

JANUARY 12, 2017
TOWN COUNCIL MEETING

The January 12, 2017, Town Council Meeting was called to order by Denise DiFranco, President of the Foster Town Council, at the Foster Town House, Foster, Rhode Island, at 7:00 p.m.

The following members were present:

Denise DiFranco, President
Chris Stone, Vice President
Gordon Rogers
Michael Dillon
Cheryl Hawes

Also present:

Solicitor, Atty. Mark Tourgee
Police Chief William Ziehl
Kelli Russ, Treasurer

I. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

II. ANNOUNCEMENTS

Denise DiFranco made one announcement alerting the Council to the FEMA notice included in their FYI packet. FEMA is mapping out the floodplains in the Quinebaug Watershed from January to October 2017. Survey staff from Green International will carry a photo ID.

Gordon Rogers requested that we send a sympathy card to John Rambone for his wife Cheryl Ann Rambone who passed away.

Cheryl Hawes requested that everyone be provided with a copy of the Open Meeting Rules and the Code of Ethics. Ms. DiFranco directed the Town Clerk to supply copies.

III. PUBLIC COMMENTS

Friendship Lodge donated \$1500.00 for home heating assistance.

IV. MINUTES

Gordon Rogers moved, Cheryl Hawes seconded, to approve the minutes of **December 8, 2017**, with an amendment to the Additions and Abatements section on page vii to read "Additions for \$772.00".

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

Gordon Rogers moved, Mike Dillon seconded, to accept the meeting minutes for **December 15, 2016**.

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

V. WARRANTS

Gordon Rogers moved, Cheryl Hawes seconded, to approve **Payroll Warrant #23** for \$40,644.41.

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

Gordon Rogers moved, Cheryl Hawes seconded, to approve **Payroll Warrant #24** for \$38,384.40.

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

Gordon Rogers moved, Cheryl Hawes seconded, to approve **Payroll Warrant #25** for \$33,190.76.

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

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WARRANTS CONT.

Gordon Rogers moved, Cheryl Hawes seconded, to approve **Payroll Warrant #26** for \$39,396.81.

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

Gordon Rogers moved, Cheryl Hawes seconded, to approve **General Warrant #12** for \$357,302.88.

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

Cheryl Hawes moved, Chris Stone seconded, to approve **General Warrant #12a** for \$811.32.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, recused; and Michael Dillon, aye. Motion carried 4-0. 1 recusal

Gordon Rogers moved, Cheryl Hawes seconded, to approve **General Warrant #12b** for \$80.00.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, recused. Motion carried 4-0. 1 recusal

VI. OLD BUSINESS

**A. Resignation
Juvenile Hearing
Board**

Gordon Rogers moved, Cheryl Hawes seconded, to accept a Letter of Resignation from the Juvenile Hearing Board from Mike Chippendale.

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

**B. Discussion on
Boards and
Commissions**

Discussion on Boards and Commission appointments, Cheryl Hawes stated that she thought they should continue to advertise for board members on the Town website and in the *Foster Home Journal*. Gordon Rogers agreed that what we are currently doing to fill the boards works.

Denise DiFranco stated that when it comes to the Juvenile Hearing Board it's a sensitive and confidential position. Denise invited Mr. Sweet, the Chair of the Juvenile Hearing Board, to answer any questions the Council would like to ask. Mr. Sweet explained the makeup of the board and its mission. Mr. Rogers asked if the alternate, Jim Janus, was interested in the three-year position. Mr. Sweet explained that Mr. Janus couldn't make that commitment, but that he would like to remain as the alternate. Mr. Sweet would like stability on the Juvenile Hearing Board; he is looking for someone who is committed for the three-year term. Ms. DiFranco requested input from the Chief of Police and the Chair of the Hearing Board once letters of intent have been received.

No motions were made. No votes were taken.

**C. Appointments to
Police Station
Building
Committee**

Gordon Rogers read a letter from John Lewis stating his interest in the open position on the Police Building Committee. (Exhibit A)

Solicitor Mark Tourgee informed the council that he had researched and prepared a packet (Exhibit B) in the event that a Council Member requested to sit on the Police Building Committee.

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Appointments cont.

Per the resolution:

The Foster Town Charter contains a “prohibition” for council members to “hold any other town office or employment in any position for which the town council has appointive power.” (Section 2.05). However, this “prohibition” is qualified by the opening sentence “except where authorized by law.” In this specific instance the minutes of the Town Council meeting of April 14, 2016, wherein the committee was created, specifically adopt and approve the committee to contain one council member. This, the appointment of a council member to the committee is authorized by law and is allowed.

Chris Stone moved, Michael Dillon seconded, to appoint Gordon Rogers to the Building Committee.

Discussion: Cheryl Hawes stated she would also like to be considered for the building committee.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, nay; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 4-1.

D. Prism-Insurance

Treasurer Kelli Ross spoke on increasing the insurance premium for the Prism program. The contract is already approved with Prism, but National Grid requires a \$5,000,000.00 insurance policy. We would need to increase the insurance from \$3,000,000.00 to \$5,000,000.00. Ms. Russ noted that there would still be a net savings of \$3400.00.

Gordon Rogers moved, Cheryl Hawes seconded, to authorize the Treasurer to increase liability insurance from \$3,000,000.00 to \$5,000,000.00 which will allow the Town to continue moving forward with the Prism.

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

E. Tree Warden

Denise DiFranco stated that the position of Tree Warden needs to be advertised. No motion was made. No vote was taken.

VII.

NEW BUSINESS

A. Verizon Petition

Gordon Rogers moved, Cheryl Hawes seconded, to table the Verizon Pole Petition T.11S/E for Paris Olney Hopkins Road until the next meeting.

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

Gordon Rogers moved, Cheryl Hawes seconded, to accept Verizon Pole Petitions T.32/E32, T.33/E.33, T.34S/E.34-82 on Luther Road. Pole placement to abut the stone wall on each side of the road, approximately 2-3 feet from markers.

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

B. Resignation

Gordon Rogers moved, Cheryl Hawes seconded, to accept a letter of resignation with regrets from Brendon Mara from the Foster Conservation Commission.

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

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- C. Equipment Swap** Gordon Rogers moved, Cheryl Hawes seconded, to table this agenda item until after the Engineering Board Meeting on January 24, 2017, at the South Foster Fire Station.
Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.
- D. Adoption of Rules of Order** Gordon Rogers moved, Cheryl Hawes seconded, to continue the use of the Democratic Rules of Order from 2016 till the end of the two-year term of this Council.
Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.
- E. Additions and Abatements** Gordon Rogers moved, Chris Stone seconded, to accept the Tax Assessor's Addition and Abatements: Motor Vehicle Abatements totaling \$530.04 and Tangible 1st Appeals totaling \$1649.20.
Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0

VIII.

**FUTURE AGENDA
ITEMS**

- 1) Financial Statements and Standards Policies and Procedures for Non-Town Entities Receiving Appropriations
- 2) Kennel Ordinance Revisions
- 3) Town House Basement Replacement Stair Bid
- 4) Department Liaisons Meeting – January 26, 2017
- 5) Boards and Commissions Liaisons – January 26, 2017

IX.

**EXECUTIVE
SESSION**

Gordon Rogers moved, Cheryl Hawes seconded, to go into Executive Closed Session pursuant RIGL 42-42-4 for the reasons stated in RIGL 42-46-5, pursuant to RIGL 42-46-5, (A), 1- Personnel. Pursuant to RIGL 42-46-5, (A), 2 - Litigation. Pursuant to RIGL 42-46-5,(A), 2 – International Brotherhood of Police Officers, Local 637, Negotiations.
Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Executive Session began at 7:50 p.m.
Executive Session ended at 8:50 p.m.

Public Session resumed 8:51 p.m.

Denise DiFranco stated that two votes were taken during Executive Session. The first was a Personnel matter regarding Officer Choiniere to extend Family Medical Leave to April 13, 2017, with her utilizing her benefited time, then moving on to unpaid leave. The vote was 5-0.

It was also voted to appoint two members of the Council, Gordon Rogers and Michael Dillon, to the Negotiation Committee for the International Brotherhood of Police Officers, Local 637. The vote was 4-1.

ADJOURNMENT

Gordon moved, Michael Dillon seconded, to adjourn the meeting.
Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers,

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aye; and Michael Dillon, aye. Motion carried 5-0

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