

Town Council Meeting
January 27, 2022

The January 27, 2022, Town Council Meeting was called to order by Denise L. DiFranco, President, in Foster, RI at 6:34 p.m.

The following members were present:

Denise L. DiFranco, President
Heidi Rogers, Vice President
Chris Stone
David Paolino
Cheryl Hawes

Also present:

Julia Chretien, Assistant Solicitor
Kelli Russ, Finance Director
Michael Antonellis, Planner
Michaela Johnson, Deputy Town Clerk
Gordon Rogers, DPW Director

I. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance recited.

II. EXECUTIVE SESSION
PURSUANT TO RIGL 42-46-5, (A), (1) Personnel

1. Renewal of Treasurer/Finance Director's Contract.
2. Renewal of Human Resource Contract.

PURSUANT TO RIGL 42-46-5A, (2) Litigation

1. TOF V R.P.
Investment Company
LLC d/b/a Price Auto
– PC-2020-01954

RETURN TO OPEN SESSION

Heidi Rogers moved, Chris Stone seconded, to go into Executive Closed Session Motion passed 5-0.

Chris Stone Seconded.

Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye. Heidi Rogers, aye.

Heidi Rogers made a motion to reconvene to Open Session at 7:00.

Chris Stone Seconded.

Motion Passed 5-0.

Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye. Heidi Rogers, aye.

Denise L. DiFranco announced that there were two votes taken. The first was to accept the treasurer's contract as presented with modifications.

Motion Passed 5-0.

Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye. Heidi Rogers, aye.

The second motion was to accept the human resources contract with modifications.

Motion Passed 5-0.

Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye. Heidi Rogers, aye.

III. PUBLIC COMMENT

Denise DiFranco stated that she has been getting a lot of phone calls and emails regarding the Covid-19 Test Kits. According to FEMA Public Assistance Eligibility Rules the test kits must be distributed in accordance to current FEMA guidance. Current FEMA guidance states that

eligible recipients include the following groups; Schools, Health Equity Zones, Group Homes, State Run Nursing Homes, Medical Facilities, Non-Congregate Shelters and Testing Sites. We do not have the capability to hold a testing site because we do not have the personnel to do that so we cannot distribute the test kits the way other towns are. A link was sent by Susan Dillon via News and Notices on how to receive 4 test kits from the government.

Cheryl Hawes read an email that was sent to Susan Dillon regarding the Town Hall Employees and what they have done in their [Town Hall] vault is appreciated. (See Exhibit A.)

Lynne Rider asked whether or not it is Social Services or Human Resources. Denise clarified that the department is called Human Resources. Lynn would like to know whether or not a list of part time snow plow drivers have been compiled this year and stated that normally a list is presented to the council and voted on so that they can be called in during a storm like the one we are getting this Saturday [1/29/2022]

Carol Sholly wanted to mention that the Foster Libraries are having their raffle again this February and people could pick up calendar raffle cards at the libraries; it would be very much appreciated.

IV. CONSENT AGENDA

Approval of Minutes for January 13, 2022

Approval of General Warrant

General Warrant #11 \$48,540.27

Tax Assessor's Additions and Abatement

Chris Stone made a motion to accept the consent agenda as presented.

Cheryl Hawes seconded.

Heidi Rogers had a question regarding the Tax Assessor's Additions and Abatement and requested to move it to another time.

Heidi Rogers made a motion to pull the Tax Assessor's Additions and Abatement to discuss at a future time.

David Paolino seconded. All in favor.

Motion Passed 5-0.

Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye. Heidi Rogers, aye.

V. PUBLIC HEARING AMERICAN RESCUE PLAN ACT

Denise DiFranco stated that tonight's public hearing is for the American Rescue Plan Act. Kelli Russ developed a packet. There are copies available [at meeting] and it was also emailed out.

Denise presented rules for the meeting. She said that if you want to speak and you are on zoom we ask that you

raise your hand. When you are recognized, unmute yourself and state your full name and address. People in the audience please come up to the microphone and state your full name and address. Please limit yourself to five minutes. If you have already spoken please refrain from speaking again so that we can hear from everybody. Please be courteous to each other. The council will not be voting on anything tonight. What is heard tonight will need to be discussed another time at a workshop to decide what direction the town wants to go in money-wise. The council has also thought of several things that they feel are needed but would also like to hear from you [the public]. Denise asked if anyone had any questions. Hearing none she opened the public hearing regarding the American Rescue Plan Act.

Lynne Rider of 20 Burgess Rd, said that one of the goals should be to use the money for things that will continue to benefit the town going forward and not a one shot deal. She mentioned the formation of a municipal court and the frustration with our solicitors and our police department with the process of issuing traffic and building and zoning fines because the town is dependent on the availability of a court date in another town which can be pushed back to another date after being on the docket. If we had our own [municipal court] it would be at our convenience. She had previously heard it would be too expensive when it was investigated several years ago. She said that it would be just like probate court. The Town Clerk or Deputy Town Clerk would be the clerk of the court and we could extend the probate judges hours and perhaps use that judge as the judge of the court. We could have it [court] in the Benjamin Eddy Building and set it up so it is convenient for everyone. As it is now, if there are any fines and they go to another municipal court in another city or town, Foster only gets 1/3 of that money, if we had our own municipal court we would receive 2/3 of that money. Lynne reached out to former council member and lawyer, Jon Restivo, who had previously investigated this and asked if there would need to be a charter change and read his response. (See Exhibit B) She believes one of the issues with the town is that everything needs to be done outside of the town and there is a lot of waiting. Our own municipal court would streamline this and maybe even with more results. Denise DiFranco stated that she is not sure if that is something we can use the money for but that they can certainly look into it. Lynne stated that she felt it would fall under the category of if there was another pandemic one of the problems was the courts being closed in some cases and that we wouldn't have to do that.

Tom Walden of 103 Central Pike, stated that the Ambulance Corps volunteers are decreasing and it is going to require switching to full-time paid personnel sooner or later, probably sooner, and it is going to require \$150,000. Tom said we could use some of the money to help cover the expenses of full-time coverage and that this is a nationwide problem that volunteer organizations are facing and most other towns around us already have 24 hour coverage.

Joe Walsh of 53 C Danielson Pike, stated that the town council needs to invest in a new communication system. Denise said that is something that is being looking into. Joe said that his comment was pertaining to the new police station and if there is an ability to use any of the money towards the police station to offset the cost to taxpayers. Denise stated that we cannot use it directly on the police station but that it can be used indirectly to help the police department.

Cindy Mellor-Neale of 58 A East Killingly Rd, stated that she is representing the Trustees of Borders Farm Preservation Inc. (See Exhibit C) Borders Farm Preservation is a 501c3 public non-profit, making them eligible for federal grants. Located at 31 North Rd on 200 acres of land and it is registered on the National Register of Historic Places. Cindy gave a brief history of the property and stated that due to Covid they have lost an estimated \$10,000 in revenue over the last two years. Cindy requested \$10,000 for repairs and maintenance.

Sanford Pliskin of 102 Foster Center Rd, suggested using the money towards development for town. Sandy said that he has heard talk of rewarding town workers for work that they have done during the pandemic and asked what kind of protections are being put into place to prevent cronyism and nepotism. He also stated his support of the request from Borders Farm.

Matthew Haynes of 41 Johnson Rd, President of the Board of Trustees with the Libraries of Foster thinks that some of the town funds could go towards the construction of the new library and specifically to offer a place where any person from town can access Wifi 24/7 365 days a year which means it would need a generator so that it can stay open even during inclement weather such as (they will have) this weekend.

Paul Lawrence of 29 Victory Highway, stated that Luther Rd is a dirt road and thinks the town should consider

doing something with it, at the very least drainage improvements. It is a short road, and there are five residents and some consideration should be given to that. The Governor of RI, Dan McKee, introduced a plan to move up the timeline on extended state projects. Paul suggested the Town of Foster do the same to get those extended projects completed quicker. He has children and adopted children that attend the school [Captain Isaac Paine Elementary School] and occasionally he receives calls for extra supplies to be used at the school. He thinks we should ask the principle what materials the school needs such as wipes, cloth masks, etc. Denise told Paul that the school received money separately to spend from the town.

Gordon Brayton of 5A Round Hill Rd, Chief at South Foster Fire Co. stated that the fire station already increased its budget by \$30,000 to update their Jaws of Life. For an additional \$15,000 they can get up to full speed and complete the project. He said it needs to be done, the Jaws of Life get used a lot.

Anita Rodman of 27 Tucker Hollow Rd, stated that she would like the council to think boldly and balanced. She wants to see the funds go to things that will last in the long term and propel us into new avenues. Using the funds towards the Preservation Society, Borders Farm, the Libraries, Public Works would be a one-time shot and she doesn't see that propelling us into the future. She doesn't want to think of it as a way to plug the budget, that is what the meeting in June is for and these funds are for more than that. She wants to think of it as a once in a lifetime municipal and community project and thinks of it as an important community service whether it be an expansive communication system and generators to serve the town during a storm or if something goes wrong so that we still have a place to operate. We won't be able to rely on our town center 5-10 years down the road because it is too old.

Denise asked if there were any questions. Hearing none she closed the public hearing and stated that the council had discussed several ideas of how they would like to see the money spent. One idea was to hire a consultant to come into town to see how we can bring in businesses and what we can do in the town to improve things, lessen taxes and get things going.

Heidi Rogers brought up the town hall renovations in order to finish the upstairs of the town hall so that it can be office space. Denise believes that would be looking to

the future for the town. Other things they discussed included a public well and sprinkler at the new recreation field on Route 94. David Paolino had discussions today with two other towns regarding how to conduct hybrid meetings and plans to meet with two different consultants the first week of February to see how to get the Benjamin Eddy Building set up.

Cheryl Hawes stated that she would like to give back to the employees who handled everything during the pandemic including volunteers in a fair and equitable way and she would also like to see something happen with Green Acres. Green Acres is now just a fishing-hole but it used to have swimming and a lifeguard on duty and believes it could become a viable spot again. She would also like to see the cost of the Police Station to be off-set.

Denise L. DiFranco stated that was something the council had all agreed on and was committed to.

Heidi Rodgers mentioned improvements to the covered bridge, which is considered a landmark and tourist attraction.

Carol Sholly of 18 Boswell Trail stated that renovations to the town hall would require an elevator to be ADA accessible, according to when they had looked into it before. She would hate to see it started and then be shut down and turned into luxurious storage space. She supports a consultant because we need expert advice. Carol said it is a shame that Green Acres has been let go and this money would be an opportunity to save things that otherwise would not be preserved.

David Paolino stated that renovations for the Town Hall need to happen because the town hall effectiveness was impacted by Covid and it is a natural fit to the money to use the money towards renovations. He said that we do not need an elevator because part of the concept is to connect the two wings to connect the two staircases and that would correct the need for a fire escape. Gordy Brayton from Scituate Lumber has already looked into this and right now it is just a concept and not a done deal. He is 90% sure the ADA compliance is not going to be an issue.

Carol Sholly said that she wants to be absolutely sure about the ADA compliance and would like it in writing before going forward.

Bob Moreau of 157 Central Pike said that the fire marshal had stated that the windows are too small for firefighters to enter with their equipment.

Joann Johnson of 17 Howard Hill Rd asked when the grant application is due. Kelli stated that we already have the money and we need to start identifying how to spend the money by April and begin spending by 2023. Joann

wanted to know the timeline of the project. Denise stated that they are going to have another workshop. Cindy Mellor-Neale came up again to say that the swamp meadow bridge is under the umbrella of Borders Farm. Denise stated that improvements would be for the steel under the bridge to increase the weight limit. Cindy wanted to make sure that the council knew that the covered part of the bridge is maintained by Borders Farm and wanted to make that clear for the public as well. Mark Parmentier of 13 Biscuit Rd stated that he would like to see the funds towards infrastructure projects that support the town and would like to keep in mind that there are a lot of low income voting members of our community who were receiving support from the government during the pandemic that has now ended. Some of those people greatly benefited from the funds received through the act and wondered if the funds could be used through the social services of the town to benefit families.

Lynne Rider brought up that the Town House, which is as much of a tourist attraction as the covered bridge, is in nearly dire need of significant restoration and would like to see some of the money put aside potentially as a matching grant towards what is needed to make the building structurally sound. One quote for improvements was \$300,000.

David Paolino stated that the council had considered that. Cheryl Hawes stated that she wanted to make it clear that the money can't be used for other bridges in town.

Blacktopping the roads is another thing that we can't do.

David Paolino said that there is a plan with a company that manages the road paving so that the DPW director will have a 5 year plan and be held accountable. This was discussed at a past meeting.

Denise said she wanted to point out that a large portion of this money is to be used for water and sewer in other towns but we don't have that in Foster. She wants to form a group that will get together with other towns who are affected by that.

Denise stated that February 24th is the second Town Council Meeting in February and will be the next meeting. The Town Council/Planning Board Joint Workshop meeting will be held on February 17th.

Heidi made a motion to reschedule the Town Council/Planning Board Joint Workshop meeting to February 17th.

David Paolino seconded.

Motion Passed 5-0.

Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye. Heidi Rogers, aye.

VI. OLD BUSINESS

1. Rescheduling Town Council/Planning Board Joint Workshop to Feb. 17th

- 2.

VII. NEW BUSINESS

1. Emergency Services Dispatchers, International Association of Fire Fighters Local #3422. Request for Contract Negotiations
Denise DiFranco referenced a letter (See Exhibit D) from Linda Niles, who is the president of Foster Emergency Services, notifying the council that their contract is expiring and they would like to set up negotiations. Heidi Rogers made a motion that to negotiate the contract for the emergency services dispatchers. David Paolino seconded.
Motion Passed 5-0.
Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye. Heidi Rogers, aye.
2. Selection of Council Members for Contract Negotiations
Heidi Rogers made a motion to appoint David Paolino and Heidi Rogers to the dispatcher contract negotiations. Chris Stone seconded.
Motion Passed 5-0.
Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye. Heidi Rogers, aye.
3. Emergency Services Fire Tax District Proposal. Request to move forward to legislature.
Denise DiFranco stated Chief Brayton and Mr. Walden are here and that we are voting on whether or not to give permission to move the Emergency Services Fire Tax District Proposal forward to the legislature. Senator Rogers and Representative Chippendale would present this and it would be put on the ballot for the general public to vote on in November.
Cheryl Hawes questioned whether or not the fire stations would be consolidating. Cheryl also wondered if there was a business plan or a budget they see and how long do they think it will be until they have enough money. She said she is in support but would like answers. Mr. Walden stated that there are legal requirements to consolidate the fire districts and that he would hope that it would be possible in five or ten years but he doesn't know. The budget would just move from the town to the fire district. Cheryl asked if they had considered hiring professionals outside of town instead of using volunteers and that she has concerns with the budget. Mr. Walden said that he would keep personnel on how they are currently operating and they would use the budget to pay for fire and rescue services, maintain the vehicles and buildings and pay personnel. Denise DiFranco asked if there would be PR to get information out to the public before the November election. Mr. Walden said yes. Sen. Gordon Rogers stated that the procedure is that Taxpayers need to vote on it before it would be approved. Denise said that she was told we need to vote tonight to get it on the ballot. Chris Stone made a motion to move this item to the February 10th meeting.
Heidi Rogers seconded.
Motion Passed 5-0.

Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye;
Denise L. DiFranco, aye. Heidi Rogers, aye.

4. Police Building Updates.
 - a) Update on Architect Addendum to Original Proposal.
 - b) USDA CF Grant.

Denise DiFranco stated that the Building Committee called Mr. Partridge regarding the Rouse Architect amended contract regarding the additional fees. The fees include; reviewing the layout of the police building to include a full basement and two egresses. The schematic design to develop specs for the windows and doors, etc. to meet the requirements of a police station, development of a bid package and preconstruction conference to field any questions from companies putting out bids as well as evaluate and vet out bids, they will monitor construction and meet with the Building and Zoning official to make sure everything goes smoothly from start to finish until certificate of occupancy is received. Chief David Breit spoke and said that the positioning of the radio control room is still being worked on will be finished next week. Cheryl Hawes asked if the Town owns the piece of land where the police station is being built. Chief Gordon Brayton said no but once the plan is finalized and they know how much land they need to give, it will. David Paolino made a motion to accept the amended contract from Rouse Associates.

Motion Passed 5-0.

Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye;
Denise L. DiFranco, aye. Heidi Rogers, aye.

b. David Paolino made a motion to further investigate the USDA CF grant.

Chris Stone Seconded.

Motion Passed 5-0.

Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye;
Denise L. DiFranco, aye. Heidi Rogers, aye.

VIII. ADJOURNMENT

Meeting adjourned at 8:45pm.

Heidi Rodgers made a motion to adjourn.

Chris Stone seconded.

Motion Passed 5-0.

Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye;
Denise L. DiFranco, aye. Heidi Rogers, aye.

Submitted by,

Susan M. Dillon, Town Clerk