

**January 13, 2011
Town Council Meeting**

The January 13, 2011, Town Council Meeting was called to order by Gordon E. Rogers, President, of the Foster Town Council at the Capt. Isaac Paine School, 160 Foster Center 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,

David V. Igliazzi, Town Solicitor
Stephen R. Archambault, Town Solicitor

The Pledge of Allegiance was recited.

**PUBLIC
COMMENT**

Linda Walden spoke about a letter that was read from the Moosup Valley Fire Station, and the budget cuts proposed for the Foster Ambulance Corps. She submitted the paperwork attached as “Exhibit A”.

Edward Balfour spoke in favor of Pamela Fontaine, Tax Collector.

Virginia Colwell spoke about the emergency services in the town.

Douglas Thoman spoke in favor of Pamela Fontaine, Tax Collector.

Robert Peterson stated that the fire departments and ambulance corps need to be working together to be more efficient.

Richard Raso spoke in favor of Pamela Fontaine, Tax Collector.

Kristin Cole spoke in support of the Foster Libraries.

Kevin Weeks spoke in favor of all of the volunteers in town.

Lynne Rider spoke of the Moosup Valley Fire Station, training equipment, ethics laws, and the town planner position.

Sisan Smallman spoke in favor of the libraries and the town planner.

Karen Mueller spoke in favor of the libraries, and asked that their budget not be cut.

Ronald Cervasio stated that he supports the ambulance corps and spoke of the libraries.

Julia Parmentier spoke in favor of the town planner, how important it is to keep that position full time.

Michael Carpenter agreed with Robert Peterson stating the town departments should work together.

John Neale spoke in favor of the town planner.

MINUTES

Michael E. Dillon moved, Neal C. Whitelaw seconded, and it was so voted to table the December 21, 2010, council minutes to the next scheduled town council meeting.

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

**OLD
BUSINESS**

Marianne Knight moved, to table the request made from the Moosup Valley Fire Dept.

The motion was not seconded. The motion failed.

Lynne A. DeStefano moved, Michael E. Dillon seconded, to remove the Ambulance Corps 5% reduction as tabled at the previous meeting.

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

Neal C. Whitelaw stated that he agreed with Linda Walden’s statement with an additional 5% cut, the ambulance corp. has already been cut 13% and to add another 5% would be a total of 18%.

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**OLD
BUSINESS
CONT.**

Gordon E. Rogers stated that the ambulance corps was able to “offset” the decrease with their surplus.

Neal C. Whitelaw added that the ambulance came into the budget talks and was able to reduce their budget on their own rather than having the town council reduce that budget.

Linda Walden spoke of the original cuts and her thoughts of a personal vendetta that Mr. Rogers has against the Foster Ambulance Corps.

Paul Cunniff, Chief of the Moosup Valley Fire Co., stated he thought the EMS services were not the place to cut to balance the budget.

John J. Bevilacqua, stated that Mr. Rogers should read to the public the letter of response from the RI Ethics Commission concerning a complaint from Mr. Rogers to the ambulance corps because he would incur a benefit, whether it be negative or positive, since his wife is an active member of the ambulance corps. Bias affects the perception of the town council body, as to whether not it is treating people fairly.

Linda Niles, asked the town council if they new which EMS department is utilized the most for emergency calls?
The audience spoke out and said the ambulance corps.

Zack Farnum asked Gordon E. Rogers to consider getting over his past relationships with the ambulance corps; the town is hurting. All political parties should be getting together and start helping the town.

**AMBULANCE
CORPS 5%
REDUCTION**

Gordon E. Rogers asked for a vote on the reinstatement of the 5% cut to the ambulance corps.

The town clerk polled the council for a vote:

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

Marianne Knight asked if Gordon E. Rogers should be recusing himself from the vote. Gordon E. Rogers replied this is a budget issue and if that was the case we would be recusing ourselves from a lot.

**LETTER
FROM THE
FOSTER
AMBULANCE
CORP.**

Lynne A. DeStefano read a letter submitted by the Foster Ambulance Corps.

Neal C. Whitelaw asked the town clerk to enter the letter as part of the record for the meeting minutes.

**APPOINT-
MENTS**

Michael E. Dillon moved to appoint Robert Clarkin as the Public Works Director.

Michael E. Dillon retracted his motion.

**BLDG. &
ZONING**

Michael E. Dillon moved, Neal C. Whitelaw seconded, and it was so voted to appoint Carl Riccio as the Building & Zoning Official.

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

Michael E. Dillon moved, Neal C. Whitelaw seconded, and it was so voted to appoint Nancy Johnston as the Human Services Director.

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

**TOWN
PLANNER**

Neal C. Whitelaw moved, Marianne Knight seconded, to appoint Ann-Marie Ignasher as the town planner.

Lynne A. DeStefano amended the motion to reduce the town planner to twenty hours per week.

Neal C. Whitelaw stated that, as the person making the motion, he refused to accept the amendment.

The amendment was not seconded.

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

The main motion passed.

**PUBLIC
WORKS
DIRECTOR**

Neal C. Whitelaw moved, Marianne Knight seconded to conduct interviews for the Public Works Director position because there were two resumes received.

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

The motion did not pass.

Neal C. Whitelaw stated that he would like to see transparency, which is why he made the suggestion.

Michael E. Dillon moved, Lynne A. DeStefano seconded and it was so voted to appoint Robert Clarkin as the Public Works Director.

The town clerk polled the council for a vote:

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

**TAX
ASSESSOR**

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was unanimously so voted to appoint Patricia Moreau as the Tax Assessor.

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

**TAX
COLLECTOR**

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to reappoint Pamela Fontaine as Tax Collector.

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

The motion did not pass.

Neal C. Whitelaw asked that the applicants be interviewed by the entire town council and not by just one or two council members.

Gordon E. Rogers asked for a motion to appoint a Tax Collector, no one made any motion.

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WARRANTS Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve Payroll Warrant # 23 in the amount of \$34,873.40, Payroll Warrant #24 in the amount of \$30,608.12, Payroll Warrant #25 in the amount of 39,288.05, Payroll Warrant #26 in the amount of \$28,387.35, Payroll Warrant #27 in the amount of \$29,605.27, General Warrant #15 in the amount of \$66,639.67, and General Warrant # 16 in the amount of \$111,187.10.

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

MONTHLY REPORTS Neal C. Whitelaw moved, Marianne Knight seconded, and it was unanimously so voted to approve the monthly reports as submitted.

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

QUARTERLY REPORTS Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was so voted to approve the quarterly reports as written.

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

TOWN HALL/POLICE COMPUTER SERVER Gordon E. Rogers stated that Kelli Russ, Treasurer, asked to have this tabled until further information could be obtained.

Neal C. Whitelaw moved, Marianne Knight seconded and it was so voted to table the Town Hall/Police computer server item until further information is obtained.

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

STATISTICAL REVALUATION BID OPENING Neal C. Whitelaw read the bid received; Option 1 for \$49,500.00, Option 2, is not available and Option 3 is no charge.

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to refer the bid for a Statistical Revaluation for the Town of Foster, from The Certified Revaluation Inc. to Patricia Moreau, Tax Assessor, for a recommendation.

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

The motion passed.

TRUCK BID OPENINGS Michael E. Dillon read the following bids received;

1. Putnam Ford
 - 2010 Ford F550 Regular Cab Dump Truck, 3-4 Yard Reading Volume -\$35,599.00. Dump Body - \$7,970.00. 9ft. Fisher Plow with edge - \$5,886.00
 - Total Price\$49,455.00 per truck.
2. Courtesy Ford
 - 2008 Ford F350 XL Regular Cab 4X4 with 11,600 miles. –Without Plow\$34,900.00, Plow \$5,100.00
 - Total with Plow \$40,000.00.

Neal C. Whitelaw moved, Lynne A. DeStefano seconded to refer the bid information to Robert Clarkin, Public Works Director, for a recommendation.

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

The motion passed.

**WINTER
SAND BID
OPENINGS**

Gordon E. Rogers recused himself from the next bid opening. He stated that he might be hauling some of the sand through his business for one or a couple of the contractors that might be putting a bid on it.

Councilman Michael E. Dillon read the following bids for winter sand;

	Price per Ton	
	Delivered	Picked Up
1. Walter E. Reynolds	\$11.75	\$11.50
2. LaFramboise Sand & Stone	\$9.25	\$6.00
3. Rawson Materials	\$14.80	\$8.50
4. Ernest Jolly	\$9.60	\$6.00

Neal C. Whitelaw moved, Michael E. Dillon seconded, and it was so voted to refer the bids to Robert Clarkin, Public Works Director for a recommendation.

There were some questions from the audience concerning the recusal from Gordon E. Rogers because he did not disclose which company he would be possibly working for to haul sand.

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

Robert Clarkin, Public Works Director stated that the bids for the Plainwoods Bridge Culvert Repair are due in two weeks.

The agenda item will be on placed on "future agenda item" for the January 27, 2011 town council meeting.

**REQUEST
FROM THE
SMCT**

Neal C. Whitelaw moved, Michael E. Dillon seconded, and it was unanimously so voted to approve the request from the Swamp Meadow Community Theatre to use the Eddy Building on January 10th, 15th, 17th, and 20th.

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

**REQUEST
FROM
HEATHER
HUNT**

Lynne A. DeStefano read a letter submitted by Heather Hunt asking permission to use the Fairgrounds on July 3, 2011, for her wedding reception.

Neal C. Whitelaw asked if this request would fall under the one day Entertainment License since they will be having a band or DJ, and if Carl Riccio, Building & Zoning Official, had any special requirements for this event.

Carl Riccio, Building & Zoning Official, stated that he would reply back to the council with an answer.

The item was placed on "future agenda items" for the next agenda.

**ADDITIONS
AND
ABATEMENTS**

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was unanimously so voted to approve the Prorated Additions in the amount of \$2,145.34, submitted by Patti Moreau, Tax Assessor.

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

**AMBULANCE
CORPS
STIPENDS**

Gordon E. Rogers recused himself from the table; his wife receives stipends from the Foster Ambulance Corp.

Neal C. Whitelaw moved, Lynne A. DeStefano seconded, and it was so voted to approve the Ambulance Corps stipends in the amount of \$3,777.00.

**REQUEST
FOR
PERPETUAL
CARE**

Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was so voted to approve the request for perpetual care from George M. Lenth III at Cemetery #30 Hopkins Stone Cemetery on Paine Road with two graves in lot #2, a fee of \$400.00, was paid.

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

**REQUEST
FROM THE
FOSTERING
ARTS**

Neal C. Whitelaw moved, Lynne A. DeStefano seconded, and it was so voted to approve the request from the fosteringarts.org to use the Benjamin Eddy Building on January 18th, February 15, and March 15th 2011 for their monthly meetings.

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

**LETTER OF
REQUEST TO
FOSTER
SCHOOL
COMMITTEE**

Neal C. Whitelaw stated that he drafted a letter to the Foster School Committee asking the Paine School Department employees to take a pay freeze for the 2010-2011 fiscal year and to reconsider the Retiree medical buybacks.

Discussion was made concerning the amount other town departments, such as the Police, Public Works, Police Dispatchers and the Town Hall employees, which have given back to the town already, with pay freezes, increased health care co-pays, a decrease in the health care buy back, and unpaid furlough days.

The Town Council asked Tina W. Freeman, CMC, Town Clerk, to retype the letter of request with some of the suggested changes and to e-mail the council for an approval from the entire council. Neal C. Whitelaw will then pick up the original from the Town

Clerk and present it to the next School Committee meeting.

Neal C. Whitelaw moved, Marianne Knight seconded that the letter of request be forwarded to the School Department as soon as possible, with the corrections noted.

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

**09/10 BUDGET
REDUCTIONS**

There was much discussion of the 09/10 Budget and possible reductions. Neal C. Whitelaw asked if the town council would schedule a budget workshop to review the new information that the treasurer has given them.

The Town Council agreed to January 18th at 6:00 p.m. to hold a budget workshop.

**January 13, 2011
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**CONCERNED
CITIZENS**

(The Town Council allowed comments from the audience, even though the topic of concerned citizens was inadvertently omitted from the agenda).

Lynne Rider asked why Concerned Citizens was not on the agenda.

Michael Carpenter of Danielson Pike stated that if he understood correctly what happened at the beginning of the meeting, there was no Tax Collector appointed. Doesn't the council have to appoint someone to work in that position or is there no one in that position now?

David V. Igliazzi, Town Solicitor, stated that the person who was previously appointed serves in that capacity until another person or the same person is reappointed.

Gordon E. Rogers moved, Michael E. Dillon seconded, to make a motion to reconsider the Tax Collector's position

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

Neal C. Whitelaw stated that he believed the motion to be out of order.

David V. Igliazzi, Town Solicitor, stated that the motion has been made to reconsider.

Gordon E. Rogers moved, Michael E. Dillon seconded, to appoint Nancy Delaere as Tax Collector.

Neal C. Whitelaw stated that the council was back at the beginning, with no interviews for the positions. This was done at the beginning of this meeting with no motion to appoint Ms. Delaere. Therefore it did not pass. This is a lack of transparency, and we cannot even interview these people because they are not here.

Linda Proulx of Round Hill Road said that this was a total travesty. The council did not take the opportunity to do this when this room was full of people and now that most everyone was gone and there are no applicants to interview, she stated she thought it was totally wrong.

Gordon E. Rogers stated that it was not his intent.

Linda Proulx said that Mr. Rogers certainly took advantage of it, he had a chance to do the same thing when the room was full of people and the applicants were there. And now the room was almost empty.

Ginny Colwell of Salisbury Road stated that she agreed with Linda. She said this was sneaky and underhanded, and if he made the choice, and if he said this was not his intent, he can make it not his intent now and take back his motion, and do this when those people are here to defend themselves. She believed that this was intentional, now that this crowd has thinned out and he took that opportunity to back door these people, and basically stab them in the back. He should be ashamed of himself, the three people who voted for this.

Lynne Rider of Burgess Road asked that if the Town Council had looked at any of the Town Audit Reports, because Pamela Fontaine's rate of collection was greater than Nancy Delaere's ever was. And even a point or two is a great deal of money to this town, and Pam was doing it during a recession. Another point is that she has documentation that as of this moment, there are three people on the Town Council that owe back taxes, and that they are going to appoint a Tax Collector who owes back taxes. It sounds like a conflict of interest.

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**CONCERNED
CITIZENS**
(The Town Council
allowed comments
from the audience,
even though the
topic of concerned
citizens was
inadvertently
omitted from the
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Neal C. Whitelaw again stated that these people should be interviewed before anyone is appointed to this position

Lynne A. DeStefano stated that she agreed with Neal C. Whitelaw, and to follow procedures.

Gordon E. Rogers withdrew his motion to appoint Nancy Delaere, Michael E. Dillon withdrew his second.

Lynne A. DeStefano moved to reinstate Pamela Fontaine as the Tax Collector until the applicants for the position can be interviewed. This was seconded by Neal C. Whitelaw.

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

The motion passed.

Neal C. Whitelaw moved, Lynne A. DeStefano seconded, and it was unanimously so voted to add “concerned citizens” to the agenda.

Linda Walden of Central Pike asked the Treasurer if the ten percent on the budget worksheet that was handed out is an additional ten percent cut to the ambulance corps.

Kelli Russ, Treasurer stated that is was not.

Lynne Rider asked some questions concerning the solicitors’ agreement.

Neal C. Whitelaw moved, Marianne Knight 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 10:15 p.m.

Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was unanimously so voted to go into Executive Session according 42-46-5a (2) Collective Bargaining, Litigation, and Contract Negotiations, and 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.

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