

June 14, 2007

The June 14, 2007 Town Council Meeting was called to order by John Lewis Vice President at the Town House, 180 Howard Hill Road, Foster, Rhode Island at 7:00 p.m.

The following members were present :

Colette J. Matarese, President, excused
John Lewis, Vice President
Peter Baribault
Lynne S. Rider
Harold R. Shippee, Sr.
John J. Bevilacqua, Jr., Town Solicitor

Staff

Ann-Marie Ignasher,
Brad Gove, Public Works Director
Pamela Fontaine, Tax Collector
Randy Rossi, Treasurer, excused

The Pledge of Allegiance was recited.

Harold R. Shippee, Sr .moved, Lynne S. Rider seconded and it was unanimously so voted to approve the minutes of the May 24, 2007 meeting.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye

There were no public comments.

Peter Baribault moved, Lynne S. Rider seconded, and so voted to approve Payroll Warrant #46 in the amount of \$23,047.67, Payroll Warrant #47 in the amount of \$22,822.29, Payroll Warrant #48 in the amount of \$26,323.58 and General Warrant #29 in the amount of \$122,710.79. Lynne S. Rider questioned the invoice from ABC Flag. She was informed that it was for the purchase of flags for the town buildings and the small flags that are given out on Memorial Day.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye

Lynne S. Rider moved Harold R. Shippee, Sr. seconded and it was unanimously so voted to approve the monthly reports as submitted.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye

John Lewis read the following correspondence into the record that he drafted for the town council to consider.



Town of Foster

Est. 1781

To: Foster-Glocester Regional School Committee
From: Foster Town Council
In Re: Regional Budget
Date: 14 June 2007

Dear Sir / Madam,

Congratulations on passage of the Regional School budget for FY 2007-2008. After three long and contentious meetings you were finally able to achieve approval for your budget. You are also to be commended for separating out the ESCO contract in a separate vote. It was always the desire of the Foster Town Council to ensure that the people of the Town be afforded the opportunity to vote on this issue.

That being said, there is still one outstanding and somewhat onerous issue which remains. The budget document prepared for the Foster–Glocester Regional Financial Town meeting showed two versions of the budget, one with ESCO in operations and the other with ESCO in capital. Please know, that prior to the Foster–Glocester Regional FTM, members of this Council were assured that ESCO would be moved to the capital budget by Foster–Glocester Building committee members Ray Fogarty, Greg Laramie, and Bill Abt. In addition, it is our understanding that the School Committee voted to move ESCO to the capital budget at their meeting of May 15. Despite these assurances, two versions of the budget were prepared and the warrant was drafted based upon the document showing ESCO in operations. Whether this was done by accident or intent is not known by this Council.

Two versions of the budget and a questionable warrant had set the stage for continued confusion. Once the question on the operations budget was moved, Kelly Hunter, Co-Chair of the Region from Gloucester, read back the number contained in the warrant as \$17.6 million, the number which included ESCO in operations. Once again, whether this was done by accident or intent is not known to this Council. While the balloting which resulted in passage of the budget was being conducted, Foster Town Council President, Colette Matarese and Vice-President, John Lewis approached and spoke with the Regional School Committee Co-Chair from Foster Mr. Ron Cervasio, Legal Counsel to the Region, Mr. Greg Piccirelli, and the Regional Business Manager, Mr. Steve Winsor, to bring to their attention that the wrong number was put forward and was now being voted upon. Ms. Matarese and Mr. Lewis were assured by all three individuals representing the Region that the ESCO would be in capital and that a proper accounting of the monies would occur.

On the evening of May 31, 2007 however, the Foster Financial Town meeting was compelled to vote on the numbers as actually included in the motions from the Regional meeting, which places ESCO in operations. This is where we currently stand.

It should be noted that the Town of Foster has supported the Region in the past and has always shown good faith in this relationship, witness the payment of the additional \$101,000 during FY 06-07 (an issue still being contested in Gloucester) and most recently our Financial Town Meeting supporting the Regional budget despite the accounting questions and the erroneous placement of the ESCO. We hope to be able to continue to support the Region in the future however, much now hinges upon your actions to resolve this issue.

As noted above, we were assured at the Foster–Glocester Regional Financial Town Meeting by Mr. Cervasio, Mr. Winsor, and Mr. Piccirilli, that ESCO would be moved to capital. That has not happened to date so we are writing to make clear our expectations. At this point, we expect the Regional School Committee to seek to determine the proper legal method to move ESCO from the operations budget to the capital budget as you have promised this Council, and then do so. Since the full cost of ESCO is \$303,117, it is this number which needs to be moved from operations to capital. The first motion on the 29th indicated that the Towns would only fund ESCO if we received the 60% State match, if the match from the State falls through, the Towns would not be responsible for the cost of ESCO. If the Region were to move only the \$70,998 local cost from operations (as seems to be the desire of some members of the Regional School Committee) it would mean that the Towns would be responsible for the remaining \$232,129 cost of ESCO regardless of State action BUT, since ESCO would then be dead, the Region would be applying that money to something else. This would be totally unacceptable to the Town of Foster. Moving any sum less than the \$303,117 total cost of ESCO would be disingenuous at best, would violate the motion of the 29th, and would forever call into question the reliability of your word in the eyes of this Council. We look forward to hearing from you in writing in the very near future regarding resolution of this matter.

Please note that the future actions of this Council towards your Committee and the Foster–Glocester Region will be predicated upon the actions of the Committee in regard to this matter. We look forward to fair and equitable resolution.

Thank you,

Colette Matarese, President, Foster Town Council

CC: Greg Piccirilli, Foster–Glocester Regional Legal Counsel
Mario Cirillo, Foster–Glocester Regional Superintendent
Steve Winsor, Foster–Glocester Business Manager
Members of the Foster–Glocester Regional Building Committee

Peter Baribault moved, Lynne S. Rider seconded, and it was unanimously so voted to accept the letter and forward to the various addressed individuals.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye

John Lewis read a letter from Thomas Walden from the Foster Engineering Board regarding the expenditure of the \$21,000 that was added to the Foster Engineering Board budget at the Financial Town Meeting for training. He noted that the Engineering Board decided that all requests to spend any of this money would come before the Board and any expenditure would require approval of at least three of the four member company.

The Town Solicitor said that the Board did not have the authority to spend money without the approval of the town council. He said that the actual approved expenditure has to be through the governing authority and carried out by the Treasurer.

John Lewis said that the three out of four votes would be the first step from the Engineering Board.

Harold R. Shippee, Sr. moved, Peter Baribault seconded that the Engineering Board presents to the council what they will spend and how before any money is given. Peter Baribault said that the motion at the Financial Town Meeting was specific that it was for training and increased the Other Public Safety Budget. After further discussion the motion and second was withdrawn.

Peter Baribault moved, Harold R. Shippee, Sr seconded, and it was unanimously so voted to table the matter until the next meeting.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye

Lynne S. Rider moved, Harold R. Shippee, Sr. seconded and it was unanimously so voted to approve abatement for account #16-0035-00 in the amount of \$349.56 as recommended by the Tax Assessor.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye

Peter Baribault moved Harold R. Shippee, Sr. seconded and it was unanimously so voted to accept the quarterly report from the Land Trust as submitted.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye

13 Bids specifications were sent out and an ad placed in the Valley Breeze & Observer on May 24th for the bathroom renovations in the Human Services Department.

The following two bids were received and opened:

Brant Parmentier
37 Silk Lane
North Scituate 02857

Traditional Builders
23D Harrington Road
Foster, RI 02825

\$6,136.00

\$10,000.00

The bids were forwarded to Robert Fallon, Building Official, Bradford Gove, Public Works Director and Nancy Johnston, Human Services Director for their review and analysis.

FosteringArts.org requested the use of the fairgrounds on Sunday, August 12, 2007 to hold a live theater program and use the town house for a rain location.

Peter Baribault moved, Lynne S. Rider seconded and unanimously so voted to grant the request for the use of the fairgrounds on Sunday August 12, 2007 pending all appropriate paperwork is filed.

Lynne S. Rider noted that no food or drink is allowed in the Town House and suggested a sign be placed in the Town House

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye

Requests were received from employees to carry over vacation time to the new fiscal year.

Peter Baribault moved, Lynne S. Rider seconded, and it was unanimously so voted to approve Anne Carlson's request to carryover 8 vacation days to the new fiscal year.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye

Lynne S. Rider moved to approve Nancy Johnston's request to carryover 6 vacation days and 3 hours of compensation time to be used by December 31, 2007.

The following Proclamations had been given to Eagle Scouts Alan Sousa and Greg Vigneau of Troop 101. John Lewis presented them on June 11, 2007.

PROCLAMATION OF THE FOSTER TOWN COUNCIL

WHEREAS, the Boy Scouts of America have a proud tradition of developing leadership skills and promoting character development in the young men who are its members, and

WHEREAS, Troop 101, a member of the Narragansett Council, Boy Scouts of America, Skeleton Valley District, chartered to Foster American Legion Post 101, and

WHEREAS, Troop 101 has been in existence since 1950 and has produced approximately 100 Eagle Scouts, and

WHEREAS, **Alan Sousa**, a former Cub Scout of Pack 101 earned the Arrow of Light Award in February 1999, and has been a Boy Scout, in Pack 101 since March 1999. **Alan Sousa** has held the leadership positions of Patrol Leader, Assistant Senior Patrol Leader, and earned the rank of First Class Scout in March 2000. **Alan Sousa** also was a member of the Feinstein Cub Scout Camp Staff in 2004 and 2005

WHEREAS, through all of his activities, including 23 Merit Badges, **Alan Sousa** earned the rank of Life Scout in April 2002. **Alan Sousa** has proven to be a model scout and his dedication to the scouting movement is undoubtedly a source of great pride for his family and friends, and

WHEREAS, in undertaking a service project for his Eagle Scout Award, **Alan Sousa** has made an important contribution to the community by leading a group

of scouts that cleared overgrown trees and brush from around St. Paul the Apostle Church in Foster.

WHEREAS, becoming an Eagle Scout on May 3, 2006, is now considered an adult leader, someone who can work with other scouts to encourage their development and participation in the valuable programs being offered by Troop 101. **Alan Sousa** is currently a sophomore at Michigan State University.

NOW, THEREFORE, BE IT RESOLVED THAT THE FOSTER TOWN COUNCIL, DOES RECOGNIZE AND CONGRATULATE **ALAN SOUSA** FOR REACHING THE RANK OF EAGLE SCOUT AND FOR MAKING SO MANY POSITIVE CONTRIBUTIONS TO OUR COMMUNITY.

Attest:
S/Anne M. Irons
Anne M. Irons
Foster Town Clerk

Town of Foster
S/Colette J. Matarese
Colette J. Matarese
Town Council President

PROCLAMATION OF THE FOSTER TOWN COUNCIL

WHEREAS, the Boy Scouts of America have a proud tradition of developing leadership skills and promoting character development in the young men who are its members, and

WHEREAS, Troop 101, a member of the Narragansett Council, Boy Scouts of America, Skeleton Valley District, chartered to Foster American Legion Post 101, and

WHEREAS, Troop 101 has been in existence since 1950 and has produced approximately 100 Eagle Scouts, and

WHEREAS, **Gregg Vigneau**, of Foster Troop 101, as a Cub Scout earned the Arrow of Light Award in February 1999, and has been a Boy Scout in Pack 101 since March 1999. **Gregg Vigneau** became a First Class Scout in March 2000 and as a Boy Scout, has held the positions of Assistant Patrol Leader and Instructor.

WHEREAS, through all of his activities earned 21 Merit Badges, **Gregg Vigneau** earned the rank of Life Scout in July of 2003. **Gregg Vigneau** has proven to be a model scout and his dedication to the scouting movement and is undoubtedly a source of great pride for his family and friends, and

WHEREAS, in undertaking a service project for his Eagle Scout Award, **Gregg Vigneau** made an important contribution to the community by leading a group of scouts that improved the walking trail at the Foster Land Trust property making it more accessible to the public.

WHEREAS, becoming an Eagle Scout on July 26, 2006, **Gregg Vigneau** is now considered an adult leader, someone who can work with other scouts to encourage their development and participation in the valuable programs being offered by Troop 101. **Gregg Vigneau** is currently a sophomore at Community College of Rhode Island.

NOW, THEREFORE, BE IT RESOLVED THAT THE FOSTER TOWN COUNCIL, DOES RECOGNIZE AND CONGRATULATE **GREGG VIGNEAU** FOR REACHING THE RANK OF EAGLE SCOUT AND FOR MAKING SO MANY POSITIVE CONTRIBUTIONS TO OUR COMMUNITY.

Attest:
S/Anne M. Irons
Anne M. Irons
Foster Town Clerk

Town of Foster
S/Colette J. Matarese
Colette J. Matarese
Town Council President

Lynne S. Rider moved, Harold R. Shippee, Sr. seconded, and it was unanimously so voted to approve the Eagle Scout Proclamations for Alan Sousa and Greg Vigneau.

The Town of Foster and the Town of Scituate advertised on May 24, 2007 in the Providence Journal for Request for Proposals for Refuse and Recycling Services. On June 12, 2007 the following two bids were received which were opened at the Scituate Town Hall.

Name	Contract Year	Foster Only	Foster/Scituate
Waste Management of Rhode Island, Inc.	Year 1	\$244,000	\$242,000
	Year 2	\$256,000	\$252,000
	Year 3	\$267,000	\$260,000
Rambone Disposal Services Inc. Johnston, RI	Year 1	\$207,400	\$203,400
	Year 2	\$209,500	\$203,400
	Year 3	\$211,500	\$209,500

Harold R. Shippee, Sr. moved, Peter Baribault seconded, and it was unanimously so voted to award the bid to Rambone Disposal Services, Inc. for a three year contract.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye

Gordon Rogers of Cucumber Hill Road complained that there were no porta-johns at the ball field on Cucumber Hill Road and brush cutting was needed on the town roads.

Robert Peterson of Foster Center Road commended the town council on the letter regarding the regional school budget.

John Bevilacqua, Town Solicitor said he was concerned about the Foster-Glocester Building Committee. He said that unbeknown by the town councils there is a fifth member of the building committee from Glocester who has been given all the powers as any member except a vote and does place the town of Foster at a disadvantage. He noted that the member was a former member of the regional school committee.

Recreation Committee will be placed on the next agenda.

The meeting was recess at 8:00 p.m.

Lynne S. Rider moved, Harold R. Shippee, Sr. seconded and it was unanimously so voted to go into executive session according to 42-46-4&5 (a) (2) Collective Bargaining regarding Emergency Dispatchers, 42-46-4&5 (a) (2) Collective Bargaining Public Works Contract, and 42-46-4 & 5 (1) Personnel and **not** to reconvene in open session and further to keep the minutes of said meeting closed and the minutes of all Executive Sessions held previous to this meeting be closed and remain closed pursuant to provisions of the General Laws of Rhode Island 42-46-4-5.

No votes were taken in executive session.

The meeting was adjourned at 9:10 p.m.

Submitted by

Anne M. Irons
Town Clerk

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

