

March 26, 2009

The March 26, 2009, Town Council Meeting was called to order by Colette Matarese, President, of the Foster Town Council at the Benjamin Eddy Building, 6 South Killingly Road, Foster, Rhode Island, at 7:00 p.m.

The following members were present:

Colette Matarese, President,
John Lewis, Vice President,
Lynne S. Rider,
Roger L. Hawes,
Joe Cardillo,
John J. Bevilacqua, Town Solicitor

The Pledge of Allegiance was recited.

MINUTES Lynne S. Rider moved, Joe Cardillo seconded, and it was unanimously so voted to approve the meeting minutes of February 12, 2009.

Colette Matarese, aye; Joe Cardillo, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye.

WARRANTS Lynne S. Rider moved, Roger L. Hawes seconded, and it was unanimously so voted to approve the Payroll Warrant #36 in the amount of \$30,892.12, Payroll Warrant #37 in the amount of \$40,544.14, and General Warrant #19 in the amount of \$92,982.26.

Colette Matarese, aye; Joe Cardillo, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye.

REPORTS Colette Matarese, Council President, announced that 2009 Dog License renewals are due April 1, 2009. She read the poster informing everyone that all dogs over six months old are required to be registered every year. Lynne S. Ryder asked if reminders would be mailed out. Deputy Town Clerk, Carol Lyons replied that notices are no longer mailed out, but an ad is placed in the Foster Home Journal.

Also the annual Rabies Clinic will be held on April 11, 2009, 1:30 – 3:30 p.m. It will be at the Supper Shed. Lynne S. Rider mentioned that, traditionally, the council helps out at the Rabies Clinic.

ACCEPTANCE OF AUDIT REP. Council President Colette Matarese noted that council members should have a copy of the 2007-2008 Audit Report. John Bevilacqua, Town Solicitor, explained that no motion was required to accept the audit. Council President Colette Matarese noted that the audit is accepted.

Gordon Rogers asked when the audit would be available to the public. Colette Matarese answered that it was available immediately. He requested a copy and Kelli Russ, Town Treasurer, presented him with one she brought to the meeting to give to him in response to a previously written request.

CDBG

Council President Colette Matarese noted the Planning Board recommendations for CDBG applications. John Lewis explained it was the grant for the coming year. The Planning Board reviewed all the applications for the grant money and sent the recommendations to the Council who list them in terms of priority. He further explained that there are six listed: Foster Senior Housing for a “Feasibility Analysis of Proposed Hemlock Village Expansion” in the amount of \$35,000; Western RI Home Repair for Housing Rehab for \$100,000; Western RI Home Repair for operating costs for \$44,500; Northwestern RI Home Repair for the Community Food Bank for \$3,500; Northwest Community Health for \$20,000 for an electronic health record system; and Abbey Lane Condominium Water District for the amount of \$47,000.

Roger Hawes asked if we would get the \$35,000 back. Colette Matarese explained that the grant money comes from the government, and not from any town funds. John Lewis explained that what the council was doing was authorizing this agency to go forward with the applications for the town. Ann-Marie Ignasher, Town Planner, commented that the fourth one should be “Western” RI Home Repair and not “Northwestern.”

Mr. Goff, speaking on behalf of Abbey Lane, requested that the council reconsider the amount the Planning Board awarded and increase it to the full amount of their request which was \$125,000. He stated that is the amount the engineers determined was required for the septic system. John Lewis clarified with the Town Planner, Ann-Marie Ignasher, that there was a maximum amount that we could apply for. Ann-Marie concurred, and explained that, with everything as it stands, the request has reached the maximum amount of \$250,000. The full \$125,000 for Abbey Lane would put us over the allowance. In the past when we requested more than what was allotted, we found that they would not fund the full amount. The Planning Board prioritized the amounts for what would do the most for the town.

John Lewis motioned to accept the Planning Board recommendations in the order they recommended them. Roger Hawes seconded the motion. Lynne S. Ryder recused herself because she is a member of the Board of Directors for Hemlock Village. Colette Matarese, Council president, called for discussion of the motion. Ms. Matarese noted that a report was received from the House of Representatives, including funds for electronic records, though she didn’t know if Western RI would be applying for it. The bill is “The Legislative Overview of the American Recovery and Reinvestment Act.” There was an item for health providers. There also appeared to be grants available for “to go” projects, projects that are ready to go, which might be something Abbey Lane could apply for also. She asked if the Council could support the application in any way, and Mr. Goff replied that a letter would be helpful if submitted to Senator Reed on Monday, March 30th, because the application is due on April 1st. President Matarese stated that we will fax a letter in on Monday.

Colette Matarese, aye; Joe Cardillo, aye; Roger L. Hawes, aye; and John Lewis, aye.

Lynne S. Rider was recused from discussion and voting.

**CROSSMAN
ENG. FOR REC.
SITE**

Colette Matarese, Council President, announced that there would be a workshop date with Crossman Engineering. John Lewis stated that Crossman Engineering, the firm doing the workup for the recreation property, would soon be ready with a conceptual design. They wanted to meet with the council and the recreation committee at the same time for discussion. Ann-Marie Ignasher, Town Planner, stated that the date for that workshop will be April 9th at 6 p.m. Members of the public were invited. John Lewis motioned, Lynne S. Rider seconded, and it was unanimously so voted to schedule the workshop for Thursday, April 9, 2009, at 6 p.m..

Colette Matarese aye, John Lewis aye, Joe Cardillo aye, Roger L. Hawes aye, Lynne S. Rider aye.

**MILEAGE REQ.
NANCY
JOHNSON**

The mileage request from Nancy Johnston, Human Services Director, was tabled from the last meeting. Roger Hawes had intended to speak with Nancy; however, he had been unable to do it yet. John Lewis motioned, Roger Hawes seconded, and it was unanimously so voted to table the mileage request,.

Colette Matarese aye, John Lewis aye, Joe Cardillo aye, Roger L. Hawes aye, Lynne S. Rider aye.

**2009 BUDGET
PUBLIC
HEARING**

Russell Dannecker, Budget Consultant, presented a preliminary budget for 2009-2010. He reviewed the "Status of Budget Development" sheet detailing the current and proposed allocations. The individual departments were then reviewed in order, detailing the proposed percentage of total decrease in municipal services. Items still in flux, such as union personnel, were clearly marked.

Gordon Rogers questioned why the Deputy Town Clerk's salary reflected a 5.8% increase. Councilmember John Lewis explained that this was an error and that everyone was taking a pay freeze. Colette Matarese noted that the Council had been working with the bargaining units to get concessions and that they had been cooperative, but there were no agreements yet. She further stated that in this budget there is the possibility of layoffs. Mr. Dannecker continued on, explaining that there were certain line items such as Rambone Disposal, and Opal Data that were open to negotiation.

The Paine School budget was level-funded from the previous year. Russell Dannecker, Budget Advisor, stated that the amount of aid from the state was currently unclear, it may or may not be restored. The figures might have to be adjusted, depending on what occurs on the state level.

Ron Cervasio, School Committee Chair, clarified the percentage the council requested for reduction was 4.5% rather than 15% due to the school having 14 more students than expected. Ms. Matarese explained that the 4.5% would have to be paid by the taxpayers, which was why the council was trying to keep the cost down, and not because it was just "free money" out there. She also noted that the Paine School has a surplus, so therefore, having a surplus, and asking us to increase the budget by 4.5% just because "you can" is not a good enough reason.

The budget for the Paine School stays the same; however, the School Committee was asked to find further cuts because, based on the current calculation of pupils multiplied by the cost per pupil, they should be able to find another \$190,000 worth of cuts. They have not done so at this point in time. The council is level funding because, with the \$200,000 surplus and the number of pupils, there should be that amount of money they can cut. Mr. Cervasio asks what the increase would be if they were allowed the full 4.75%? Russell Dannecker stated it would be \$200,000.00 Mr. Cervasio explained that contractual arrangements must be fulfilled.

Lynne S. Rider made a clarification for anyone who was not in town last year. The reason the council did not raise to the 5% that they were legally allowed to was because in order to procure the full financial aid that the school was guaranteed the building committee went out a year early to bond on the high school renovations, so actually our debt service almost doubled. That created a 14% increase in taxes. The council couldn't tack on another 5% in good conscience. Ms. Matarese explained that the council is again working hard so as not to raise taxes.

A woman in the audience from the school system noted that they have opened their contracts for renegotiation. The teachers also agreed to a pay freeze. Nancy O'Hare, co-union president stated that they did make an offer at the last school committee meeting. Kim Maddalena states that the non-certified union agreed to do the same thing, including giving up their step increase.

Russell Dannecker, Budget Consultant, noted that regarding collective bargaining, a new state law passed last year states that before you sign a contract you must have a fiscal impact statement prepared which covers the length of the term of the agreement; and after you vote and make it public, you must make the fiscal impact statements public. Also if you raise \$250,455, that leaves you with a zero balance. Since there have been so many cuts, the budget is very lean, and there is no room for mistakes. His opinion is to budget some sort of surplus, at least \$100,000 to leave room.

Ms. Matarese stated that there needs to be another budget workshop. It was decided to meet on Monday the 30th at 5 p.m..

OPAL DATA CONTRACT

As reported by Budget Consultant Russell Dannecker, Opal Data Technologies has a contract that can be negotiated. Lynne S. Ryder moved, John Lewis seconded, and it was unanimously so voted to approve opening negotiations.

Colette Matarese, aye; Joe Cardillo, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye.

Kelli Russ, Treasurer, will handle the negotiations.

HEATING OIL CONTRACT

Robert Clarkin, Director of Public Works, spoke to Reichert today and reported that the price is fluctuating. The price now is \$2.05. He noted that the price usually goes down in July. He could put out a Request for Proposal if desired. John Lewis motioned, and it was unanimously approved to have Mr. Clarkin put out an RFP for the heating oil contract in July..

Colette Matarese, aye; Joe Cardillo, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye.

**DOG POUND
CONTRACT**

There is no contract with Scituate regarding our use of the Dog Pound. Lynne S. Rider moved, John Lewis seconded, and it was unanimously so voted to open contract negotiations with Scituate regarding the dog pound.

Colette Matarese, aye; Joe Cardillo, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye.

Lynne S. Rider noted that she looked up a letter from March 17, 2006, from the Scituate Animal Control shelter asking that the town pay \$20,663.36. Looking through the council minutes, it was stated that the cost would be going up by \$20,000, but there was never a vote on it, and it does not seem that they ever paid \$20,000. The highest was near \$10,000. This year they didn't bill us for anything.

Kelli Russ, Town Treasurer, will contact Scituate.

**VERIZON FIOS
COVERAGE**

Lynne S. Rider, councilmember, asked that this Verizon FIOS coverage be placed on the agenda because Verizon has not finished certain roads. It's not known if they have any plans to finish. Town Solicitor John Bevilacqua stated that he had spoken with someone at Verizon and they said there was a limited range of what they could do so far because the technology was not ready, but sometime in April it may be extended. John Lewis also clarified that what is being wired now in the 647 exchange is for internet and phone only, not television, which won't be available until October 2009 at the earliest.

**GOLD CANE
AWARD**

Jeannie Pierson was nominated to receive the Gold Cane award. A brief biography of her was read by Lynne S. Rider. Lynne Rider moved, Roger Hawes seconded, and it was unanimously so voted to award the cane to Jeannie Pierson.

Colette Matarese, aye; Joe Cardillo, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye.

John Lewis and Colette Matarese will deliver the plaque, awarding the cane tomorrow.

**AM. LEGION
POST 101**

Commander William Fortier Foster of the American Legion Post 101 requested that their charter be displayed in the Benjamin Eddy Building. John Lewis motioned, Roger Hawes seconded and it was unanimously so voted to allow Commander William Fortier to post the American Legion membership list in the Benjamin Eddy building.

Colette Matarese, aye; Joe Cardillo, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye.

**REQ. SWAMP
MEADOW CT**

A request was received from the Swamp Meadow Community Theatre to use the Foster Fairgrounds for the summer children's theatre play "MacBeth for Kids" on August 16th and /or the 23rd from 12 to 6 p.m., depending on when Paine School opens in the summer. John Lewis moved, Roger Hawes seconded, and it was unanimously so voted to allow the SMCT to use the fairgrounds on those dates.

Colette Matarese, aye; Joe Cardillo, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye.

**RESOLUTIONS
S0687 & H5371
& 5019, ART 21**

A request was received to support Resolutions from the House and Senate for S0687 and H5371 regarding the Fairness Initiative introduced February 10th, and on 26th. It limits damages to cities, towns and fire districts to \$100,000. John Lewis moved, Roger Hawes seconded, and it was unanimously so voted to support these resolutions and submit our own.

Colette Matarese, aye; Joe Cardillo, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye.

Joe Cardillo read Resolution 5019, Article 21, supporting changes in state law regarding school budgeting, specifically prohibiting Superior Court Judges in a “Caruolo Act” from exceeding property tax levy caps; suspending “Caruolo in any year State Aid is reduced or suspended”; and pertaining to school budget disputes: create a panel to develop a corrective action plan. It is further resolved that the Foster Town Council oppose the mid-year reduction of state aid to the state’s cities and town and school districts.

Joe Cardillo moved, Roger Hawes seconded, and it was unanimously so voted to submit Resolution 5019, Article 21.

Colette Matarese, aye; Joe Cardillo, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye.

**QUARTERLY
REPORTS**

Quarterly Reports have been received from the Conservation Commission and the Recreation Committee. Joe Cardillo moved, Roger Hawes seconded, and it was unanimously so voted to accept the quarterly reports as presented.

Colette Matarese, aye; Joe Cardillo, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye.

**CONCERNED
CITIZENS**

No one spoke under concerned citizens.

**FUTURE
AGENDA ITEMS**

- Nancy Johnson’s travel reimbursement request.
- Resolution pertaining to straight party vote.
- Discussion of audit.

**EXECUTIVE
SESSION**

Lynne S. Rider moved, John Lewis seconded, and it was unanimously so voted to go into Executive Session according 42-46-4 & 5 (1) personnel, and to reconvene in open HEARING 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 to provisions of the General Laws of Rhode Island 42-46-4 & 5

ADJOURNMENT

The meeting reconvened at 10:40 p.m. The votes to allow Russ Dannecker to extend his hours were announced. The meeting was adjourned at 10:45 p.m.

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

Submitted By

Carol Lyons
Deputy Town Clerk