

Town Council Meeting  
April 14, 2022

The April 14, 2022 Town Council Meeting was called to order by Denise L. DiFranco, President, in Foster, RI at 7:00 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

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| <b>I. PLEDGE OF ALLEGIANCE</b>                        | The Pledge of Allegiance was recited.   |
| <b>II. PUBLIC COMMENT/<br/>ANNOUNCEMENTS</b>          | Lynne Rider spoke about the flowers for the Town Hall. Denise L. DiFranco awarded the Golden Cane to Walter “Raymond” Hohler, and read his biography (see Exhibit A).   |
| <b>III. CONSENT AGENDA</b>                            | Minutes: March 24 and 31, 2022<br>Approval of General Warrant #16 \$142,830.06<br>Chris Stone moves, David Paolino seconded, to approve the consent agenda as presented.<br>Motion passed 5 - 0.<br>Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye.  |
| <b>IV. PUBLIC HEARING</b><br>Food Truck Event         | Eric Weiner applied for a permit for a Food Truck event to be held on six possible dates.<br>Denise L. DiFranco opened the public hearing.<br>Denise L. DiFranco asked if anyone would like to speak in favor.<br>Tammy Steinkamp, Recreation Director, said that the food truck events are well-attended and the community enjoys the event.<br>There will be two events chosen from the following dates: 6/28, 6/30, 7/6, 8/9, and 8/10 with one being a rain date to be held on the Foster Fairgrounds. The dates will be chosen at a later date. The \$100 fee will be waived. The trucks will be permitted at \$25 per truck for the year.<br>No one spoke against.<br>Heidi Rogers moved, Chris Stone seconded, to approve the food truck event for two days, to waive the \$100 event fee and to approve the permits for the trucks at \$25 per truck.<br>Motion passed 5 - 0.<br>Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye. |
| <b>V. OLD BUSINESS</b><br>Police Station Bldg. update | Denise L. DiFranco updated everyone on the Police Station Building.   |

**VI. Fire District Tax Resolution**

Denise L. DiFranco next is the Fire District Tax Resolution. The resolution was passed at a previous meeting and it went to Representative Chippendale and Senator Rogers. From Rep. Chippendale's office an Act creating a Foster Fire District was created. From their offices, it goes to another attorney who drafts the Bill. The questions he had were passed on to Julia Chretien. Atty. Chretien said that the questions were pulled from the Charter. There will have to be a meeting with the District and their attorney to work through what could be a Charter Change.

Heidi Rogers clarified that there is no action they could take right now. Ms. Chretien agreed. Denise L. DiFranco suggested a meeting as soon as possible with two council members.

David Paolino moved, Cheryl Hawes seconded, to send Heidi Rogers and Cheryl Hawes—with Chris Stone as an alternate—to the meeting with the attorneys for the proposed fire district discussions and amendments to the Charter.

Discussion: Ron Cervasio, Plainfield Pike, asked if there is a Fire District and a Fire Tax, is it on top of the 4% or part of the 4%? Denise L. DiFranco said it would be a separate tax. Mr. Cervasio said that in all the years that he has made financial predictions, this will be the worst thing that will happen to the Town of Foster. He asked if the Ambulance Corps had shown their books. Denise L. DiFranco said last week. Mr. Cervasio noted that for many years they didn't show their books. They obviously had money at some point and bought ambulances. When you spend all your money supplying something that you didn't believe the council properly supplied you with, and then you say they're broke and need help, and the whole time you weren't showing your books, they should have never gotten a cent when they weren't showing their books; and if they weren't so busy backing some of the people on the council, the council would have stopped it. Heidi Rogers stated that they voted to send a resolution to legislature but it doesn't mean that they agree with it. Mr. Cervasio said there was no need to move it forward. Every year you gave them money. This happened before. About the trash pickup, every single person in this town would have to weigh 4,000 lbs. to meet the quota that they are demanding you pay. Heidi Rogers said they're exploring other options.

Motion passed 5 - 0.

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

**VII. NEW BUSINESS**

1. Resignation – Zoning Board

Denise L. DiFranco said next was the resignation of Michelle Ziemba from the Zoning Board. They did not see a letter. Atty. Chretien said that they could accept a verbal, and then get a letter afterward.

Heidi Rogers moved, David Paolino seconded, to accept the resignation of Michelle Ziemba from the Zoning Board with confirmation from the planner.

Motion passed 5 - 0.

Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye. Denise L. DiFranco added that it was with regrets.

2. Cyber Security Grant

Denise L. DiFranco said that next was a letter from Secretary of State Gorbea regarding a Cyber Security Grant applied for and received for \$38,020.00. Mrs. Dillon worked on that; nice job Mrs. Dillon. Denise L. DiFranco read the letter (See Exhibit B).

3. Review Contract for Architects for New Police Building

Denise L. DiFranco said that Julia [Chretien] reviewed the contract. Ms. DiFranco directed attention to page 3 and 4, called Exhibit B of the proposal. Ms. Chretien said Exhibit B is a schedule adjustment, moving the dates from 2016 to 2022. The first date is April 28, 2022 for beginning the first step, and then it has a Certificate of Occupancy being issued on August 21, 2023.

Ms. DiFranco said there were some things that needed to be addressed. Ms. Chretien said Exhibit A is the update of prices and that it looks fine, Exhibit C would be updating the insurance policy information; Exhibit D is the contract.

The amendment letter states that they amended 3.6 as construction fee services, 3.6.1 was to read: "The architect shall provide administration of the contract between the owner and the contractor." However, Exhibit C, the actual contract has 3.6 listed as "Taxes," so Ms. Chretien assumed the amendment letter is a proposed change, not a change that went in, but that needs to be discussed with the architect. It is the same with Exhibit E which is listed as the "Hourly Rate" and as Article 11; however, in Exhibit E, Article 11 is listed as "Insurance Coverage," so they will want to confirm that the amendment letter is proposed changes and something to add to that.

Denise L. DiFranco asked if she could forward those concerns to Mr. Partridge. Ms. Chretien agreed.

Ms. DiFranco said that at the meeting of January 27<sup>th</sup> there was a motion made by Mr. Paolino to accept the amended contract from Rowse Associates. Ms. Chretien said to amend the motion to accept pending clarification. Mrs. Dillon said you cannot amend something that was done before. Julia Chretien clarified that.

David Paolino moved, Heidi Rogers seconded, to accept the contract pending the changes to the Exhibits D and E.  
Discussion: None.

Motion passed 5 - 0.

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

4. FY 2022-2023 Budget  
Adoption

Denise L. DiFranco said next was the adoption of the 2022-2023 Budget. Ms. DiFranco said that Matt Haynes sent an email to her and Kelli [Russ] today regarding the budget. The library met Tuesday night. They had a meeting. Mr. Haynes sent a letter (see Exhibit C). Ms. DiFranco said she would bring it forward to the council and let him know. Heidi Rogers thought that [their request] applied to salaries. Jayne Lear, library director, was present. She said we elected to be level funded. They will decrease their acquisitions, postage, and things they can alter. Heidi Rogers said she appreciated that, but what they were asking for wasn't that much. It was a gesture. Heidi Rogers asked how it affected their salaries. Ms. Lear said they would get the increase, they will just take that money from other sources. Heidi Rogers asked if that would leave them short. Ms. Lear said they have been level-funded before; they would work it out. Cheryl Hawes said she appreciated the offer but they don't want to take it away from them and short them of materials they might need. Heidi Rogers agreed. Ms. Lear said that was very kind.

Kelli Russ said she wanted to explain the changes she made in the budget. After speaking with the State about the American Recovery Fund, and being very careful about how we record lost revenue and the use of our public safety. In this budget under the "debt" she had used the fund balance. She moved it to the revenue because that is really where it does go. The net was zero. Rather than show it as debt because debt is not one of the allowable expenses for the American Recovery Fund, we don't want to give the impression that we are using it improperly. When we analyzed the Capital expenditures to transfer out at 2 percent, plus we do extra so that 2% she adjusted to actual built on a budget that was \$500,000 in expenditures over budget, so by moving it out it reduced the capital so it is less than it was. The difference was put into the Ambulance Corps because she assumed that where they would want it to go. She is working on the disclosure right now because it has to be approved at the State by tomorrow in order for us to advertise next week. So she added \$5,000.00 to the Rescue Company and took it out of Capital transfer based on the face that we don't need the 2% any longer. And

we're still funding capital at about \$15,000.00 more than last year. Heidi Rogers clarified that they went from \$223,500.00 to \$228,500.00. Ms. Russ said that the expenditures we have here are now \$140,000.00 more than what we were reflecting last week. She had been working on the disclosure, and the tax rate—if everything stays the same—it will be about \$22.03. It was \$21.34; so that's 69 cents per thousand.

Heidi Rogers moved, David Paolino seconded, to adopt the budget as presented.

Discussion: None.

Motion passed 5 - 0.

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

5. Emergency Funding of  
Ambulance Corps 2022  
FYE

Denise L. DiFranco said that next was the emergency funding of the Ambulance Corps. At the budget workshop on Tuesday, she had emailed about the purchasing of ambulances—which is not on tonight's agenda—but he did reach out to Kelli about the fact that we can use ARPA funds for the \$100,000.00 that we said we would give to the Ambulance Corps. So instead of taking it from Contingency, we would take it from ARPA. That is something that we can do. The Ambulance Corps said they would not make it to July 1<sup>st</sup> without \$100,000.00. We had said that last year we would give them money, so now we are looking to take it out of contingency. This gentleman said that we could use ARPA funds. Chris Stone asked if that was to give them the \$100,000.00 to get them to July first? He said, "Let's do it." Kelli Russ said no matter what you won't have it in the budget for next year but at least you're not taking from your savings. It's a better use of that funding.

Chris Stone moved, Cheryl Hawes seconded, that we use \$100,000.00 of the APRA funds.

Discussion: Ms. Russ said they taught us all about ARPA for seven months, and because nobody could spend the money, they changed everything at the last minute. All of our funding now is considered lost revenue so we don't have to prove it. They loosened the strings on what we could use it for. Julia Chretien clarified that it can't be used for an ambulance. Denise L. DiFranco no, it is just for the \$100,000.00.

Motion passed 5 - 0.

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

6. Re-appointment to Board  
of Canvassers

Denise L. DiFranco said that next was the re-appointment of Mr. DePalo to the Board of Canvassers. Heidi Rogers asked when the term expired. Mrs. Dillon said six years.

Heidi Rogers moved, David Paolino seconded, to reappoint Robert DePalo to the Board of Canvassers for a term expiring in March in 2028.

Motion passed 5 - 0.

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

7. Northern RI 4H Request –  
for Foster Fairgrounds

Denise L. DiFranco said the Northern RI 4H requested the use of the Foster Fairgrounds for May 14, 2022.

Heidi Rogers moved, David Paolino seconded, to allow Northern RI 4H request to use the Foster Fairgrounds on May 14, 2022 with proper insurance.

Motion passed 5 - 0.

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

8. Engineering Board Mtg.

Denise L. DiFranco said Town Council representatives [were needed] for the Engineering Board [meeting] for April 26. Chris Stone said he would go. David Paolino said he would go.

Heidi Rogers moved, Cheryl Hawes seconded, for Chris Stone and David Paolino to represent the council at the Engineering Board meeting on April 26<sup>th</sup>.

Motion passed 5 - 0.

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

9. RFP for Rescue Services

Denise L. DiFranco said they need an RFP for the Rescue Services. Mrs. Dillon said she sent an email, but it was an example, it wasn't complete. Heidi Rogers said it was a generic one; we would need to tweak it. Do we need two cardiacs 24/7? Do we want one 24/7 to be supplemented by volunteers? Chris Stone suggested forming a committee. Heidi Rogers said she had experience in this. She suggested different options. Should we have Chris and Heidi discuss this with Ginny Colwell?

David Paolino moved, Chris Stone seconded, that we form a committee with Heidi Rogers, Chris Stone, Tom Walden and Ginny Colwell to investigate the specifics of an RFP.

Julia Chretien said not to volunteer people who were not on the council, but to ask for representatives. Heidi Rogers asked the town clerk to forward the sample RFP to Tom and Ginny.

Discussion: None

Motion passed 5 - 0.

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

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**VIII. EXECUTIVE SESSION**

1. PURSUANT TO RIGL 42-46-5A (2) Litigation,
  - a. TOF v. R.P. Investment Company LLC d/b/a Price Auto – PC-2020-01954
2. PURSUANT TO RIGL 42-46-5a(2) Collective Bargaining
  - a. Local 3422, International Assn. of Firefighters

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.

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

The council reconvened in to Open Session at 8:20 p.m. Denise L. DiFranco announced that no votes were taken in Executive Session.

**IX. FUTURE AGENDA ITEMS**

Denise L. DiFranco said the next council meeting was the 28<sup>th</sup>. They would have a workshop discussion with the Land Trust and a council meeting. License application public hearing. Kelli Russ suggested an RFP for bleachers and electrical at the fairgrounds. RFP for the rescue services. Bid award for the Rec Field. The next would be May 12<sup>th</sup> the trash.

**X. ADJOURNMENT**

Heidi Rogers moved, Chris Stone seconded, to adjourn. Meeting adjourned at 8:26 p.m.

Submitted by,

Susan M. Dillon, Town Clerk