

Town Council Meeting  
September 8, 2022

The September 8, 2022, Town Council Meeting was called to order by Denise L. DiFranco, President, at the Town House 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  
Michael Antonellis

**I. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**II. ANNOUNCEMENTS /  
PUBLIC COMMENT**

Allison Bouchard announced that after many years of waiting, the Human Services Department had received the transport van. It has 10 passenger seats, and two wheelchair spots. It will take planning and coordinating to for grocery shopping, Dollar General, Walmart, hairdresser, etc. We are possibly coordinating with the Scituate Senior Center as well. She is looking to have a dedicated team of drivers. They would have to be good drivers: careful, compassionate, and patient. Denise L. DiFranco asked if they have to have a special license. Ms. Bouchard said they do not. Right now, it would be a volunteer position or a small stipend. She discussed grant funds.

Gordon Rogers gave credit to Mike Chippendale to help get the van. Mr. Rogers also discussed RIPTA transportation. Now that we have the van, we could integrate with a RIPTA drop-off by the van.

**III. CONSENT AGENDA**

**Meeting Minutes**

Approval of Minutes for August 11, 2022

**Warrants**

Approval of General Warrant FY2022 #25 \$49,524.66  
and FY 2023 #3 \$188,588.16

**Tax Assessor's Additions & Abatements**

**Quarterly Reports (Apr / May / June)**

EMA    FCVFC    Recreation    Library

MVFD    Planning    Conservation    School Committee

Chris Stone moved, Heidi Rogers seconded, to accept the Consent Agenda as presented.

Motion passed 5 - 0.

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

**IV. OLD BUSINESS**

1. Police Station Building -  
Update on Funding

Denise L. DiFranco said that she and Gordy [Brayton] and Chief [Breit] met with the architect last Friday. They looked at the new design. It has a separate entrance for the multi-purpose room. It has room for expansion. So

it's moving along. There will be a meeting next Thursday night at 5:30 to review. We still need to hold off on the financing.

Heidi Rogers asked if we could apply for the financing even though the land is not in our name. Kelli Russ said we are applying for the debt, not moving forward with the project. We're just putting out RFPs for bond issues and contacting the financial planner. It will take a few months. Ms. Rogers said, "So we're not having a groundbreaking this year as we thought."

Kelli Russ said many communities go out for bonding and then they hold the money until the project [starts], but you do have a limit on how long that you would want that money.

Gordy Brayton said it would be next Spring. The plans will not be completed till the first of the year. The lot itself has to be surveyed, then the piece broken off.

Denise L. DiFranco said some of the changes are that there will be a basement and there will be wings. Mr. Brayton said it would be more like the Town Hall. He said he and the Chief and Tyler did some tweaking, asking, "Where will the building be in 30 years?" The next meeting should be productive. Heidi Rogers asked if there was a size difference. Mr. Brayton said there wasn't much. The armory, process areas, and evidence areas were way too small. David Paolino asked if the major change was from the box format to the star format to save on specially made trusses. Mr. Brayton said there would still be trusses, but it's nicer looking, it will be in the center of town.

Denise L. DiFranco said if there's a plus side to this taking so long, it's that we've learned from others' mistakes.

Chief Breit reviewed some changes. Anna Rao asked about the interest rate. Denise L. DiFranco said they do not know that yet. Catherine Bay asked if there would be a basement. Denise L. DiFranco said there will be a basement.

## 2. American Rescue Plan Act (ARPA) Update

Denise L. DiFranco said next was the ARPA update. Ms. DiFranco said she had spoken to Gordon about the hydraulic system. Kelli Russ said they would need to increase it [the funding].

Heidi Rogers moved, Chris Stone seconded, to increase the amount for the hydraulic system from \$42,060 to \$43,210.

Motion passed 5 - 0.

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

Denise L. DiFranco discussed other projects. The lighting for the Fairgrounds. Gordy said he had spoken with Mike

Paolucci. Ms. DiFranco asked about the video recording; Mr. Paolino said he was looking into it. Heidi Rogers asked about the renovations to Town Hall. Gordon Brayton said it was doable. Kelli Russ reviewed the financial status. She reduced the e-permitting, to the hydraulic system she added \$1000, the consultant is later on, the consultant if approved would be \$49,000 rather than the \$40,000, the bleachers and the grounds is highlighted and is adequate. The rescue services, she can't see funding it for the rest of the year without an additional \$50,000. If we are short this year, we will be short next year. You are actually overspent by \$82,000. Denise L. DiFranco stated that the Town Hall [renovations] and Green Acres are still question marks. Kelli Russ discussed the anticipated school budget. Denise L. DiFranco reviewed the items that were done. She recommended putting the brakes on anything else other than the lighting. She asked if it could be done by Trunk or Treat. Gordon Rogers said DPW could do some of the work. Denise L. DiFranco asked for an estimate.

3. Emergency Management  
(EMS) Update

Denise L. DiFranco said next was EMS. Kelli Russ said it looks as though the three month allocation will be spent in two months, but there were a lot of up-front costs for the transition. We've spent close to \$96,000. The \$125,000 is not going to be enough. She reviewed the financial status and projections. The future of the Ambulance Corps was discussed. Gordon Brayton said they were meeting tonight and that they have not been able to get them to meet with him before now. Chris Stone said we should go softly.

Heidi Rogers moved, Cheryl Hawes seconded, to no longer fund any expenses for the building at 32 Mt. Hygeia Road.

Discussion: David Paolino asked what would be an appropriate time to request the ambulances be leased again? Gordon Brayton said first of the year. He said they can sell the ambulances and the building right out from under us. He said he doesn't want to test this. He said we would only save 5 or 6 thousand—maybe. Ms. Russ laid out the expenses for the building. Cheryl Hawes wants them to report on the meeting with them. Heidi Rogers said they are already pushing it to the end of the year. We can't afford that. Mr. Brayton said it might only amount to 3 or 4 thousand. Mr. Paolino asked about third party billing. Mr. Brayton said they drag it out as long as they can. Kelli Russ explained the process.

Catherine Bay spoke [unable to pick up the sound].

Lynne Rider said she agreed it is a time to walk softly so as not to undo all the work everyone has done. She said

according to their charter, if they disband, they have to sell everything and donate the money to a non-profit. Anna Rao asked if there was going to be an ambulance. Denise L. DiFranco assured her there would. Gordon Brayton said that if we remove the rescues from the building, the lease will end quickly. David Paolino said that Ginny said she would not stand in the way of the rescues being moved. Mr. Brayton said he didn't remember it that way. Denise L. DiFranco clarified the motion as to not paying the bills; we are not defunding them. Susan Dillon repeated the motion. Ms. Russ noted that if we don't pay the bills we are hurting South Foster. Motion failed 0 - 5. Heidi Rogers, no; Chris Stone, no; David Paolino, no; Cheryl Hawes, no; Denise L. DiFranco, no. Gordon Brayton said the rescues are going out; the budget has come down; so, we didn't have a final solution in three months. Be patient. Kelli Russ said two months. Mr. Brayton said they have to figure out how to dissolve.

#### 4. Non-Utilization Ordinance

Denise L. DiFranco explained that this ordinance is for property that has been vacant for a long time. Michael Antonellis said that the ordinance is specific to properties that have been vacant for a long period of time and have been subject to violations. The Non-Utilization tax would seek a tax to provide incentive to the property owners. Heidi Rogers said she was against it because it is their property. Gordon Rogers said that there are already improvements being made. We are not Cape Cod or Chatham where we are flush with businesses. This would mean that if I threw all my renters out of my motel and used it to store antiques, you could charge me more because I changed the use and you're not getting as much in taxes. Lynne Rider said that was a very negative way of looking at it. We all believe the town can be something more. This doesn't affect an operating business. It's for things that have not been viable businesses; not about saying that you can't change what you use your business for because we're not getting the same amount of money. Mr. Antonellis said the intent is to target vacant properties with a history of violations. David Paolino asked how we know it wouldn't encroach on business owners. Cheryl Hawes said it's written out. Mr. Antonellis said you can write the ordinance the way you want it. Instead of fines, it is the utilization of tax. David Paolino asked how you could keep it from being weaponized. Denise L. DiFranco so they just keep being violated? Heidi Rogers asked if this was meant to light a fire under

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those people to sell their property. Mr. Rogers said that is wrong. Mr. Paolino said we looked at the books, and the descending value of the property. What's the incentive? The value is going down and the town is not getting its fair market value.

Ms. Rider said she thought any ordinance could be weaponized. Knowing how difficult it has been to get anything done with fines, etc. this is a tool. People may want to come out to Foster. To say that nobody wants to come out to Foster is so negative.

Mr. Rogers referred to the restaurant on Route 6. If that man wanted to put antiques in there, he should be able to. We have other issues that could be addressed with a blight ordinance. It will go to foreclosure and the bank will buy it, and they will take it to court. Businesses have tried and failed. And what's going to happen? They'll get torn down. Mr. Paolino said do you see the definition of blight, would that remedy 75% of our issues if we just enforced the ordinances we have? How many properties would be affected? Mr. Antonellis said more than one. Mr. Paolino said under the existing rules, would that take care of it?

Cheryl Hawes moved to put this issue on hold. Chris Stone seconded it. No votes were taken.

#### **NEW BUSINESS**

1. Ballot Questions:  
Advertising approval

Denise L. DiFranco said she asked Kelli to write the ballot questions to get something out to the public. The first was the title change from "Treasurer" to "Finance Director."

Ms. DiFranco read the proposed change:

"Change title from Treasurer to Finance Director to better define roles and duties of the position as it includes both cash management and all financial reporting as defined by the requirements of the State of RI and the Town Council."

Denise L. DiFranco said that people thought we were adding a new position. It's the same person; it's just a title change.

Denise L. DiFranco said the other question is something we have been doing but future councils may not want to do that. Kelli Russ read the proposed change:

"There shall be an annual addition to the amount appropriated by the Financial Town Meeting equivalent to 4% of the total of all other appropriations approved at the meeting, as a capital reserve fund. Such appropriation, and the addition of the same to the amount to be raised by taxation, shall be made by operation of this section of the Charter, without the necessity of any vote or any other action by the Town. Such amount and any accumulations shall be held and invested by the Town Treasurer as a separate fund, and from time to time any amount from such funds may be expended upon authorization by the annual or a special

Financial Town Meeting for the purchase of improvements set forth in the capital program.

**Reasoning:** The Charter as stated only requires a 2% appropriation for capital reserves. This amount is no longer adequate to preserve the town-owned property including town and school buildings, equipment, roads and bridges.

**Financial impact:** This change would only increase the budget by .06% or \$95,145 based on the current budget. This amendment would also ensure that funds previously budgeted for capital cannot be reallocated to other operations such as salaries, purchased services, etc. to balance the budget.”

Denise L. DiFranco asked if it would be beneficial to put it in layman’s terms. Kelli Russ said she thought it was.

Denise L. DiFranco said well, it would be like increasing your savings by putting it in a savings account in case your roof leaks, the electrical or plumbing fails.

Heidi Rogers said how many years ago did we start this— 1974? Everything has increased since then, and we can’t possibly sustain it at 2%.

Kelli Russ asked how to explain it to people who don’t want an increase in taxes? Heidi Rogers said it is good business.

Kelli Russ said it is, but she has never heard so many complaints. Denise L. DiFranco said this doesn’t take place until next year. Kelli Russ asked if it was definitely on the ballot. Denise L. DiFranco said it was and if it passes and it says 4%, then we have to put in 4%.

Catherine Bay said that if we haven’t increased since 1974, that is a good point right there.

Kelli Russ said it would absolutely balance the balance.

Denise L. DiFranco said but we have to decide to get it in the October *Foster Home Journal* by September 20<sup>th</sup>.

Steven Croteau, Moosup Valley Road, suggested going back five years to look at what was spent. Now you can tell people exactly how much money you have. Kelli Russ said we overspend our allocation every year. It is actually in our budget. Mr. Croteau said it’s like a trick.

Gordon Rogers said if you word it correctly, it can take affect only if in a fiscal year it meets certain standards so you don’t fall into that position. Kelli Russ asked if you can do that: make a Charter Change that can take effect on a particular date? Gordon Rogers said related to a tax increase. Denise L. DiFranco said this is the question that will be on the ballot.

Heidi Rogers moved, Chris Stone seconded, that we do not advertise.

Motion passed 5 - 0.

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

Town Council Meeting  
September 8, 2022

2. Pandemic Recovery Grant: Police Station Building / Program Plan for Multipurpose Community Room

Denise L. DiFranco said that next is the Pandemic Recovery Act that Mike has been working on. The lady has been very nice and supportive. She suggested changing the name so that it's not the police building. Mike Antonellis said the name of the project. Allison came up with a lot of good ideas. One thing we had to do was include the general public. You enter a foyer and then go through doors to the police station. To the left would be a community room and there would be two offices next to it for private talks and counseling. We talked about having computers in there with an internet connection. Heidi Rogers asked how much the grant was. Michael Antonellis said it was \$600,000 and it accounted for the differences in pre-pandemic and after. The demand for these services is not going to be the demand as in other cities and towns. We need to work with what we have. Denise L. DiFranco said no motion was needed at this time. This is just to let everyone know what is going on.
3. Planning Board Recommendation Letter: Creation of Finance Committee

Denise L. DiFranco said that next was the recommendation from the Planning Board for a finance committee. Heidi Rogers read the letter (see Exhibit A). Denise L. DiFranco said that to give it the due diligence would require more time than we have. We recognize the letter and move it to the next council. Two months is not enough time to vet this. Ms. DiFranco will send an email to Mr. Renzi. She asked if that was acceptable to the council. There was no further discussion.
4. Bid Award: Economic Development Consultant

Michael Antonellis submitted a letter of recommendation (see Exhibit B). Mr. Antonellis said he got a good number of respondents. Camoin Associates met all the requirements of the Planning Board. The cost was just over \$49,000 which was a little higher, but the board felt this was the one to go with. David Paolino noted that this firm had worked with a similar sized town. Mr. Antonellis said yes, Eastport, Maine. Heidi Rogers said we had originally appropriated \$35,000, and this is a little bit over.

Cheryl Hawes moved, David Paolino seconded, to go with the planning board recommendations for Camoin Associates for \$49,640.00.

Discussion:

Heidi said she thought it was worth the extra. Denise L. DiFranco said yes, we've been waiting for a long time and it is well worth spending the extra money.

Anna Rao asked about the scope of the work.

Motion passed 5 - 0.

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

Town Council Meeting  
September 8, 2022

5. Re-appointment to Juvenile Hearing Board – Mary Jo Chretien, as alternate for a one-year term  
Heidi Rogers moved, Chris Stone seconded, to reappoint Mary-Jo Chretien to the Juvenile Board as an alternate for the term of one year.  
Motion passed 5 - 0.  
Chris Stone Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye.
  6. Re-appointment to Juvenile Hearing Board – Steve Croteau for a three-year term  
Heidi Rogers moved, David Paolino seconded, to reappoint Steve Croteau to the Juvenile Board for a three-year term.  
Gordon Rogers commended Mr. Croteau for his years of service.  
Motion passed 5 - 0.  
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye.
  7. Construction and Maintenance Agreement, Bridge Group 02\_OS– Foster / Municipality Federal Funds for Moosup Valley Bridge, Mill Road Bridge, & Rams Tail Bridge  
Denise L. DiFranco said she asked Julia Chretien to review the document. Ms. Chretien explained the details. Denise L. DiFranco said this is part of the five-year plan. Gordon Rogers said they could add to the plan. The state comes in and does inspections. That can be built in to the date plan.  
Heidi Rogers moved, Cheryl Hawes seconded, to authorize the Town Council president to sign the contract between the State of Rhode Island and the Town of Foster for the bridge maintenance agreement.  
Discussion: Mr. Rogers noted that the Swamp Meadow Bridge is not included. When those plans are done, the state will approve it. They will also want you to sign an agreement.  
Lynne Rider said it is her understanding that they will not advertise until December 2023 so we are looking at 2025 before some of this comes to fruition.  
Motion passed 5 - 0.  
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye.
- VI. FUTURE AGENDA ITEMS**  
Denise L. DiFranco said she had the Planning Board, the Opioid Contract, EMS, and Municipal Court. Ms. Rider said she forgot to mention that there is a flood in the basement again. Mr. Rogers said he spoke to Heidi Colwell. He said the rug has to come up. You can't leave a rug where it floods.
- VII. EXECUTIVE SESSION PURSUANT TO RIGL 42-46-5A (2) Litigation/Potential Litigation**  
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/potential 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



Town Council Meeting  
September 8, 2022

1. Mill Road Realty  
Associates, Et Al vs. Town  
of Foster  
2. ToF v. Compassion  
Center

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 9:30 p.m.  
Denise L. DiFranco announced that two votes were taken  
in Executive Session. One to move Item 2 to the first  
position. There was a vote discussing the Mill Road Realty  
Associates regarding possible litigation which passed 5 –  
0.

**VIII. ADJOURNMENT**

Meeting adjourned at 10:25 p.m.

Submitted by,

Susan M. Dillon, Town Clerk