

JANUARY 28, 2016
TOWN COUNCIL MEETING

The January 28, 2016 Town Council Meeting was called to order by John L. Lewis, Jr., President of the Foster Town Council, at the Town House, Foster, Rhode Island, at 7:11 p.m.

The following members were present:
John L. Lewis, Jr., President
Denise DiFranco, Vice President,
Gordon Rogers, and
Jon Restivo

Also present:
Renee M. Bevilacqua, Town Solicitor
Kelli Russ, Treasurer,
Police Chief William Ziehl
Regional School Superintendent Michael Barnes
Regional School Business Manager Bridget Almon
Members of Foster Gloucester Regional
School Committee
Robert Fontaine & Bob Grist, Friendship Lodge #7
Guenter Bay, Asst. EMA Director
Members of Swamp Meadow Community Theater

- I. OPEN SESSION PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was recited.

- II. ANNOUNCEMENTS** John L. Lewis, Jr. stated that the notice of the meeting was properly posted on the Secretary of State's web site.

- III. PUBLIC COMMENT** None

- IV. WARRANTS**

Denise DiFranco moved, Gordon Rogers seconded, to approve Payroll Warrant #28 for \$31,680.00.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

Denise DiFranco moved, Gordon Rogers seconded, to approve Payroll Warrant #29 for \$31,660.61.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

Denise DiFranco moved, Jon Restivo seconded, to approve General Warrant #11A for \$200.00.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, recused; and Jon Restivo, aye. Motion carried 3-0, one recusal.

Denise DiFranco moved, Gordon Rogers seconded, to approve General Warrant #12 for \$61,606.18.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

- V. MONTHLY REPORTS** Denise DiFranco moved, Gordon Rogers seconded, to accept the December 2015 monthly reports from the Building and Zoning Department, the

JANUARY 28, 2016
TOWN COUNCIL MEETING

MONTHLY
REPORTS
(cont.)

Department of Public Works, Finance Department, Human Services Department, Police Department, and RIRRC, as submitted.

Ms. DiFranco noted that there were no December reports from the Planning Department or the Tax Assessor.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

Denise DiFranco moved, Gordon Rogers seconded, to accept the November 2015 monthly reports from the Planning Department and the Department of Public Works, as submitted.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

VI. QUARTERLY
REPORTS

Denise DiFranco moved, Gordon Rogers seconded, to accept the following Quarterly reports for July 1, 2015 through September 30, 2015 from the Foster Ambulance Corps and the Conservation Commission.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

Denise DiFranco moved, Gordon Rogers seconded, to accept the Foster Land Trust quarterly report for July 1, 2015 through December 31, 2015, as presented.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

Denise DiFranco moved, Gordon Rogers seconded, to accept the Quarterly reports due for October through December from the Ambulance Corps, Board of Canvassers, EMA, Engineering Board, Foster Center Volunteer Fire Co., Foster Home Repair, Foster Land Trust, Libraries of Foster, Planning Board, South Foster Volunteer Fire Company, Tax Board of Review, and Zoning Board of Review.

It was noted that the Land Trust report was a duplicate of the one included in the previous motion.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

(REORGANI-
ZATION OF
AGENDA)

Denise DiFranco moved, Gordon Rogers seconded, to move the agenda item of the presentation of the Heating Oil check to Human to be heard at this point in the meeting.

IX. NEW
BUSINESS
a.) Presentation
of Heating
Oil Check

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

Mr. Lewis stated that the Freemasons Friendship Lodge #7 of Gloucester would be making a donation to the Department of Human Services. Lodge members Bob Fontaine and Eric Grist were in attendance.

**JANUARY 28, 2016
TOWN COUNCIL MEETING**

After brief remarks, Mr. Grist presented DHS Director Carol Mauro with a check for \$1,500.00 to be used to purchase heating oil for residents in need.

**VII. REGIONAL
SCHOOL
DISTRICT
PRE-BUDGET
MEETING,
FY 2016-17**

Mr. Lewis stated that the Town Charter requires an annual meeting with the Regional School Committee, and recognized Michael Barnes. Ron Cervasio called the meeting to order and requested the roll be called. The meeting began at 7:20 p.m. Superintendent Barnes handed out copies of the proposed Preliminary 2016-2017 school budget for the general fund, totaling \$18,767,240.00. Educational programs, student enrollment by town, cost distribution and local appropriations were outlined by Dr. Barnes.

Bridget Almon, new Business Manager for the regional school district, reviewed the budget line items. This was an informational meeting and no votes were taken. A motion was made and seconded to adjourn the meeting at 7:48 p.m. The school committee vote to adjourn was unanimous.

**VIII. OLD
BUSINESS
a.) Estimate for
Repair,
Police Station
Barn**

John L. Lewis, Jr. read aloud a bid with two options, presented by Charlie Law. The first option covered stabilization of the building only, at a cost of \$9,532.00. The second option covered a full restoration, at a cost of \$97,370.00.

Discussion: Treasurer Kelli Russ noted that there was less than \$10,000.00 available. After some discussion, no action or vote was taken.

**IX. NEW
BUSINESS
b.) Resolution
Against Tolls**

Mr. Lewis stated that this resolution was a response to a proposal by the Governor to impose tolls on trucks; and he understood that Governor Raimondo had presented an alternate proposal for the tolls earlier this afternoon.

Gordon Rogers read the draft resolution prepared by the Town Clerk. (see Exhibit A)

Gordon Rogers moved, Denise DiFranco seconded, to accept the resolution as read.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, nay. Motion carried 3-1.

**c.) Renewal/
Rebid, Refuse
Removal
Contract**

Treasurer Kelli Russ explained that this contract expires in June, although the Council could exercise their right to extend the contract by one year, an option that was written into the contract.

Gordon Rogers moved, Jon Restivo seconded, to enter into negotiations for extending the contract for another year.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

**d.) Hazard Miti-
gation Grant
Application
Request**

John L. Lewis, Jr. read a letter from Assistant EMA Director Guenter Bay, requesting Council approval to apply for a \$20,000.00 FEMA grant to update Foster's Hazard Mitigation plan. The grant stipulates a \$5,000.00 match in volunteer hours, with a dollar award of \$15,000.00. An updated

JANUARY 28, 2016
TOWN COUNCIL MEETING

**NEW
BUSINESS,
cont.**

mitigation plan would enable the EMA to apply for other available grants to benefit the Town's emergency management team.

**d. Hazard
Mitigation
Grant, cont.**

Discussion was had as to how the hourly rate would be calculated, who would monitor the time spent, and precisely how much would it cost to hire a consultant to assist in completing the plan.

The topic was tabled until the February 11th Council meeting pending an estimate from a consultant.

**e.) Swamp
Meadow
Community
Theater
Grant
Proposal
Request**

Theater member Meryn Flynn asked for Council approval to apply for a Rhode Island Foundation Centennial Community Grant, with awards ranging from \$5,000 to \$15,000. The intention of SMCT would be to use any funds awarded towards the construction of an outdoor bandstand/raised platform stage. Their preference would be to place the stage at the new recreation field being constructed, and to allow its use by other town groups as well. The grant application was due by February 12, 2016.

Other town-owned location options were discussed.

John Lewis moved, Gordon Rogers seconded, to authorize SMCT to proceed with the grant application, with the town as a supporting partner (with no obligation to provide matching funds), for construction of their performance amphitheater/stage at a location on town property to be determined.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

**f.) Proposal
From Police
Chief re: Part
Time
Dispatcher's
Hourly Rate**

John Lewis read a letter from Chief Ziehl requesting a raise from \$14 to \$16 per hour for the dispatchers.

Gordon Rogers moved, Jon Restivo seconded, to approve the Chief's request to increase the hourly rate from \$14 to \$16 per hour.

Discussion: Ms. DiFranco asked when the rate would become effective, and are the funds available. Chief Ziehl stated the rate would also be retroactive to January 1st; at an estimated cost of \$200.00.

Gordon Rogers moved, Denise DiFranco seconded to amend the motion to make the rate increase retroactive to January 1st.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Amended motion carried 4-0.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Main motion carried 4-0.

**g.) Proclama-
tion, Carolyn
Kerttula**

Mr. Lewis asked to table this Proclamation until Ms. Kerttula could be present, at her request. The Proclamation was written to acknowledge Ms. Kerttula's more than 50 years of service on the Town Board of Canvassers.

Gordon Rogers moved, Denise DiFranco seconded, to table the Proclamation recognizing Ms. Kerttula's service to the Town of Foster.

JANUARY 28, 2016
TOWN COUNCIL MEETING

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Main motion carried 4-0.

**g.) RIDOT,
Sub-recipient
Title VI
Assurances**

Mr. Lewis explained that as a prerequisite to receiving Department of Transportation funds, the town is obligated to submit a Sub-recipient Title VI/Nondiscrimination update report, and a signed copy of the “Title VI Assurances” document. (see Exhibit B)

Discussion: Attorney Renee Bevilacqua reminded the Council that this is not anything new, but that the State is just enforcing existing regulations; and, the DOT now has a new civil rights compliance department to monitor recipients.

Gordon Rogers moved, Denise DiFranco seconded, to accept and sign the sub-recipient Title VI/Nondiscrimination Report.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Main motion carried 4-0.

**X. FUTURE
AGENDA
ITEMS**

- New recreation field – short and long term goals
- Hazard Mitigation grant
- Police Station Barn
- Refuse/removal contract
- Proclamation for Carolyn Kerttula
- Police Station Update
- Policy for Use of Town Grounds
- EMA/Foster Center Fire Department
- Charter Review Commission Report
- LESO Program
- 42-46-5a(2) Collective Bargaining/Contract Negotiations, Police Chief

**XI. EXECUTIVE
SESSION**

Jon Restivo moved, Gordon Rogers seconded, to go into Executive Closed Session pursuant to RIGL 42-42-4 for the reasons stated in RIGL 42-46-5a(2), for discussions or work sessions regarding Collective Bargaining /Contract Negotiations/Litigation, according to RIGL 42-46-5a(2).

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

Open session ended at 8:50 p.m. Executive session convened at 9:03 p.m.

**XII. RECONVENE
TO OPEN
SESSION**

Jon Restivo moved, Gordon Rogers seconded, to approve, adopt and seal the minutes - with or without corrections – of all prior executive closed session minutes and to close and seal the current executive closed session minutes in RIGL 42-46-4 and 5; and further move to reconvene into public open session to announce any votes taken during executive closed session that must be disclosed as required under Rhode Island General Laws 42-46-4.

John L. Lewis, Jr, aye; Denise DiFranco aye; Gordon Rogers, aye; Jon Restivo, aye. Motion passed 4-0.

Open session reconvened at 9:13 p.m.

JANUARY 28, 2016
TOWN COUNCIL MEETING
RECONVENE
TO OPEN
SESSION, cont.

John L. Lewis, Jr. announced that 2 votes had been taken in executive session: the first, to put together a negotiating team for the upcoming negotiations with the Rhode Island Laborer's Union; that team would consist of himself, John Lewis, and Gordon Rogers. The vote was 4-0.

The second vote was to send a letter on behalf of the Council, to RI Laborers concerning the upcoming negotiations and initiating conversation about the upcoming contract. The vote was 4-0.

Gordon Rogers moved, Jon Restivo seconded, and it was so moved to adjourn the meeting.

XIII.

John L. Lewis, Jr. aye; Denise DiFranco aye; Gordon Rogers, aye; Jon Restivo, aye. Motion passed 4-0

**ADJOURN-
MENT**

Meeting adjourned at 9:15 p.m.

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

Submitted by,

Jane H. Christopher
Town Clerk