

The April 27, 2023 Town Council Meeting was called to order by Denise L. DiFranco, President, in Foster, RI at 6:00 p.m. at the Benjamin Eddy Building.

The following members were present:	Also present:
Denise L. DiFranco, President,	Kelli Russ, Finance Director
Chris Stone	Julia Chretien, Assistant Solicitor
David Paolino	
Heidi Rogers	

I. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

II. ANNOUNCEMENTS / PUBLIC COMMENT

Denise L. DiFranco made two announcements. One was that there is going to be a special election. You will need to disaffiliate by the 29th, which is Saturday. Mrs. Dillon said that you can do it online. Denise L. DiFranco said it was at vote.ri.gov, and you can disaffiliate there if you need to. Heidi Rogers said that if you are an Independent, you don't need to. Denise L. DiFranco said that you need to have your Declaration Papers in to Town Hall by July 28 at 4 p.m. if you plan on running. September 5 will be the Primary Election if there is a need for one. October 3 will be the General Election. Residents must be registered 30 days prior to the election if you are not already a registered voter. Ms. DiFranco explained that the Primary would be held only if there were more than one Democrat or more than one Republican. If there's more than one independent, it doesn't matter.

The second announcement was for Earth Day this Saturday from 8 to 1. They are asking that you meet at the DPW and sign up and tell them which roads you are going to do; and when you bring your trash back, let them know which road you did. You should have two bags, one for recycling, and one for trash. There will also be a Fair. If you are going to bring tires to dispose of, you can bring them over to DPW and they will be \$5 each. Truck tire disposal is \$10. E-waste and paper shredding is free, and you can exchange your old recycle bins for new ones.

Lynne Rider said there was a long conversation last week about recycling and trash and all of that. She looked up the RI Resource Recovery website and each town has a page where it tells you exactly how that town handles appliances, freeon, books, media, bulky waste, carpets, mattresses, and furniture. What it says for furniture [for Foster] is "free pickup curbside, call Rambone Disposal (number) to schedule a pickup. Why is the town getting involved as the middle man where you have to go, get a sticker and stick it on there when this is already in place—or is this not already in place anymore?

III. CONSENT AGENDA

- 1. **Meeting Minutes**
Approval of April 13, 2023
- 2. **Warrants**
Approval of General Warrant FY2023 #17
\$85,338.36
State Police Detail – March \$5,469.76
- 3. **Pole Petition** – North Road
- 4. **Monthly Reports (March 2023)**
 - 1. BPZ 2. DPW 3. Police 4. RIRRC
 - 5. Tax Assessor 6. Finance

Chris Stone moved, Heidi Rogers seconded, to approve the consent agenda as presented.

Discussion: Denise L. DiFranco noted that the pole petition must state that it be placed 3 feet from the road. Motion passed 4 - 0.

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

IV. OLD BUSINESS

1. Police Station
Building Update

Denise L. DiFranco said the building committee is meeting tomorrow at 5 o'clock here. She invited Chief Lindell who will be able to attend. We also have the engineers going out tomorrow for a core sample where the foundation and cellblock will be and one more [area]. Once that is completed, the Administrative Subdivision will be done. Ms. DiFranco handed out a bill that Mr. Chippendale put forward at the House and Mr. Walsh's letter in support of it. Heidi Rogers asked if tomorrow we would know when the land is going to be subdivided because she understands it was pulled from the Planning Board. Denise L. DiFranco said yes, because the Planner and the engineer and South Foster felt that once they had this core sample done, it might affect where the line would be drawn. Heidi Rogers asked if they would hire somebody to do the core sample after the meeting. Denise L. DiFranco said they are already doing it tomorrow. Chris Stone says it just feels like delay after delay, after delay.

V. NEW BUSINESS

1. Land Trust:
Conveyance Tax

Denise L. DiFranco thanked the Land Trust for coming to the meeting. She offered her condolences for the loss of Myra [Mercier] who was a member of the Land Trust. Heidi Rogers said as of March 2023, it looks as though they have \$520,000 in cash investments; and land and equipment values are 2.2 million dollars. Linda Tibbetts said that most of those properties have a development / conservation easement on them from DEM, so usually they can't be developed. Denise L. DiFranco asked about the audited value vs. what Linda is saying. Kelli Russ said that was the value / cost of the land when it was purchased, and that it's not depreciable. Linda Tibbetts said it [the land] is protected in perpetuity as open space so it can't be subdivided or sold as a property. Denise L. DiFranco said she did not intend to sell property that the Land Trust has.

Heidi Rogers said investment income through March 2023 was about \$8,300. Is that interest? Kelli Russ said yes, at 4%. Heidi Rogers said that the amount of conveyance fees you received for the last 10 years is \$539,226. Ms. Rogers noted that in 2021, there was a boom in properties and you received \$74,000 from the town. The Land Trust does a great job; you have approximately 900 acres; her feeling is that between the Land Trust, the Public Water Supply Board, and the Audubon Society, that's it's around 15,000 acres. Ms. Rogers feeling is that considering the financial situation the town is in, that this is unsustainable. This is nothing against the job you have done. You have hiking trails, places where people can go fishing, but her personal opinion is that we don't need to be taking more land off the tax rolls. They can't tell you what to do, but she thinks they should take them off the tax stamps and give them more of a functioning budget like we do with the fire departments. With a functioning budget, you have

\$500,000 in your account. The town has been bleeding for years and she doesn't feel we should be taking more land off the tax rolls. Kelli Russ said the five-year average would be about \$60,000 at the end of the year. Ms. Rogers reviewed how the fire departments function. Linda Tibbetts said that it is in the Charter. She explained their intentions and the previous history. Denise L. DiFranco clarified that prior to 2004, they were funded the way Ms. Rogers suggested. If you didn't spend the \$5,000, it went back into the general fund. Denise L. DiFranco said so when you go for a grant, and you need \$10,000 but you didn't spend the \$5000 from the year before, you don't have the \$10,000. Kelli Russ we could change that now at the Financial Town Meeting. Ms. Tibbetts said they were trying to protect the town from litigation. Denise L. DiFranco asked Ms. Rogers if she was suggesting the money come back to the town and be funded to the budget; is that looking to go back and take moneys from them? Ms. Rogers said not at all. Ms. DiFranco said so that money would stay with them. Denise L. DiFranco said that Ms. Tibbetts said she thought it came through capital. Kelli Russ said when she first started, their financials were vastly different. They were receiving \$25,000 a year. Now they are up to \$60,000. At what point are you building a fund balance and looking for new revenue sources? She said she is looking for a compromise. She would like them to put some sort of a price to it [hiring help] so the town can try to use some of the money to balance the budget. Our tax rate is probably going to be one of the highest in the State. She doesn't know how to fix this problem because they don't have any other revenue. Ms. Tibbetts said she didn't know how long this [boom] would last. Ms. Russ said the percentages have changed since they took over. We could work it out a thousand ways. Ms. Russ said they could cover her expenses with the interest. Ms. Russ understands Ms. Tibbetts wants consistency, but she is out of options. Mike Carpenter discussed the financial set up according to the Charter. He says they [the Land Trust] are solvent and not costing the town a penny. He discussed grants. Denise L. DiFranco said there is no criticism. They want to work with them. The council could make a decision and say, "here's what it is, this is the Charter change," but instead they are asking how we can work together. Mr. Carpenter said maintenance should be \$200,000 a year. Heidi Rogers said she doesn't see how it couldn't work the same way as the fire departments. Linda Tibbetts said the last Charter Commission was impressed with their money management. They did not put the burden of putting the maintenance on the town. Ms. Rogers said that on a low conveyance tax year they could have more in their budget. Ms. Tibbetts said a previous council was very protective of the Land Trust. Lawrence Chapman said they are no longer able to do the work themselves. David Paolino said he was on the Charter Review Commission and he understood the amount of work they do, but a dialog has to happen. The council is looking for a compromise on the conveyance tax. The town is giving up all the tax stamp money. He voted to leave it alone, but we weren't in the situation we are right now.

Tom Boyden said it was set up so it wouldn't cost the town any money. They have an unexpected expense coming up, and if it hadn't been set up this way, the town would have to cover it. Ms. Tibbetts says some of that money comes from things that they have done, such as selling forest products.

Kelli Russ said they have been fantastic at managing the money. She also addressed Mr. Carpenter who said they don't help administratively; she noted that she does all the administrative work for the Land Trust.

Denise L. DiFranco said that in order for there to be a Charter change it has to be on a General Election which would be next year. That's where we are now. Ms.

DiFranco asked how much the dam would cost, and what the going rate would be for what [maintenance] they do now; the council doesn't want to take over what they are doing; the council wants to help them and hope they want to help the council.

Lynne Rider said she thought that recreation was one of the things [the economic consultant] suggested that we push. The Land Trust has the money to create and maintain trails and even make some horse riding trails and a large parking lot. There is a huge difference between funding the fire companies and something like this. Last year the council was going to defund the Ambulance Corps. If at some point, they were to say we are defunding the Land Trust, that's the end. And as far as capital expenses, we all know that people don't get what they want. Where do you think the Land Trust would be? On the bottom. We should be promoting recreation.

Anna Rao spoke.

Mr. Shippee spoke. He said the State required insurance on the dam. Mrs. Tibbetts said when they get new insurance they will deal with that coming up.

Mr. Paolino said he likes the trails, and the idea of a possible cap.

2. Extension of
the Social
Services
Parking Lot

Denise L. DiFranco said the Mr. Rogers had talked about enlarging the parking lot. Mr. Shippee said they would like to make a parking spot for the van by taking some trees out. It would be \$1,200 for the day to take them out.

Chris Stone moved, David Paolino seconded, to remove the trees for no more than \$2,000.

Discussion: Lynne Rider said that the parking lot on the other side of the Town House needs some branches taken down.

Chris Stone withdrew his motion. David Paolino asked if they could include what Ms. Rider was asking.

Discussion ensued about not limiting the amount because it was already in the budget.

Chris Stone moved, David Paolino seconded, to make a parking spot for the van.

Motion passed 4 - 0.

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

3. Legacy
Livestock
Auction
Request for
Fairgrounds

Denise L. DiFranco referred to an email from Shelly Fitzgerald requesting use of the Fairgrounds on June 3, 2023, for a Livestock auction.

David Paolino moved, Chris Stone seconded, to grant it pending Mrs. Dillon's review. Denise L. DiFranco said

she had reached out to Maggie [Stormont] about using the kitchen, but Ms. Fitzgerald could not because of what is involved. Ms. Fitzgerald explained the event. Motion passed 4 - 0.
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

4. Rhode Island Resource Recovery Corp. Contract
- Heidi Rogers moved to approve the contract between the Town of Foster and the RI Resource Recovery Corp. Chris Stone seconded.
Discussion: Denise L. DiFranco noted it was 48 pages. She was curious as to whether the Conservation Commission had access to the [RIRRC] report. Motion passed 4 - 0.
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.
Denise L. DiFranco signed the contract.

VI. PUBLIC HEARING

Zoning Map amendment to change the zoning district designation of the subject property, located at 0 South Killingly Road, which is currently zoned as Agricultural/Residential (AR) to be included within the Municipal (M) zoning district.

Denise L. DiFranco opened the Public Hearing. Ms. DiFranco read the ad (see Exhibit A). Cheryl Hawes asked if it was the whole piece of property. Denise L. DiFranco said it was, they purchased it but had not changed the zoning to municipal. Ms. Hawes asked if the pound would be included. Denise L. DiFranco said it was. Ms. Hawes asked if anything would happen to that. She was assured it was not.
William Gibeault, abutter at 171 Howard Hill Road, wanted to know if he would be informed of any changes. He was told that he would be notified.
Denise L. DiFranco closed the public hearing. Heidi Rogers moved to approve the proposed zoning map amendment from Agriculture Residential to Municipal. David Paolino seconded. Motion passed 4 - 0.
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; and Denise L. DiFranco, aye.

VII. EXECUTIVE SESSION

Pursuant to RIGL 42-46-5, (A), (9) International Brotherhood of Police Officers, Local 637, Police Contract - Memorandum of Understanding

Heidi Rogers moved, Chris Stone seconded, to go into Executive Session pursuant to RIGL 42-46-5 for a work session regarding Collective Bargaining according to RIGL 42-46-5-(A)9 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 4-0.

The council reconvened in to Open Session at 7:55 p.m. Denise L. DiFranco announced that 2 votes were taken in Executive Session to allow the Town Council President to sign two Memorandums of Understanding regarding the police contract. The vote was 4 - 0.

VIII. ADJOURNMENT

Heidi Rogers moved, Chris Stone seconded to adjourn. Motion passed 4 - 0.
Meeting ended at 7:55 p.m.

Submitted by,

Susan M. Dillon, Town Clerk

TOWN OF FOSTER FOSTER TOWN COUNCIL

The Foster Town Council will conduct a Public Hearing at the Benjamin Eddy Building, 6 South Killingly Road, regarding a proposed Zoning Map Amendment under consideration on April 27, 2023 at 7pm upon the petition of Town of Foster, owner, of Assessor's Plat 20 Lot 9. The proposed Zoning Map amendment seeks to change the zoning district designation of the subject property, located at 0 South Killingly Road, which is currently zoned as Agricultural/Residential (AR) to be included within the Municipal (M) zoning district.

A full copy of the proposed Zoning Map amendment can be obtained from the Foster Planning Office. The proposed Zoning Map amendment may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views

expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the hearing.

Planning
Department
181 Howard
Hill Road
Foster, RI
02825
401.702.5012

Proposed Zone Change Plat 20 Lot 9

