

Town Council Meeting
March 15, 2018

The March 15, 2018, Town Council Meeting was called to order by Denise L. DiFranco, President of the Foster Town Council, at the Benjamin Eddy Building, 6 South Killingly Road, Foster, Rhode Island, at 6:00 p.m.

The following members were present:	Also present:
Denise L. DiFranco, President	Solicitor, Mark Tourgee
Chris Stone, Vice President	Kelli Russ
Gordon Rogers	Chief Ziehl
Michael Dillon	
Cheryl Hawes	

- I. EXECUTIVE SESSION

Executive Session convened at 6:00 p.m.
- RECONVENE IN OPEN SESSION

Convened in open session at 6:15 p.m.
- II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

Chris Stone announced that a vote was taken in Executive Session to appoint Gordon Rogers to work things out with resident Robert Schultz. The vote was 4 – 0 – 1 with one recusal..
- III. PUBLIC COMMENT

Cheryl Hawes commended Heidi Rogers for her performance as EMA Director. Gordon Rogers commended the new DPW director for handing the storm well. Denise L. DiFranco commended the Electrical Inspector Mike Paolucci for helping residents who experienced power outages.
- IV. MINUTES

Gordon Rogers moved, Chris Stone seconded, to approve the minutes of February 22, 2018.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5 – 0.

Gordon Rogers moved, Chris Stone seconded, to approve the minutes of January 30, 2018.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5 – 0.
- V. WARRANTS

Gordon Rogers moved, Chris Stone seconded, to approve **Payroll Warrant #34** for \$36,730.28
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5 – 0.

Gordon Rogers moved, Chris Stone seconded, to approve **Payroll Warrant #35** for \$34,424.63.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5 – 0.

Gordon Rogers moved, Chris Stone seconded, to approve **General Warrant #17** for \$90,178.12.
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; and Michael Dillon, aye; Gordon Rogers, aye: Motion carried 5 – 0.
- VI. OLD BUSINESS

A. Recreation Field

Discussion: Gordon Rogers, Kelli Russ.

B. Police Station Knob and Tube Report

Denise L. DiFranco reviewed the report from the Electrical Inspector.
Chris Stone moved, Gordon Rogers seconded, to pay to improve the wiring.
Discussion: Gordon Rogers, Kelli Russ, Chief Ziehl, Mike Dillon
Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; and Michael Dillon, aye; Gordon Rogers, aye: Motion carried 5 – 0.

C. Letter from the Int'l Brotherhood of Police Officers Local 637

Denise L. DiFranco read the entirety of the letter into the minutes (see Exhibit A). Ms. DiFranco responded stating in particular that the charge that the council as a whole attempting to derail the police department was not true. She noted that members were voted on to be part of the committee.
Further discussion: Mike Dillon, Gordon Rogers noted that the tests have been done and actions have been taken, Cheryl Hawes.
Ms. DiFranco said she would provide a response in writing.

VII. NEW BUSINESS

A. Library Board Request

Denise L. DiFranco stated that the board was looking to lease or receive lands from the Town and would like to remain a private library vs. a municipality and requests are contingent on the police building. They have discussed possibilities with the Preservation Society. Plans would be to construct a 6,000 sq. ft. library. Would like to share parking lot with new police stations and creating an historical area obtaining grants.

Discussion: Gordon Rogers, Cheryl Hawes, Denise L. DiFranco, Ron Cervasio, and Karen Mueller.

B. Appt. to Conservation

Gordon Rogers read letters of interest submitted by David Rathbun and Michelle Potter to serve on the Conservation Commission.

Gordon Rogers moved to appoint David Rathbun and Michelle Potter to 3-year terms on the Conservation Commission.

Discussion: Cheryl Hawes as liaison to the Conservation Commission commended Susan Dillon's efforts to fill empty positions on the town boards of commissions.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; and Michael Dillon, aye; Gordon Rogers, aye: Motion carried 5 – 0.

C. Wright's Auto

Denise L. DiFranco explained that this is a request for reconsideration to the license applied for in December 2017.

Gordon Rogers moved, Mike Dillon seconded, to approve the proposal for a preliminary compliance plan to correct the issues with Wrights Auto Parts, LLC.

Discussion: Mike Dillon, William Ricci (manager of Wrights speaking for Morris Maglioli, owner), Mr. Maglioli's attorney Michael Lepizzera, Gordon Rogers, Mark Tourgee, Denise L. DiFranco, Carl Sacoccio, Jacqueline Bowen, Anthony Renzi.

Gordon Rogers amended the motion, Chris Stone seconded, to grant the license for 60 days and then have them come back to show progress, the fire chief to evaluate tires and gas tanks, building and zoning officials to perform visual inspections, plus boarding up the abandoned building, and no vehicles going in.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; and Michael Dillon, aye; Gordon Rogers, aye: Amendment carried 5 – 0.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; and Michael Dillon, aye; Gordon Rogers, aye: Main motion carried 5 – 0.

D. Extrication Tools

Cheryl Hawes moved, Gordon Rogers seconded, to purchase the pump that runs the "Jaws of Life" now rather than wait for the new budget because it is needed now.

Discussion: Mike Dillon, Cheryl Hawes, Gordon Rogers, Kelli Russ, Tom Walden.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; and Michael Dillon, aye; Gordon Rogers, aye: Main motion carried 5 – 0.

E. Police RFP Site Bid

Denise L. DiFranco explained that \$30,000 had been approved for an architect. The solicitor stated that the building committee doesn't have the authority to open or award a bid. Mr. Rogers said that it was always the council that opens the bids, and then it is sent out for recommendations. +Mark Tourgee said it was permissible to open the bid.

Discussion: Gordon Rogers, Denise L. DiFranco, Joe Walsh, Kelli Russ, Mark Tourgee.

Bid was submitted by Design Professionals and given to the Town Clerk to pass on to Mr. Walsh for review and recommendations

F. Police Chief Retirement

Gordon Rogers read the resignation letter from Chief William Ziehl who stated he would be retiring on April 13, 2018.

Gordon Rogers moved, Cheryl Hawes seconded to accept the retirement request with regrets.

Discussion: Gordon Rogers, Chris Stone, Denise L. DiFranco, and Cheryl Hawes.

Denise L. DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; and Michael Dillon, aye; Gordon Rogers, aye: Main motion carried 5 – 0.

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**VIII. FUTURE AGENDA
ITEMS**

- Police RFP Site Bid - April
- Hemlock Bridge
- Wrights Auto – 60 days
- Interview Committee for Police Chief

IX. ADJOURNMENT

Motion to adjourn was passed unanimously. Meeting adjourned at 8:30 p.m.

**X. BUDGET
WORKSHOP**

Budget Workshop convened at 8:45 p.m.

A digital sound file is made a part of the record for a complete account of the council meeting.

Submitted by

Susan M. Dillon
Town Clerk

TCM March 15, 2018



International Brotherhood of Police Officers

A DIVISION OF THE NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES

February 20, 2018

Denise DiFranco
Council President
Town of Foster
181 Howard Hill Road
Foster, RI 02825

Dear President DiFranco,

The IBPO Local 637 (The Union) is addressing this letter to you and your fellow council members in reference your Town Council meeting that was held on February 8, 2018.

At what price will you put on the health and safety of *your* town employees and citizens who enter in the building?

First off, a letter was sent via mail on October 30, 2017 to you. The letter requested health and safety testing done at the current police station. Council Member Rogers came to our meeting on November 14, 2017 and advised the stance of the Town, in reference to a new station, however stated he would bring the concerns to the other town council members.

Your Town Council meeting held on December 14, 2017, a discussion was made about the concerns members of the Union had. Your council members passed a motion to get pricing for an air quality test and inspection of the knob and tube wiring; and furthermore *have these testing completed*, as stated by Council Member Hawes.

After review of the minutes submitted by Foster Town Clerk Susan Dillion, there was no notation to have the testing completed, only to get prices. Just for your convenience, I have attached the approved minutes to this letter.

It is now mid-February and you have not followed up on your motion to get any tests done at the direction of the Foster Town Council. The union spoke with Chief Ziehl and advised him of the on-going concerns with the air quality. We commend Chief Ziehl for contacting The Trust, who came out and completed an air quality test. That being said, we now have been advised, via a general order, not to enter the basement of the Foster Police Department because of the hazardous air quality. For your convenience, that report has been also attached to this letter.

Out of concern for the employees of the Foster Police Department and to further notify you, a test was conducted with a non-contact voltage tester that detects voltage in the range of 12 – 100 VAC (volts alternating current) on the knob and tube wiring in the basement of the Foster Police Station.

All the knob and tube wiring that could be located tested positive for voltage – thus you have active electricity running through the lines.



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As I am sure you are aware, there was a recent electrical issue that occurred on February 8, 2018, leaving the Foster Police Department with a loss of communications – to include phones and radios to our dispatch station. That was later determined to be an overheated circuit breaker, which could have caused a fire in the basement.

The only progress that the union sees the town council taking is attempting to derail and badmouth the Foster Police Department in a public forum. You and your fellow council members have appeared to take more time and spoke with more person(s) and/or agencies to *disband* the Foster Police Department then to fix the underlying problem – the police station that we are in.

We understand you wish to bring different solutions to the taxpayers and let them vote as they wish. We are **not**, in any way, against the taxpayers of Foster making their own *unbiased* decisions on who should serve them and/or if a new police station is warranted.

This union feels *highly disrespected* by the comments that were made about the officers of the Foster Police Department. The continued statement, to employ troopers from the Rhode Island State Police that were “*equal or better*” than the Foster Police officers was a slap in the face to all the officers and their families. These officers have made efforts have an open working relationship with juveniles in the schools to adults in the community.

Statements and actions made by your town council members put a divide between the approval and respect of the members of the Foster Police Department. It is completely understandable to look at different possibilities without bashing town employees.

As CM Rogers later tried to explain he meant the Foster Police “sets the bar high”, it was clear to all union members who were there and well as the members who heard the statements later what was meant. Not only to the union members, the Chief of Police and the citizens who were there knew what was meant. As in the union meeting CM Rogers attended, he advised us that the reason for the talks with Rhode Island State Police was because “*he needs leverage*”.

If that didn’t stand out as a concern, your council members further did not want any sworn officer/ administration to be part of the meeting with RISP about them taking over coverage of the town. So if your council members think the Foster Police sets the bar high, why would there be an issue with having a sworn member present?

One other statement that CM Rogers had alerted to the union and the public to is that the Foster Police Department budget is much greater than the Foster Department of Public Works budget compared to other towns. CM Rogers further stated he believes citizens would be more grateful with upkeep on the roadways and other services provided to the Town of Foster.



International Brotherhood of Police Officers

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The union finds his statements *again* to be bias and providing false information to the public. The union has gathered annual budget figures from close and/or comparable towns. Please find the below figures approximate percentage of the budget difference.

Glocester – Police Dept. annual budget is 13 % greater than Dept. of Public Works
Scituate – Police Dept. annual budget is 22 % greater than Dept. of Public Works
Foster – Police Dept. annual budget is 51 % greater than Dept. of Public Works
West Greenwich – Police Dept. annual budget is 51 % greater than Dept. of Public Works
Hopkinton – Police Dept. annual budget is 64 % greater than Dept. of Public Works
Richmond – Police Dept. annual budget is 73 % greater than Dept. of Public Works

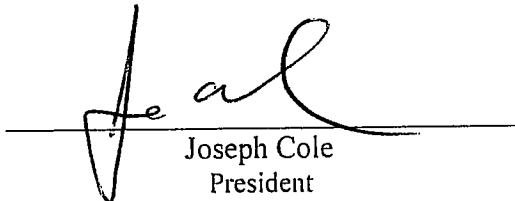
The union feels that advising the town council and the public of the health and safety concerns of the police station has started a divide. The union members would like to go home safe to our families, without the constant concerns of our safety within our police department.

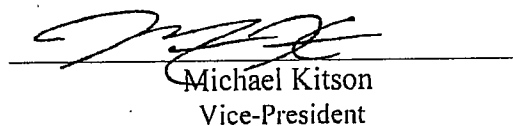
We furthermore believe, based on CM Rogers's bias and conflicting reports about to the Foster Police Department as a whole, he presents a conflict of interest with him being on the Police Department Building Committee. We are requesting you to look into this matter as President of the Foster Town Council and see if he is fit to sit on the building committee.

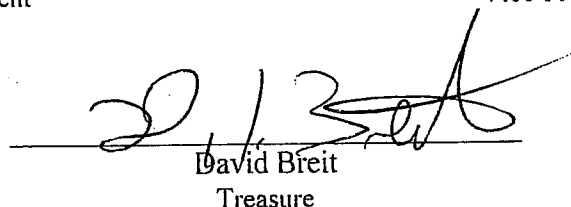
We are still requesting, in writing, the status on your efforts to obtain an electrical testing for the police building, your plan of action for the air quality and if you see that if there is a conflict of interest with CM Rogers to be on the building committee.

Respectfully submitted.

I.B.P.O. Local 637 Executive Board


Joseph Cole
President


Michael Kitson
Vice-President


David Breit
Treasurer