety and security of citizens who enter the building.



International Brotherhood of Police Officers

A DIVISION OF THE NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES

Thus, the Union is requesting you, the Town of Foster, to respond, in writing, with a time line of your plan of action to correct/ improve the insufficiencies of this building while a new building is discussed. We, as the Union, understand the financial difficulties that a small town has, however a price should not be placed on the safety of your employees you entrust to maintain peace and order of your Town.

You are also invited to attend an IBPO Local 637 monthly meeting, if you wish to also discuss this matter in person.

Respectfully submitted,

I.B.P.O. Local 637 Executive Board

Raymond Peters
President

Michael Kitson
Vice-President

Joseph Cole
Treasurer