

Town Council Meeting  
February 25, 2021

The February 25, 2021, Town Council Meeting was called to order by Denise L. DiFranco, President, via Zoom™ in Foster, RI at 7:00 p.m.

The following members were present:

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

Also present:

Mark Tourgee, Solicitor  
Joanna Achille  
Julia Chretien, Solicitor  
Kelli Russ, Finance Director

**I. PLEDGE OF ALLEGIANCE/  
ANNOUNCEMENTS**

The Pledge of Allegiance was recited.

Denise L. DiFranco asked for a moment of silence for two very well-known people in town who passed away; they both volunteered at various levels: George Newman and Mim Cunniff.

Denise L. DiFranco announced under New Business we have the Food Truck event, and that is not going to be about the ordinance.

**II. EXECUTIVE SESSION**

- A. Litigation – ToF vs. Saint 23, LLC
- B. Potential Litigation – 6A Shippee Schoolhouse Road
- C. Personnel – Policies and Procedures re: Treasurer’s absence

Heidi Rogers moved, Chris Stone seconded, to go into Executive Session pursuant to RIGL 42-46-5 for a work session regarding Personnel in accordance with RIGL 42-46-5-a (2) and for 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.

**RETURN TO OPEN SESSION**

Denise L. DiFranco stated that no votes were taken.

**III. PUBLIC COMMENT**

Lynne Rider spoke.

**IV. CONSENT AGENDA**

- 1. Approval of Minutes for February 11, 2021, January 7, 2021 and December 3, 2020
- 2. Approval of Payroll Warrants
  - a. #33- \$39,628.70 b. #34 - \$39,742.38
- 3. Approval of General Warrants
  - a. General Warrants #11- \$ 108,400.01

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.

**V. OLD BUSINESS**

- A. Database program

Jeff Lykins explained the cost of his proposed Database program. There would be a \$10,000 set up fee. Permits can be purchased in a block of 500 in advance, which can save \$60 per year. There is no carryover, though the lady at the State thought she saw something about percentages. The Town Clerk can also use it for Licenses and Vital Statistics, which is included in the initial fee. The state has significant money for this, which goes away June 30, and they are very interested in getting small towns on it. Two other costs in addition would be writing the script from the Tax Assessor’s base and importing it, and migration of permits that we have. The yearly cost would be \$3000. It is possible to run without doing that, but the Tax Assessor information would have to be entered. It is being used by 30 towns in the State. The program we are currently using will cease to exist and is not a robust system. The State has moved the contractor database into

the system so the program will automatically populate the permit and indicate if their license and insurance is current.

Susan Dillon said she could not use it for Vitals and we only have 57 Licenses. Patti Moreau said we don't have all the businesses in town licensed. Ms. Moreau said the new Vision admin and collection system doesn't include building permits now though people she has spoken to said it was complicated on the assessor side.

Susan Dillon said the old program is good to three to five years. Denise L. DiFranco asked but will the state pay for it in five years from now.

Cheryl Hawes asked if the \$10,000 was for set up and if the yearly cost would be \$2000 to \$5000 per year? Kelli Russ said the \$3000, if you don't pay for that, it would make the assessor's job more difficult. Ms. Russ spoke to Vision and noted that they are going to improve it and are thinking three to five years. If you can get in writing that the State will pay for it—legally documented in writing—then it would be a good idea. Denise L. DiFranco suggested that they get it in writing and then Susan, Patti, and Jeff sit down and discuss it.

B. Recreation Field invoice

Denise L. DiFranco asked if Mr. DaSilva was present. He was not, but Gordon Rogers said he had spoken to him. Mr. Rogers said about the trees that were rotting Mr. DaSilva said he had no problem fixing them. They discussed drainage; he had a plan to fix that and to fix the slope erosion. Mr. DaSilva said he doesn't want to go year after year fixing things because of no irrigation. Chris Stone said he spoke with him also. The amount was 10 percent off the bid. Gordon said the tree problem was a problem of no irrigation and road salt.

Heidi Rogers moved, Chris Stone seconded, to pay Jay DaSilva Excavation, LLC, all but 10 percent of his invoice.

Discussion: Chris Stone said there should be a team effort going forward and that Gordon be the point man.

Ron Cervasio said there is too much stuff for the space that's available. To put the field forward without an irrigation system in it will cause it to fail. If it's going to be used for soccer, there should be some space to the side for nets so you can rotate the nets.

Denise L. DiFranco said they are very well aware of that, and DEM gave us the plans and we are not going to change it.

Motion passed 5 - 0. Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye.

C. License renewal – Coastal Atlantic

Jeff Lykins said he went out to the site and met the owner. He spoke to the Fire Marshall but the snow was too heavy to tour the site. The Fire Marshall will reschedule and bring a truck with him to make sure it can get into the site. Mr. Lykins said he also met with the owner about the landscaping and visual barrier, and told him he should send in a plan. Julia Chretien said there was an extension on the license given until today to allow him to speak with Jeff. It's up to the council what they want to do.

David Paolino said we need a full inspection by the Fire Marshall.

David Paolino moved, Chris Stone seconded, to extend the temporary license until March 11.

Discussion: Julia Chretien said you can put a time limit on it. David Paolino said to send a letter to Atty. Kane listing what is needed.

Cheryl Hawes amended the motion, David Paolino seconded, to have Julia send a list of what is needed and that the Landscaping plan must be to Jeff by March 9. David Paolino asked if they don't have the answers by then, what will happen? Mark Tourgee said they can suspend the license.

Amendment passed 5 - 0.

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

Motion passed 5 - 0.

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

Julia asked if they want her to let Atty. Kane know that the requirements are not met that they lose the license.

The council said yes.

D. Solar Array on Theodore  
Foster Drove

Denise L. DiFranco said that at the last council meeting, Mr. May had spent a lot of time preparing the proposal. Mr. Rogers had too. They have different views. That being said, Mike Antonellis said that Chris Kearns from the State Office of Energy Resources was there. He offered to come out to give the town options on how to proceed.

Mr. Kearns said would be happy to work with them. He had received phone calls from DEM and National Grid and they would work with the town as they did with Hopkinton about six months ago. They would structure an RFP, and schedule a site visit with developers.

Ultimately, there are two options: a solar system would be installed that would sell back to the grid with a revenue share with the developer, mimicking the city of East Providence; or separately, a developer could put an solar system but sell to an off-taker to another town or school. Ultimately, the viability would come down to interconnection costs with National Grid. There is a good deal of activity with renewables in the northern part of the state. He suggested an RFP, and then coordinate with the DEM teams, schedule a site walk through and a free bid period. Then we see what we get for proposals and then advance from there.

Denise L. DiFranco said the Army Corps of Engineers go out there all the time. Mr. Kearns said they usually require State permitting, he doesn't know if there are legal linkage with Federal agencies, so that is a good question to look into for permitting layers.

Heidi Rogers moved, Cheryl Hawes seconded, to ask Mr. Kearns to assist Mike Antonellis to get an RFP.

Discussion: Mr. Antonellis said this was free assistance. Patti Moreau asked about distributing electricity to other towns, and if it meant that Foster wouldn't get anything. Mr. Kearns said if Foster is not already connected to renewable energy, then they could look into that so that they could use a portion of the power.

Lynne Rider asked if Mr. Kearns would have any kind of ballpark cost for the town for option one. Mr. Kearns said that certainly, the town could explore that, but he would say it would probably be a multi-million dollar investment to go it alone. Most towns work with third party agreements, leasing the land to a developer who does all the work and getting a percentage of revenue. Gordon Rogers said on the remediation, the Army Corps of Engineers have found no problems. The goal is zero energy cost for the town. The site has solar arrays on both

sides so it is between a 5-acre and 3-acre solar array so the setup is already there. Mr. Kearns said if a developer does an impact study, from 60 to 100 days to complete, so usually the interconnection study ultimately determines it. We will coordinate from start to finish.

Ron Cervasio said he was on the Nike Site committee in the 90s. All they could find was mineral spirits. All it would need is for the water to be bubbled; it's perfectly usable.

Cheryl Hawes asked whose responsibility it would be to work on this. Mike Antonellis said he would be happy to be point person, but if they want Gordon to be the point person, that is fine with him. Mr. Rogers said he felt it should be a joint effort. Ron Cervasio asked if anyone had done a cost-benefit analysis.

Motion passed 5 - 0.

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

#### E. Regional School Budget

Denise L. DiFranco noted that the budget presentation was held at the last meeting. It is a lean year, our employees made concessions and this is a hefty budget. Heidi Rogers said it is always one third Foster and two-thirds Gloucester. Denise L. DiFranco said people should get out to vote Tuesday, March 16.

Lynne Rider asked how much they are projecting to go up. Kelli Russ said it was nearly 4 percent. Chris Stone said 3.97. Kelli said net is 1 percent but because the debt went down, the operation is going up 3.9 or 3.7. Chris Stone said 3.57.

Lynne Rider asked if this would be a Zoom meeting.

Denise L. DiFranco said that March 2<sup>nd</sup> is a Zoom public hearing, and the budget meeting, March 16, is an in-person meeting in the field house.

Dr. Barnes said his charter is not governed by the Open Meetings Act. Our meeting must be in person. The total increase is 1.99. The student population swing is against Foster this year.

David Paolino asked if they had an idea what relief they would get from the State due to COVID. Mr. Barnes said they did not. There were additional costs not budgeted, so there is a State task force to put together programs to counteract learning loss where State funds will be dedicated to that. David Paolino asked how that would be worked into the budget. Dr. Barnes said you can supplement or add to but not supplant.

Cheryl Hawes said the federal government is proposing a hefty budget to be provided amongst to States for the schools. Gordon Rogers said most of that money will go to Central Falls, Providence, Woonsocket and cities in dire need and very little will go to Foster. Mr. Rogers said he heard Dr. Barnes say that they worked hard to bring it down. Mr. Rogers said that he didn't want to pee on Dr. Barnes' parade, but the 800 lb. gorilla in the room is that the union on the town side, department heads, and employees, took a pay freeze, and we did ask the teachers to also do that, and all the teachers said, "Sorry we want our raises", and the aides and administration, too, got all their raises. That balloon lost a little air, because that was a thorn in the side. Our people stepped up to the plate, but the school did not. Mr. Rogers asked Kelli what the set aside was. Ms. Russ said that last year the put \$200,000 in.

David Paolino asked if we're budgeting now on what we have and don't have, what happens if we get State and Federal money. Is there any benefit for the taxpayers?

Kelli Russ says if they don't use it, then we could use the

money to create another program, or if it's extra money, it goes into fund balance. David Paolino asked if Foster have any say in that money. Kelli Russ said no. Denise L. DiFranco said basically we don't get the money back. Cheryl Hawes said they can't because it's stipulated. Heidi Rogers said her concern with the Regional Budget is that all of our people took a pay freeze and we signed an agreement that it would be for one year. Ms. Rogers stated that she was extremely disappointed, and we owe it to our employees, so how do we make that work with the chunk the region is going to take—it is very difficult. Patti Moreau said that Heidi and Gordon said what she wanted to. In the end, the teachers got their raises, so if it doesn't happen this year, she doesn't know what will happen at the Town Hall.

Ron Cervasio reminded the council that the number one job is to raise the amount of revenue coming into this town. Mr. Rogers said the Federal Funds are based on lunch programs so that will be funneled to where they are needed more. David Paolino said there is an obligation to the town workers, and he agreed with Mr. Cervasio, but when you have something like COVID, he doesn't understand why when the money comes in why it isn't distributed more evenly. Mr. Rogers said it fluctuates. You have to have a buffer.

Lynne Rider said this situation was completely predictable. Last year the schools came with huge increases and asked the employees to take a freeze and you knew it was not sustainable. It is irresponsible to keep the budget artificially low.

Dr. Barnes cannot say what can happen this year but he told Mr. Paolino that last time around when stimulus came in from the Federal funds but they removed State funds.

Cheryl Hawes said we were guaranteed that this was going to be earmarked for schools and the State cannot screw with it in any shape manner or form. Dr. Barnes said he would love that to be the truth.

Denise L. DiFranco asked if we could send out an email blast saying there is a public hearing for the Regional Budget with the Zoom link. Susan Dillon agreed.

## **VI. NEW BUSINESS**

### **1. Budget Workshops**

Budget workshops are scheduled for March 15, 18, and 23 at 5 p.m. April 1 will be a public hearing.

Linda Tibbetts asked if this was both Capital and Operational as well? Kelli Russ said yes. Ms. Tibbetts asked if the council has anything from the Land Trust. Cheryl Hawes said yes and it was zero. Kelli Russ said that she has to have a plan even if they aren't asking for any money. Ms. Tibbetts said that was for CIPs but I had withdrawn it; you would want it before the 15<sup>th</sup>. Denise L. DiFranco said yes.

### **2. Resignation Asst. EMA Director**

Denise L. DiFranco said they received a resignation letter from Kevin Lacillade, the Assistant EMA Director. He has a new job and can't do it anymore.

Chris Stone moved, David Paolino seconded, to accept Kevin Lacillade's resignation with regrets.

Motion passed 5 - 0.

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

### **3. Appt. of Asst. EMA Director**

Denise L. DiFranco said Jayme Pirsynski, the EMA Director, has recommended Randy Parrot for the position. He was a former EMA Director and has been assisting Jayme at the clinics for COVID vaccines.

Cheryl Hawes moved, Chris Stone seconded, to appoint Randy Parrot as the Assistant EMA Director.

Discussion: David Paolino asked if they had received other letters. Denise L. DiFranco said they did not.

Motion passed 5 - 0.

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

#### 4. Food Truck Events

Ms. Hawes asked for this to be on the agenda because after the last meeting there was much discussion that if they waited until March 25, it would be too late to book the events, which was not their intent. She was hoping they could approve it going by last year's requirements, \$100 per event. Denise L. DiFranco said and also a Rider Insurance, and Ms. Dillon said also show the licenses of the trucks at the event. Denise L. DiFranco asked if Recreation would be interested. Tammy Steinkamp said yes and that Eric would be on, and she hoped they would allow the food trucks to come back.

Cheryl Hawes said they would like to make sure they can go ahead with the events and going forward there would be a new ordinance, but for now it would be what it was last year. Heidi Rogers asked if they had dates. Denise L. DiFranco asked Eric if he had dates.

Eric Weiner said he did not and he expressed that it is pretty damn insulting but come back and we might screw you next year. If you as a council are not prepared to say that we are going to put in an ordinance that doesn't charge fees, then we're not prepared to come up with dates.

Denise L. DiFranco said that tone was not going to work here. This is not about the ordinance which is scheduled for March 25, and you are welcome to come back and express yourself. This is for setting dates, not for" if you're not going to do this, we're not going to do that". David Paolino said he was in attendance at the hearing and know you were upset, but that he didn't understand his adversarial attitude right now, the council was going to push this through now to keep business as usual this year. Mr. Weiner objected to not being able to set a long-standing event.

Atty. Tourgee said the discussion is off the agenda and a violation of the Open Meetings Act to continue. Denise L. DiFranco told Mr. Weiner that if he didn't have dates then they would have to adjourn.

#### VII. ADJOURNMENT

Heidi Rogers moved, Chris Stone seconded to adjourn.

Motion passed 5 – 0.

Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; Denise L. Di0Franco, aye.

Meeting adjourned at 9:50 p.m.

Submitted by,

Susan M. Dillon, Town Clerk