

Town Council Meeting
March 24, 2022

The March 24, 2022, Town Council Meeting was called to order by Denise L. DiFranco, President, in Foster, RI at 6:15 p.m.

The following members were present:

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

Also present:

Kelli Russ, Finance Director
Julia Chretien, Solicitor

- I. EXECUTIVE SESSION**
Pursuant to RIGL 42-46-5A
(2) Litigation
1 ToF vs. Saint 23, LLC et al
2 ToF vs. Wright's Auto
- Heidi Rogers moved, Chris Stone seconded, to go into Executive Session pursuant to RIGL 42-46-5 for a work session regarding Collective Bargaining / Negotiations or Litigation according to RIGL 42-46-5-a (2) and to reconvene into open session and to further keep the minutes of said meeting closed and the minutes of all executive sessions held previous to this meeting remain closed in accordance with provisions in RIGL 42-46-4 & 5. No discussion.
Motion passed 5-0.
- RETURN TO OPEN SESSION**
- Denise L. DiFranco announced that one vote had been taken in Executive Session to agree to the current negotiations the State has for settlement for the Opioid and have given permission for the Town Council President to sign the settlement once it is presented. The vote was 5 – 0.
- II. PLEDGE OF ALLEGIANCE**
- The Pledge of Allegiance recited. Denise L. DiFranco
- III. PUBLIC COMMENT / ANNOUNCEMENTS**
- None
- IV. CONSENT AGENDA**
1. Approval of Minutes for March 10, 2022
 2. Approval of General Warrant #15 \$76,090.74
 3. Pole Petition – Paris Olney Hopkins Road
- Denise L. DiFranco asked that the minutes for March 10 be pulled, and also, she had one question about payroll warrants that were not listed on the agenda, but they were in Sugarsync: Payroll warrants number 36 & 37. Mrs. Dillon said that payroll warrants have not been listed since July.
- Chris Stone moved, Heidi Rogers seconded, to accept the Consent Agenda with the exception of March minutes.
Motion passed 5 - 0.
- Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye.

Denise L. DiFranco noted that on page 2, under the status of the Senior Van, it states that Ms. DiFranco said the money was not needed for the pantry. Ms. DiFranco clarified was that they were told that no money was needed for the pantry, and then Allison said there was always a need. Kelli Russ said there was a misunderstanding about that. Ms. DiFranco asked for that to be clarified.

Cheryl Hawes moved, David Paolino seconded, that they approve the minutes with the addition of Ms. DiFranco's accurate words.

Motion passed 5 - 0.

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

VI. NEW BUSINESS
Letter from State Fire
Marshall regarding Exits

Denise L. DiFranco stated that next was the letter from the State Fire Marshall. Ms. DiFranco said that as you know there has been discussion many times regarding the doorway into the Town Clerk's side and that when COVID was on, a bookcase, a shelf, and some plexi-glass was put up to serve as a deterrent for people coming in. COVID is now over, and she had been approached during COVID regarding that as being a blockage of the fire exit, and when I explained why I was doing that, it was put aside. And now that COVID is over, it was brought to her attention. Mrs. Dillon reached out to the State Fire Marshall and we have the letter here (see Exhibit A). There is still some concern regarding that and she would like to open it up for discussion.

Chris Stone said that he had this item put on, and it is his personal feeling that it takes away from the aesthetics and the privacy of the Town Hall.

Susan Dillon, Town Clerk, asked for clarification on privacy. Mr. Stone because of people standing in the lobby to pay their taxes. Anybody can come in and pay their taxes and listen to the conversation that is being had on the other side.

Cheryl Hawes said that when they pay their taxes they are in the hallway at the window and on the other side there is a window now and she thinks it protects the privacy of whatever they are working on in that office, it protects it from people walking through.

Denise L. DiFranco said she did some research on this because she knew it was a hot topic. The Fire Marshall's report lays out that the proposed changes are possible and will meet fire codes as long as the other requirements contained in the letter are met. So now the Exit sign needs to be moved and needs to be hard-wired with a

battery backup. Have we checked into how much that would cost?

Chris Stone said if there's a sign there it should be that way already. Denise L. DiFranco said, right but if we have to relocate it over Patti's door to the Employee Entrance, what would be the cost? And who would have the authority to do these things and we are here to discuss it. But if you look in the Charter, it does say the Council has "All the powers of the Town shall be vested in the Council except as otherwise provided by the law or this charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations impounded [sic "imposed"] on the Town by law." And that is in the Charter Section 2.04. And the charter also states that the Town Clerk Charter Section 4.04 says the Clerk's powers "the power or authority to make or effective alterations to the town are not explicitly granted to the clerk."

Mrs. Dillon asked where that was. Ms. DiFranco repeated it was 4.04 under Town Clerk. Mrs. Dillon asked if it was under "e". Ms. DiFranco repeated under Town Clerk. Under which letter. Ms. DiFranco repeated it was Section 4.04. Mrs. Dillon said yes I know it's 4.04, but it goes a, b, c, d— Ms. DiFranco said she did not have that.

Atty. Chretien asked what the question was. Heidi Rogers said she was looking for a section in the charter. Atty. Chretien said that she thought what Ms. DiFranco was saying is that it doesn't give the clerk power; like it's not listed as her powers.

Chris Stone said she just wanted to know what letter it is. Atty. Chretien said that it is not in the Charter. Ms. DiFranco asked for clarification because she did not see it in her charter. Mrs. Dillon asked how can you have a different charter? Ms. DiFranco said hers might be an older one. Mrs. Dillon said she is going to have to get her one. Ms. DiFranco said that because hers was not revised. Mrs. Dillon said that that wasn't changed though. Cheryl Hawes asked if it's not in the charter, where is she getting that from? Atty. Chretien said that what Ms. DiFranco is saying is that because it's not explicitly given to another chartered position, it defers to the town council.

Ms. DiFranco said if you look, "performs such other duties as may be prescribed by the Charter or by law pertaining to Town Clerk, and such other duties appropriate to his or her office" so where are you saying you do have?

Mrs. Dillon said to start at the top of that page. Ms. DiFranco read section "e" so it says "as director of the department of administration the town clerk shall be responsible for the supervision and assignment of all

clerical and office employees of the Town, to include those required by boards, committees, and commissions of the Town, setting of hours of work for such employees, receipt and distribution of all correspondence to the Town, maintenance of a central filing system for all Town agencies (except confidential police files), and assignment of Town office space, except where such space is specifically otherwise assigned by the Town Council, excepting in each case the school department.” [Section 4.04 (e)]

Ms. DiFranco says so you don’t have the school department; you don’t tell the school department where they can put their—it’s just in the Town Hall unless the council says this is where the other departments. Ms. DiFranco said that her concerns were about it being blocked off. She said that she discussed it with Mrs. Dillon before, and her concern is that it blocks the public. At one meeting you said “Well, the girls like it like this” and I know the planners, many of them, have said how disruptive it is trying to figure out how to move their desk because when someone comes in, they make a beeline for them even going past whatever clerk is there. Ms. DiFranco said that she thinks the staff in Town Hall are servants of the town and therefore should be available to the people. Mrs. Dillon assured her that they are available to the people. Mrs. DiFranco said that can be interpreted different ways, as to what being there and having to wait for somebody to come over. She understands with COVID it works out nicely, and it was brought up to have discussion and that’s what we’re having.

Kelli Russ said that she is sure that they have all been in multiple town halls. As an auditor she has been in multiple town halls and never can you just walk up to somebody’s desk in a Town Clerk’s office. There is almost always a counter; you stand at the counter. And for years, the people who have been sitting there have done nothing but complain—and I’m not saying that they are complainers—I’m saying complain about the number of people who go up and literally sit on their desk, or sit near their desk and lean on it, and ask for immediate help while they are literally working on something else instead of kindly waiting, and it’s not like they are waiting long. They also have a right to some privacy and some space, too, as employees. So it was a COVID move but it was really—they had been working on outlines, Carol had pulled up a design program to try to restructure that setting so that people couldn’t walk up to their desks and park there and have a conversation.

Denise L. DiFranco said, so playing Devil’s Advocate, what prevents them from going into the Planning, DPW, side. The ladies have been concerned about people

coming in, and I know the planners have been concerned. What's good for one is not good for the other? I don't know.

Chris Stone asked if they could move the furniture back and put a plastic chain across so they can't walk in.

Ms. Russ said no, we tried. During the design program, they couldn't find a way to make that counter work where people could actually sit and do their recordings and have two desks. They couldn't make it work.

Chris Stone asked so how is it working now?

Ms. Russ said it works great. You don't remember Sue and Carol was working in a little space that was probably the size of this table.

Cheryl Hawes said to her it is no different from the tax side where they go up to the window and they get waited on right away, you go over to almost a window on the Town Clerk's side and you get waited on. She said she has worked in those kind of situations almost her whole life, and she has always had a counter of something separating her from the immediate public for many reasons, mostly privacy for what she was working on at the moment; and she feels that one side is no different from the other. As long as they have an egress, and believe me, the Fire Marshall checked with other Fire Marshals and the Fire Marshall would not have said it was safe [if it wasn't].

Ms. DiFranco said she agreed. Kelli Russ said those girls would go right out that door.

Ms. DiFranco said she understands that but you have a sign there now that has to be moved, her concern is how much is it going to cost to move that and hard wire it?

Mrs. Dillon asked if that makes a big difference if we have to move something? We do things like that all the time.

Ms. DiFranco asked what the cost was. Mrs. Dillon said she did not know but she could find out.

Ms. DiFranco said we are making a move without knowing the cost. Mrs. Dillon asked David Paolino if he had an idea. David Paolino said he didn't look at it when he was there, but it might be anywhere from five hundred to a thousand bucks.

Ms. DiFranco visualized that someone comes in and there's no longer an exit sign there, it's within--and she was not referring to the ladies, the ladies know where to exit-- a citizen, a resident, a contractor, anyone coming in to Town Hall, that exit sign is where we have the plexi-glass. So now we have to move it inside, so where...

David Paolino stated that the law says that we are not to coerce people further into the danger. A person at that plexi-glass has two egresses at either side. We don't want them to see an Exit sign The Fire Marshall doesn't want to have one on this side of the plexi-glass and then one inside deeper. We don't want to force people deeper into

the hazard. We want them to go right out those two doors. So one door with an Exit sign just like that would have to be added to the back side entrance to compensate for the one that was there, and it's there for the purpose of the staff.

Ms. DiFranco asked if there was an arrow. David Paolino explained the arrows work. He stated he has been in the office quite a bit, and there is a lot hectic behavior going on because of the turmoil with new people; and his heart tells him that in an instance where everyone is stressed and trying to get their job done, if that little ask to allow people some peace, quiet, and serenity, then he is all for it. Follow the Fire Marshall's suggestions to the letter, do what you need to do. It is a small ask. He thinks the public is still well served at the counter. He has never heard any complaints saying, "I can't get further into the office anymore." What he has seen is a lot of people running around trying to do two or three jobs at once, and I can't imagine what the distractions would be.

Cheryl Hawes says she asks first. David Paolino said he walks right into Antonellis's office and he sees people walk right in on Mike. And if it's like that on the other side and training people, he doesn't have a problem with it.

Susan Dillon said she's been the Town Clerk for five years and she thinks that she knows what's best for the Town Hall and how it operates and runs; and it runs like a well-oiled machine, and she has to say that this is a distraction, and she just doesn't understand why they are so upset over this.

Heidi Rogers said because it's an alteration to a town building; it has to go through the Town Council.

Denise L. DiFranco said they are not upset and why can't they have a discussion about it? There has been a lot of discussion about this, so having you here and having a discussion about it, she thinks is the only way we can do it.

David Paolino said he understood where they were coming from, but he is the liaison to Planning and Zoning. Mike runs things by me that he really doesn't have to. Mr. Paolino runs things by the council president and even though he agrees that you can modify things for a reason, he doesn't think we can be cut out of the loop.

Cheryl Hawes said then they could lay the blame on her because she didn't think this was an issue. It's been in play for two years, and it's been working perfectly, and until recently she didn't know this was an issue. Ms.

Hawes thought this was settled last week and then suddenly it's on the agenda. What the heck, if you want me to tell you every single thing Mrs. Dillon tells me, because we do talk, I am the liaison, please don't think

that she doesn't let me know; if she thinks they are detrimental or important she certainly would relay it to Denise. Ms. Hawes said she thinks there are so many other things that need to be focused on. This was not in her purview.

Heidi Rogers said so we have to get an estimate. Ms. DiFranco said yes, because she would like to know how much because she doesn't know what it means to be hard wired.

David Paolino explained what that meant and that the sign needs a lithium battery so it's a little expensive but he has one, a brand new emergency Exit light, that can be used. I will drop it off Monday, so whoever gets the job will not have to purchase a new light, but that will be the least expensive part of it.

Mrs. Dillon said that we do have money in Buildings & Grounds. Ms. Russ said we could use the American Recovery Funds also; it's an eligible things.

Cheryl Hawes asked how that would work for American Recovery--moving the sign? Ms. Russ said because the whole thing is to keep the people separated and distancing.

Ms. DiFranco said that one side, but the other side, it's okay? Ms. Russ said that she agreed, she was just saying that for one particular side, I'm only discussing that right now.

Ms. DiFranco asked if there was any more discussion.

Heidi Rogers asked if they were waiting on a quote?

Ms. DiFranco said that she would like to see how much it would be. David Paolino said it would be based on distance.

VI. BUDGET WORKSHOP

Denise L. DiFranco opened the Budget Workshop at 7:02 p.m.

VII. ADJOURNMENT

Meeting adjourned at 8:30 p.m.

Submitted by,

Susan M. Dillon, Town Clerk