

**March 9, 2006**

The Town Council meeting was called to order by Heidi Rogers at the Town House, 181 Howard Hill Road, Foster, RI at 7:00 p.m.

The following members were present:

Heidi Rogers, President  
Steven Bellucci, Vice President did not attend  
Ralph Berkowitz  
Colette J. Matarese did not attend due to illness  
Harold R. Shippee, Sr.  
Diane Izzo, Esq., representing Town Solicitors

President Heidi Rogers excused Steven Bellucci and Colette J. Matarese

The Pledge of Allegiance to the Flag was recited.

The following citizens spoke under concerned citizens.

Lynne S. Rider of Burgess Road questioned the council members regarding a newspaper article in the Providence Journal on March 9, 2006 regarding the firing of the Treasurer. Mrs. Rider questioned why the firing still stood as the vote was 2-2 because Ralph Berkowitz's vote was not on the record as the Moderator had it stricken from the record.

President Heidi Rogers said that she did ask Mr. Gorham about that the judge Ralph Berkowitz's vote was on the record as per the Judge.

Mrs. Rider remarked that the stenographer was told to strike his vote from the record and she believed another meeting should be held because it was still a 2-2-vote.

Dianne Izzo, Esq. representing Gorham & Gorham advised that it was a matter that was determined by the Superior Court of the State of Rhode Island by a court in a judgment.

Mrs. Rider answered that the record was not 3-2 it was never 3-2 it was 2-2.

Attorney Dianne Izzo answered that that was not the court's legal opinion. She said that if anyone wished to take an appeal the court would take it.

Ronald Cervasio of Old Plainfield Pike remarked that he was concerned about the whole thing and he did not know why Mrs. Rider wanted to drive the thing on because it would end up 3-2. He said in his opinion the concern was that the Moderator was the Solicitor from Glocester and then he corrected himself and said he was the Probate Judge from Glocester and the Town Solicitor from Burrillville and Mrs. Carroll, the lawyer was associated with the firm that was representing the school and Mrs., Carroll's son is on the council in Glocester and Mr. Bevilacqua was having conversations with Mrs. Carroll and he is the Solicitor in Glocester and he did not know how looking at that point of view 3 or 4 people from the Town of Glocester trying to give an impartial decision. Mr. Cervasio noted that what ever happened be glad the thing is over and the Superior court has ruled on it. He then told Mrs. Rider that it would only cost her \$20,000 to have her date in court.

John Lewis of Ram Tail Road commented on the article in the Providence Journal regarding the total regionalization of the school district and asked the council members to take a look at the issue and perhaps come up with a position from the town's perspective. Mr. Lewis noted that the regional school committee wanted to place two different ballot referendums put on the November election ballot. He noted that one was for the total regionalization of the school district and the second was to have an "at large school committee". He said the second was the one that

concerned him the most however he did have reservations on total regionalization. He noted that since Foster was the smaller town of the two towns in the region an "at large" committee could in fact give Foster a zero participation in the school causing Foster total loss control of the education dollars. He believed it should be looked at locally.

Heidi Rogers noted that Lorraine O'Connors, school committee member had stated that at a meeting and they also were trying to figure out how to come up with it.

Mr. Lewis noted that Mrs. O'Connors was the individual that sued the Town of Foster in 1984 to reconfigure the regional contract. He noted that in 1958 the regional district was equal representation with 3 members from each town. He noted that the Town of Gloucester and School Committee to Foster to court in 1979 and the judgment was in 1984 on the basis that Gloucester was larger and they wanted more representation. He noted that it was the same individual who sued Foster years ago who is now pushing for total regionalization.

Ronald Cervasio said he was pushing for total regionalization and it would standardize education and save money and if it did not save money it would improve it. Ronald Cervasio noted that on the second issue on the at large votes he would say not to throw out the baby with the bath water. He said it would remove local politics.

Ralph Berkowitz moved to approve January 31, February 15 and February 23, 2006 minutes. Harold R. Shippee, Sr. noted that he could not vote on the February 15<sup>th</sup> minutes as he was not in attendance at that meeting. Mr. Berkowitz said he would then do one at a time.

Ralph Berkowitz moved Harold R. Shippee, Sr. seconded and it was so voted to accept the minutes of January 31, 2006 as submitted.

Ralph Berkowitz Aye, Harold R. Shippee, Sr. aye, Heidi Rogers, Aye

Ralph Berkowitz moved to accept the minutes of February 9<sup>th</sup>. Ralph Berkowitz noted he could not vote on those minutes. Heidi Rogers tabled those minutes.

Harold R. Shippee, Sr. noted that the February 15<sup>th</sup> meeting minutes could not be voted on either.

Ralph Berkowitz moved, Harold R. Shippee, Sr. seconded and it was so voted to accept the minutes of February 23, 2006.

Ralph Berkowitz Aye, Harold R. Shippee, Sr. aye, Heidi Rogers, Aye

Ralph Berkowitz moved to approve Payroll Warrant #35 for \$22,466.43, Payroll Warrant #36 for \$21,623.93 and General Warrant G-15 in the amount of \$48,502.43. Harold R. Shippee, Sr. did question what the education expense was for the University of Massachusetts. Richard Deragon, employee of the Public Works Department noted that there a class on ditching.

Ralph Berkowitz Aye, Harold R. Shippee, Sr. aye, Heidi Rogers, Aye

Ralph Berkowitz moved Harold R. Shippee, Sr. seconded and it was so voted to accept the monthly reports that were submitted.

Ralph Berkowitz Aye, Harold R. Shippee, Sr. aye, Heidi Rogers, Aye

Heidi Rogers read the following resolution:

**TOWN COUNCIL RESOLUTION  
TOWN OF FOSTER, RHODE ISLAND**

**WHEREAS**, on February 28, 2003, President Bush issued Homeland Security Presidential Directive-5. This directive directed the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS); and

**WHEREAS**, NIMS provides a consistent nationwide template to enable all government, private-sector, and nongovernmental organizations to work together during domestic incidents; and

**WHEREAS**, on February 15, 2006, town employees and volunteer emergency responders of the Town of Foster attended the Introduction IS-700 Training of the National Incident Management System;

**WHEREAS**, the Town of Foster is now required to adopt the National Incident Management System as a condition for Federal preparedness Assistance; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Foster Town Council adopts the National Incident Management System (NIMS) as developed by Homeland Security.

Adopted this 9<sup>th</sup> day of March 2006.

ATTEST:

S/Anne M. Irons

By: \_\_\_\_\_  
Anne M. Irons, Town Clerk

TOWN OF FOSTER

S/Heidi Rogers

By: \_\_\_\_\_  
Heidi Rogers, President

Ralph Berkowitz moved, Harold R. Shippee, Sr. seconded and it was so voted to accept the Resolution as read.

Ralph Berkowitz Aye, Harold R. Shippee, Sr. aye, Heidi Rogers, Aye

Jeffrey Gofton, Development Director of the Community Housing Land Trust addressed the council. He explained that the Land Trust is a non profit corporation that was set up by the Housing Network, which is an organization of community development corporations. He informed the council that they had designed to work with communities and non-profits for for-profits developments to assist in the development of affordable housing. He remarked that the Community Housing Land Trust would like to work with the Town of Foster and the Affordable Housing Board. Mr. Gofton noted that when you use the Land Trust model and first explained what the Land Trust Model was. He stated that it is to help low and moderate income families achieve the American Dream of homeownership and to make that affordable was using the Land Trust Model which started in western Massachusetts and Vermont over twenty years. He explained that it worked that a building/home is sold to a low-moderate income family and the underlying property is kept in trust by some organization or another and the family pays rent on the land. Mr. Gofton remarked that that way they can wipe up the place and it discounts the price of buying a home. He said it was one way of making the American Dream and houses affordable to low-moderate income families. Mr. Gofton noted that with that model does come some responsibility. He said that the land is held in trust and someone has to be in place to collect rent and to continue to work with families after they buy the home through such situations as refinancing, predatory lenders and when they go to sell the house. He distributed a list of the services that the Community Housing Land

Trust would offer to do for the communities, non profits and for profit developers. He said that in his personally view now that the Town of Foster has its affordable housing plan is to work proactively is for the Town to begin a process for providing affordable housing that is required in State law so the Town of Foster can do it where they want and where it best suits the Town of Foster and the people of Foster. Mr. Gofton stated that the Community Housing Land Trust wants to do is to be able to assist in that process. He noted that like any new non-profit organization they need money. Mr. Gofton was asking the council member that the Community Housing Land Trust be placed on the Community Development Block Grant Application for the next funding cycle. He reminded the council that he was not asking for town funds but asking the town to apply for federal funds to help the Community Housing Land Trust to get going. Mr. Gofton noted that they were asking all 33 small cities and towns that apply for the Community Development Block Grant money. He then gave the town clerk the copy of the proposal that he requested to be submitted in the upcoming block grant application.

Mr. Gofton answered a few questions from the audience members.

John Lewis, Chair of the Planning Board spoke up and suggested that Mr. Gofton should attend a planning board meeting to go through his organizations as to the services he can provide and how they intersect with the Town's affordable housing plan and the Planning Board would have a recommendation for the town council.

Heidi Rogers noted that there was a request from the Conservation Commission requesting that a total of \$548.45 that was paid out by the Conservation Commission budget trying to get the people of Foster to recycle more to increase the percentage amount of recycles for the Town of Foster.

Ralph Berkowitz moved, Harold R. Shippee, Sr. seconded and it was so voted that \$548.45 be transferred from the contingency fund to cover the costs that the Conservation Commission incurred while working on trying to increase the recycles percentages.

Bid Specifications were sent out by the Friends of the Town House for a Class A Fire Alarm System with transmitter and emergency lighting for the Town House. An advertisement seeking bid proposals was also placed in The Observer.

One bid was received for a Class A Fire Alarm System with transmitter and emergency lighting for the Town House from Universal Electric of Foster Rhode Island in the amount of \$44,500.

Ralph Berkowitz moved, Harold R. Shippee, Sr. seconded and it was so voted to forward the bid proposal to Walter May a member for the Friends of the Town House for his examination and to forward a recommendation to the Town Council at the next council meeting.

Ralph Berkowitz moved Heidi Rogers seconded that Lisa Mills be appointed as Treasurer and the town put out an advertisement for a deputy treasurer. Harold R. Shippee, Sr. suggested that the matter be put off until the next meeting until five council members were present. He also noted that he did not understand the decision that was in the newspaper regarding Jonathan Mitchell. Mr. Shippee said that it was clear at that hearing regarding Mr. Berkowitz's vote.

Lynne S. Rider questioned if it was interim or treasurer. Heidi Rogers answered that she would only stay on a temporary base. Lynne S. Rider noted that was not in the motion that was stated. Heidi Rogers said that after the financial town meeting when the council knows exactly.....Lynne Rider said she did know that Lisa Mills was lobbying for increasing the Treasurer's salary up to \$62,000 in hopes by cutting the school budget by the amount that they want to give their business manager and then they would decide to have our treasurer also cover their books. Lynne S. Rider said that was not a given at all. Lynne S. Rider said she

did not know how you have the person who is now going to be appointed Treasurer lobbying having that salary increased. Heidi Rogers said that she was not intending to stay. Lynne S. Rider questioned if Mr. Berkowitz would amend his motion because once she is Treasurer she is Treasurer. Heidi Rogers remarked that it cannot be voted on anyway as Harold R. Shippee, Sr. stated that he was not prepared to vote on it so the issue will have to be tabled until the next meeting.

Heidi Rogers announced that she had spoken with Amy Gallagher of the Cornerstone Group about options the town may have for health coverage.

Amy Gallagher of the Cornerstone Group made a presentation to the council regarding consulting work for the Town of Foster to provide tentative alternatives for health benefits for the employees of Foster. After her presentation Amy Gallagher requested that Cornerstone Group would act as a consultant on behalf of the Town of Foster and evaluate the alternative available that would be in the best interest in the town. Ms. Gallagher stated that they would do all the analysis and the rate negotiation with the carriers and would provide in black and white what the alternatives would be cost wise and what would make the best sense with recommendations. She noted that it would have to be done quickly as the town would have to give notice by April 1<sup>st</sup> to the present administrators, West Bay Collaborative. Amy Gallagher noted that the Cornerstone Group would be able to do that for the Town of Foster for a fee of \$4,750. She said that that is a fee to begin the work and if one of the three alternatives was a better situation they would not charge for a brokerage fee. She explained that they would back out the \$4,750 because the insurance carrier would then be paying the commission which would be imbedded in the premium rate. Ms. Gallagher said that if the West Bay Collaborative was the best deal going forward then the fee of \$4,750 would remain and the Cornerstone Group would continue to act as a consultant on the Town of Foster's behalf throughout the remainder of the year to next April. Amy Gallagher noted that the \$4,750 fee could be split over a 12 month period.

Harold R. Shippee, Sr. believed that it could be voted on at the March 23<sup>rd</sup> meeting and the council should sit down with the school committee members. Amy Gallagher believed that March 23<sup>rd</sup> would be too late. Heidi Rogers asked that if she placed it on the March 16, 2006 workshop meeting would that give Ms. Gallagher enough time to work on it. Amy Gallagher answered that the end of the following week would be the latest she would want to work on it.

Heidi Rogers announced that the council received a resolution from the Rhode Island's House of Representatives asking for a nationwide boycott of Exxon Mobile Corporation. The Town Council took no action.

Heidi Rogers announced that the State of Rhode Island gave final approval to the Town's Affordable Housing Plan Element in the Comprehensive Plan. John Lewis, Chair of the Planning Board noted that the next step was to element the plan. He also noted that the plan was on the web site for review.

Heidi Rogers acknowledged letters of resignations from Lori Kelsall and Karen Fasno from the recreation committee.

Ralph Berkowitz moved, Harold R. Shippee, Sr. seconded and it was so voted to accept the two letters of resignation with regret.

Ralph Berkowitz Aye, Harold R. Shippee, Sr. aye, Heidi Rogers aye.

The council interviewed Danielle Scott of Ponaganset Road for a vacancy on the recreation committee.

Ralph Berkowitz moved, Harold R. Shippee, Sr. seconded and it was so voted to appoint Danielle Scott to the Recreation Committee.

Ralph Berkowitz Aye, Harold R. Shippee, Sr. aye, Heidi Rogers aye.

The council interviewed Lori Mahilades of Snagwood Road for the alternate position on the Zoning Board of Review.

Heidi Rogers moved, Harold R. Shippee, Sr. seconded and it was so voted to appoint Lori Mahilades to the alternate position on the Zoning Board of Review.

Ralph Berkowitz Aye, Harold R. Shippee, Sr. aye, Heidi Rogers aye.

A letter from Chief Robert E. Coyne was read requesting to hire Dennis Etchells of Gloucester and Jonathan Barrett of Foster as part time dispatchers for the police department.

Ralph Berkowitz moved, Harold R. Shippee, Sr. seconded and it was so voted that Dennis Etchells and Jonathan Barrett are hired as part time dispatchers of the Foster police Department.

Ralph Berkowitz Aye, Harold R. Shippee, Sr. aye, Heidi Rogers aye

The meeting was adjourned at 8:40 p.m.

Submitted by:

Anne M. Irons  
Town Clerk

An electronic tape is made a part of the record and for a complete account of the council meeting. This tape is on file in the vault at town hall.