

March 24, 2011
Town Council Meeting

The March 24, 2011, Town Council Meeting was called to order by Gordon E. Rogers, President, of the Foster Town Council at the Town House 180 Howard Hill Road, Foster, Rhode Island, at 7:00 p.m.

The following members were present:

Gordon E. Rogers, President
Lynne A. DeStefano, Vice President
Neal C. Whitelaw,
Marianne Knight,
Michael E. Dillon,

Stephen R. Archambault, Town Solicitor

The Pledge of Allegiance was recited.

**PUBLIC
COMMENT**

Lynne Rider of Burgess Road stated she attended a budget workshop held by the town council last night which was four and a half hours long. During that time, the treasurer was basically the only person who spoke. At times she was actually begging for some direction from Mr. Rogers and Mr. Dillon. There was basically four and a half hours of silence from two members of the council. There was no agreement on anything, there was no discussion on anything, and I think the budget they are bringing before you tonight will reflect that.

**OLD BUSINESS-
SAND BID
AWARD**

Gordon E. Rogers recused himself from the table. He stated that he has an interest in the winter sand bid.

Michael E. Dillon moved, Lynne A. DeStefano seconded to award the winter sand bid to LaFramboise.

Neal C. Whitelaw stated that his vote stands for transparency, he asked why Mr. Rogers was recusing himself.

Robert Clarkin, Public Works Director asked that the town council table this for another year, stop the nonsense and move on.

Rose Salvadore of Walker Road asked if there had been any deliveries of winter sand since this new bid.

Robert Clarkin, Public Works Director, stated that there had been deliveries, and that they were working from the last bid.

Robert Hohler of Wetherbee Road asked if the town had run out of sand and/or salt.

Robert Clarkin, Public Works Director, stated that the town had not run out of sand.

Linda Walden of Central Pike stated that she would take exception to a town employee calling this "nonsense".

Robert Clarkin, Public Works Director, stated that maybe it was not the correct word to use, but this had been on the agenda for some time now. He would take away the word "nonsense", and if she wanted to put in a different word, by all means.

**March 24, 2011
Town Council Meeting**

OLD BUSINESS CONTINUED Michael E. Dillon aye, Lynne A. DeStefano aye, Neal C. Whitelaw aye, Marianne Knight nay.

The motion did not pass.

MINUTES Lynne A. DeStefano moved, Michael E. Dillon seconded to approve the town council minutes from the February 1, 2011 meetings, as written.

Marianne Knight aye, Michael E. Dillon aye, Lynne A. DeStefano aye, Gordon E. Rogers aye, Neal C. Whitelaw aye.

The motion passed.

WARRANTS Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve Payroll Warrant #36 in the amount of \$28,160.88.

Marianne Knight aye, Michael E. Dillon aye, Lynne A. DeStefano aye, Gordon E. Rogers aye, Neal C. Whitelaw aye.

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve Payroll Warrant #37 in the amount of \$27,852.14.

Gordon E. Rogers aye, Neal C. Whitelaw aye, Marianne Knight aye, Michael E. Dillon aye, Lynne A. DeStefano aye.

Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was so voted to approve General Warrant #20, in the amount of \$98,807.33.

Marianne Knight aye, Michael E. Dillon aye, Lynne A. DeStefano aye, Gordon E. Rogers aye, Neal C. Whitelaw aye.

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve General Warrant #21, in the amount of \$44,673.07

Neal C. Whitelaw asked Kelli Russ, Treasurer a question on the warrant. What was in the description on the warrants, “overpayment of”?

Kelli Russ, Treasurer stated that was when someone over paid their taxes.

MONTHLY REPORTS Marianne Knight aye, Michael E. Dillon aye, Lynne A. DeStefano aye, Gordon E. Rogers aye, Neal C. Whitelaw aye.

Lynne A. DeStefano moved, Michael E. Dillon seconded and it was so voted to approve the monthly report from the Public Works Department as submitted.

Neal C. Whitelaw aye, Michael E. Dillon aye, Marianne Knight aye, Lynne A. DeStefano aye, Gordon E. Rogers aye.

LIQUOR LICENSE RENEWAL FOR TWISTED LIQUORS Gordon E. Rogers stated that the applicant for Twisted Liquors was to meet with the Zoning Board of Review, which was postponed due to lack of a quorum.

Stephen R. Archambault, Town Solicitor, stated that since it was no fault of the applicant, the town council could extend the license for sixty days.

**March 24, 2011
Town Council Meeting**

**LIQUOR
LICENSE
RENEWAL FOR
TWISTED
LIQUORS
CONTINUED**

Neal C. Whitelaw moved, Lynne A. DeStefano seconded, and it was so voted to approve an extension to Twisted Liquors of sixty days for the liquor license. The license would then expire on May 31, 2011.

Lynne A. DeStefano aye, Michael E. Dillon aye, Gordon E. Rogers aye, Marianne Knight nay, Neal C. Whitelaw nay.

The motion passed.

**ECONOMIC
DEVELOP-
MENT
COMMITTEE**

Lynne A. DeStefano moved, Neal C. Whitelaw seconded and it was so voted to establish a Economic Development Advisory Committee.

Lynne A. DeStefano asked how many members there should be.

Gordon E. Rogers stated that there were five members in the past.

Neal C. Whitelaw asked who the committee would be advising.

Ann-Marie Ignasher, Planner, stated that under the Town Charter and State Statue, the committee would advise the planning board, who then would advise the town council.

Stephen R. Archambault, Town Solicitor, stated that the town council can establish a committee to report to them, under the town charter.

Neal C. Whitelaw asked if the advisory committee had a budget.

Gordon E. Rogers replied, no. They would post their meeting on the secretary of state's web site. They would have a chair, vice chair, secretary like most boards do.

Gordon E. Rogers asked if the council could place an ad for letters of intent.

Tina W. Freeman, CMC, Town Clerk, asked which budget the council would like the ad cost be taken from.

Tina W. Freeman asked Kelli Russ, Treasurer, if she had any suggestions as to where the cost of the ad could be taken from.

Kelli Russ, Treasurer, stated that if there are no funds left in the town council administration line item, they could use the contingency fund.

Neal C. Whitelaw stated that he would like the cost of the ad to be taken out of his council stipend.

Lynne S. Rider asked if this committee would be able to do anything else than to advise the council.

Stephen R. Archambault, Town Solicitor stated that an advisory committee can only give advice.

Lynne A. DeStefano amended the motion which was seconded by Michael E. Dillon, to include a five member quorum, a zero budget and that it be a volunteer board, having a May 2, 2011 deadline to submit letters of interest, So the town council has the information for the May 12, 2011 town council meeting.

**March 24, 2011
Town Council Meeting**

**ECONOMIC
DEVELOP-
MENT
COMMITTEE
CONTINUED**

Lynne A. DeStefano aye, Michael E. Dillon aye, Gordon E. Rogers aye, Marianne Knight aye, Neal C. Whitelaw aye.

The amendment passed

Michael E. Dillon aye, Gordon E. Rogers aye, Lynne A. DeStefano aye, Neal C. Whitelaw aye, Marianne Knight aye.

The main motion passed.

**LETTER RE:
EMA
ASSISTANT
DIRECTOR**

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to table the letter from Sharon Cotter, concerning the Assistant Director for Foster, EMA.

**REQUEST
FROM SOUTH
FOSTER FIRE
CO.**

Lynne A. DeStefano read a letter from Lt. Charles A. Stockwell of the South Foster Volunteer Fire Co. asking for the use of the Foster fairgrounds on Saturday, October 22, 2011.

Lynne A. DeStefano moved, Michael E. Dillon seconded to allow the use of the Foster fairgrounds for the South Foster fundraiser.

Gordon E. Rogers aye, Michael E. Dillon aye, Marianne Knight aye, Neal C. Whitelaw aye, Lynne A. DeStefano aye.

**FOSTER/GLOC-
ESTER
REGIONAL
SCHOOL SET
ASIDE**

Neal C. Whitelaw moved, Lynne A. DeStefano seconded, and it was so voted to table the discussion of the "set aside" budget line item, until the solicitor could review the information further.

Neal C. Whitelaw aye, Gordon E. Rogers aye, Michael E. Dillon aye, Marianne Knight aye, Lynne A. DeStefano aye.

**RECYCLING
TONNAGE**

Robert Clarkin, Public Works Director, stated that Rhode Island Resource Recovery determines how much trash the town should generate, per person. The numbers basically come down as tonnage. The recycling rate has been 21.8% and 20.9%. It has gone up, the latest number is 23.5%. The target is 35%. The bottom line is that more people need to recycle more. If the town goes over the cap for trash of 1,457 ton, the cost goes up to \$25.00 per ton. The people in Foster need to recycle more to save the money.

Lynne A. DeStefano asked what the ratio is of the population to tonnage need to have.

Mr. Clarkin did not know the formula that they use for that.

Lynne A. DeStefano stated that if the population is decreasing, why wouldn't the tonnage.

Gordon E. Rogers stated that maybe the town could place an ad asking people to recycle more, and let them know that it increases their tax dollars if they don't.

A resident spoke about the reduction in the size of the paper itself as part of the problem also.

Robert Clarkin, Public Works Director, stated that again the biggest problem is to educate people about recycling. Mr. Clarkin stated that he would work on an ad for the next Foster Home Journal.

**March 24, 2011
Town Council Meeting**

**ARMENIAN
FLAG**

Lynne A. DeStefano moved, Michael E. Dillon seconded and it was so voted to approve the request from the Armenian National Committee to fly their flag on April 24, 2011.

Marianne Knight aye, Gordon E. Rogers aye, Neal C. Whitelaw aye, Michael E. Dillon aye, Lynne A. DeStefano aye.

RESCUE #1 & #4

Michael E. Dillon stated that he had some concerns with the ownership of the rescue vehicles. He stated that he read meeting minutes where the rescue vehicle #1 was transferred to the Ambulance Corps. from the Town of Foster. He felt that the asset of the rescue should be back on the town's books.

Lynne Rider of Burgess Road stated that it has been Gordon E. Rogers' personal mission to dismantle the Ambulance Corps. In order to prevent that from happening the previous town council agreed that the rescue should belong to the Ambulance Corp., and not the Town of Foster.

Michael E. Dillon wanted the solicitor to look into the way the agenda was written for the November 10, 2010, meeting. He felt it should have read "Rescue #1" not "Equipment".

Stephen R. Archambault, Town Solicitor, read Article I, Section 1.01(b) of the Foster Home Rule Charter, in reference to real property. The charter does not say anything about tangible property. Mr. Dillon asked about violation of the charter, Mr. Archambault said it was not a violation of the charter. He said that he would look into the "notice" of the meeting in reference to the agenda.

There was other discussion on the floor concerning the volunteers of the town.

Linda Walden of Central Pike asked the town council to get all the facts, not just some of the facts that they are being fed. Because here tonight, just with this discussion, we have learned that it was never an asset of the town to be removed from the rolls. So that does affect the bottom line, and not in the negative way you were eluding to when you first brought this up. Put all the facts out there, for reasonable people to make a reasonable decision on what they are hearing.

Another citizen stated that it doesn't matter who owns the vehicle, as long as the service is done. Either way the ambulance corps. is going to respond.

Robert Hohler of Wetherbee Road asked what relation does this have on the town deficit. Does it help our bottom line to have the rescue in the town's ownership?

Kelli Russ, Treasurer, stated that it affects the bottom line of the town's assests.

Robert Hohler stated that the town is so far in a hole, just work on the budget.

Neal C. Whitelaw asked where councilman Dillon was going with this. Does he want to give a fire truck to a fire department?

Michael E. Dillon stated that to his knowledge the fire trucks are owned by the town. With the exception of a few that have been replaced and maybe given or sold to the fire company, whatever.

**March 24, 2011
Town Council Meeting**

RESCUE #1 & #4 They all belong to the town in a nutshell.
CONTINUED

Neal C. Whitelaw asked councilman Dillon if he wanted to give those to the fire companies? With this provision? Or do you want to take the rescues back in town custody?

Michael E. Dillon stated that he had not decided. Without recommendation from council. It affects the town's bottom line.

Neal C. Whitelaw stated that he was not sure how it would affect our bottom line in this budget. It is not a money issue this year.

Michael E. Dillon stated that this has nothing to do with the budget. It affects our bottom line for the town assets. The town is worth \$300,000.00 less now.

Kelli Russ, Treasurer stated that the town is worth approximately seven million dollars.

Neal C. Whitelaw stated the out of seven million dollars; you are saying that the town is down \$300,000.00. Is that what you are saying?

Michael E. Dillon said, yes.

No action was taken

**REQUEST
FROM SMCT**

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve the request from the Swamp Meadow Community Theatre, Inc. to use the Town House for auditions for the "Foster Idol" on July 15th and 16th, 2011.

Neal C. Whitelaw aye, Gordon E. Rogers aye, Marianne Knight aye, Lynne A. DeStefano aye, Michael E. Dillon aye.

**PUBLIC
HEARING FOR
THE
PRELIMINARY
BUDGET 2011-
2012**

Gordon E. Rogers opened up the public hearing for the Preliminary Budget for fiscal year 201-2012.

Gordon E. Rogers asked Kelli Russ, Treasurer to speak on the budget.

See "Exhibit A" for the complete printout of the preliminary budget.

Kelli Russ, Treasurer, stated that all of the departments submitted a budget and currently this is where the council stands; The Paine School would like level funding from the 2010 financial town meeting that was adopted in May 2010. The Foster-Glocester Regional School's budget was approved by the voters on March 15, 2011, at the regional financial town meeting. It was \$4,621,301.00. That represents an increase due to the student population changes and an increase due to debt.

Kelli Russ, Treasurer, asked how the council wanted to review and present the budget? By each department line item or totals for each department.

Gordon E. Rogers stated whatever Kelli was comfortable with.

Tina W. Freeman, CMC, Town Clerk, announced that she would be placing an ad stating that the Financial Town Meeting will be at the Ponaganset High School Auditorium, May 3, 2011, at 7p.m.

**March 24, 2011
Town Council Meeting**

**PUBLIC
HEARING FOR
THE
PRELIMINARY
BUDGET 2011-
2012
CONTINUED**

Kelli Russ, Treasurer reviewed the budget as printed. She explained, since the increase in taxation was denied at the August 2010 Financial Town Meeting by the voters, budget cuts had been made by the town council. The tax cap is 4.25%. The revenues were reviewed. To have a zero percent increase in any taxation in the town's levy, the council would have to come up with \$457,000.00, plus the \$200,000.00, that the town has a shortfall. This is the result of the motor vehicle exemption reimbursement that was taken away by the State. There is an explanation on the bottom of page eighteen that explains part of that.

Gordon E. Rogers asked if there were any questions before the council reviewed each department.

Robert Peterson of Foster Center Road stated that the amount for the regional school is set and cannot be changed. But the amount at the Paine School being the same amount of last year, cannot be reduced by state law. He felt the five percent that was reduced last year cannot be reproduced in 2012.

Kelli Russ, Treasurer, stated that the town is currently debating that issue. There are several towns in Rhode Island that are doing the same. The way the law reads, the towns interpret it different than the schools.

Robert Peterson stated that it always seems to be the town side budget that is cut because the schools cannot be touched. So the council has two choices; they could raise taxes or they could take the money out of operations on the town. The council could eliminate about half the police department or eliminate garbage pickup.

Lynne Rider of Burgess Road asked what the increase in taxes would be with the budget that is presented tonight.

Kelli Russ, Treasurer, stated that to the taxpayer, it would depend on how you do it, if you lower the value or exemption on the motor vehicle, there is no tax increase, however they would all be paying more taxes. If the increase was on real estate it would be one dollar per thousand.

Linda Walden of Central Pike asked it was true that the Foster School Committee was considering a school bussing contract that would save approximately \$100,000.00 than the current one.

Kathleen Swanson, Chair of the Foster School Committee, stated that they did sign a contract that saved approximately \$126,000.00, but there were other things that offset that.

Shelly Pezza, Foster School Committee Member stated that there was a total of \$262,423.00. There were other costs that went up; for instance, contractual obligations, and pension costs went up also. There were a lot of cuts made within the budget. The bussing, the lay-off of a teacher were some of them.

Anthony Soprano of Central Pike stated that the town should be looking at cutting employees. When you're making money, you spend money. When you're not making money, you cut back. The first thing that he would be doing is looking at the last person we hired in each department. He felt that these percentages were too much of a tax increase. It should not be too hard to find \$600,000.00 in this town.

**March 24, 2011
Town Council Meeting**

**PUBLIC
HEARING FOR
THE
PRELIMINARY
BUDGET 2011-
2012
CONTINUED**

Neal C. Whitelaw stated that the \$600,000.00 can only come out of the town budget of approximately \$3,500,000.00. The last May financial town meeting, 250 people adopted the budget for the town. They did not approve the tax levy to fund that budget. In August there was another financial town meeting where the second group didn't fund what the first group spent. Down \$650,000.00 approximately. So we move on to today we are down \$650,000.00. So this council started with a budget that was already down that \$650,000.00.

A representative from "Well One" asked the town council if they could keep the budget presented by Well One intact. She explained some of the benefits that they give to the town, which are much more than the dollar amount as presented in the budget.

John Bevilacqua of Salisbury Road asked where the cuts were coming from. With the \$650,000.00 deficit, they still insist on the \$6,000.00 exemption on motor vehicles, where would it come from? The \$600,000.00 was the result of the tax levy that was not approved, because the State's lack of supplying that necessary funding to make up the \$6,000.00 exemption. The State of Rhode Island also cut state aid to cities and towns and education. We want to know where the cuts are coming from.

Gordon E. Rogers stated the cuts could come from the schools, vehicles brought home by some of the employees, buy backs, cutting the twenty-one hour employees back to twenty hours per week to eliminate health care and benefits and the dog pound, switching to the town of Glocester instead of the town of Scituate, also decreasing salaries three percent.

Kelli Russ, Treasurer, stated that with the school reduction and those implementations it will put the town \$194,000.00 under the cap.

Kathleen Swanson, School Committee Chair, stated that if the town cuts back the school the amount of \$157,000.00, and the state cuts aid to the school, it places the school out of compliance with what "RIDE" the state requires the school to supply the kids with in staffing. The schools biggest problem is that all of the schools money is in salaries.

Robert Peterson of Foster Center Road stated that if the council implemented all of the suggestions that Gordon E. Rogers made, the council would still have to raise taxes 4.25%. It seems that there are only two places or a combination thereof in our operations budget that could make it so that the taxes would not go up, and that would be garbage disposal and the police department. Because all the other departments are too small, even if you put them together. You would be crippling the whole town. You could not take the money out of DPW. I am personally opposed to taking it out of the police department. I know what happens when you don't have enough police on duty; my home was robbed enough times. It comes down to raising taxes because the state of Rhode Island did this to us. Be very careful of what you pray for because your prayers may be answered.

**March 24, 2011
Town Council Meeting**

**PUBLIC
HEARING FOR
THE
PRELIMINARY
BUDGET 2011-
2012
CONTINUED**

Tina W. Freeman, CMC, Town Clerk asked Kathleen Swanson if the school committee asked the teachers at Paine school if they were willing to give any of their raises back, to help with the town budget.

Kathleen Swanson stated that they gave two percent back from January to June of this year.

Tina W. Freeman, CMC Town Clerk, also stated that she has already given six percent back this year.

Robert Hohler of Wetherbee Road stated that we are in tough times, and it is about time we stood up to the state. This is where the money is, at the schools. You can only get so much money on the town side.

Ginny Colwell of Salisbury Road asked if anyone has looked into possibly opening up a transfer station for the garbage.

Robert Clarkin, Public Works Director, stated that he has done some research and if anyone would like to read the document he received on how to operate a transfer station, it is about eighty pages, they can borrow it. He thought that it was not feasible for the town at this time.

Ronald Cervasio of Old Plainfield Pike stated that the towns and cities cannot fight the schools in this state. They will always lose in court.

Linda Walden of Central Pike asked what the balance was in the Capital Fund.

Kelli Russ, Treasurer stated that there was approximately \$750,000.00 for 2010. The balance for the Capital Fund is approximately \$500,000.00

Linda Walden asked if the town could “delay” for one year the transfer of the two percent transfer, according to the town charter.

Kelli Russ, Treasurer, stated that if that were to happen, the town would be creating a structural deficit. The town could not do that forever. Because next year, it would be that amount short from the start.

Kelli Russ, Treasurer explained each department’s total’s on the preliminary budget.

Lynne Rider of Burgess Road asked why some of the line items were “grayed out”.

Kelli explained that those numbers are still up for discussion by the council. They have not agreed upon those numbers.

Robert E. Coyne Jr., Police Chief, stated that the line item for his salary has been reallocated, so that’s why it appeared to be a raise, even though it’s not. He asked that the council remove that increase, and appropriate the current budget year fiscal year 2011.

Kelli Russ, Treasurer, stated that Robert E. Coyne, Jr., Police Chief, would have to sign something to that effect, due to the fact that his current contract states that he cannot make less than his staff.

**March 24, 2011
Town Council Meeting**

**PUBLIC
HEARING FOR
THE
PRELIMINARY
BUDGET 2011-
2012
CONTINUED**

Lynne A. DeStefano asked about the unemployment line item in the DPW budget.

Kelli Russ, Treasurer explained that a person in that department will be ending the benefits.

Robert Peterson of Foster Center Road asked the council about the salaries of the town employees. And that the town council should review the personnel policy. How does the council rate the value of a job? Is it just what they got paid last year? He felt that the director should be paid more.

Gordon E. Rogers agreed, but explained that the town cannot afford any raises.

Kelli Russ, Treasurer stated that it is on the table for the council to cut all of the non-union employees by three percent and an increase in health care co-pay to twenty five percent, up from a co-pay of twenty percent.

Lynne Rider of Burgess Road stated that the Conservation Commission will not have enough money for advertising with the cuts that are done.

Shelly Pezza asked about the motor vehicle excise tax exemption.

Gordon E. Rogers stated that the council was working on the town budget for now. And the motor vehicle exemption will be addressed at a later time.

Lynne A. DeStefano stated that the town cannot close the libraries. They are their own entity. Maybe they can close just one building if their budget was cut in half.

The Public Hearing was then closed.

**CONCERNED
CITIZENS**

Lynne Rider of Burgess Road stated that it is the same as the schools. The libraries are state funded and cannot be any less than the year before. Maintenance of effort.

Ronald Cervasio stated that they are a private corporation. The town could save money by having all of the meetings at the Town House, instead of heating all of the other buildings.

**FUTURE
AGENDA
ITEMS**

Lynne A. DeStefano wanted to add Litter/Trash.
Michael E. Dillon wanted to add Town Assets-Rescue 1 & 4.
Kelli Russ, Treasurer, wanted to add the student population set aside.

March 24, 2011
Town Council Meeting

Lynne A. DeStefano moved, Gordon E. Rogers seconded, and it was unanimously so voted to adjourn the regular portion of the meeting.

Lynne A. DeStefano, aye, Marianne Knight aye, Gordon E. Rogers aye, Neal C. Whitelaw aye, Michael E. Dillon aye.

The meeting adjourned at 9:30 p.m.

Neal C. Whitelaw was excused from executive session.

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to go into Executive Session according to 42-46-5a (1) Personnel and 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 to provisions of the General Laws of Rhode Island 42-46-4 & 5

A roll call vote was taken.

Marianne Knight aye, Gordon E. Rogers aye, Michael E. Dillon aye, Lynne A. DeStefano aye.

No votes were taken in executive session.

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

Submitted By

Tina W. Freeman, CMC
Town Clerk