

**March 10, 2011**  
**Town Council Meeting**

The March 10, 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,**

**David V. Igliazzi, Town Solicitor**

The Pledge of Allegiance was recited.

A moment of silence was held for Rose Hawes who passed away recently. Rose was the wife of the previous councilman Roger L. Hawes.

**PUBLIC**  
**COMMENT**

Linda Walden of Central Pike stated that there are few items on the agenda where Mr. Rogers would recuse himself from the table, and with the past meetings of a two to two tie for the vote, she asked if some of the council members would consider a compromise on the vote of the winter sand bid award.

Robert Peterson of Foster Center Road said he wanted to address the issue of sand and gravel. He would like the council to address the issue and pass the sand and gravel. He said that Mr. Rogers has the right to make a living and have the right to haul sand; no one is questioning his integrity at this point. Maybe Mr. Rogers can specify instead of saying who he drives for, he can say that he does not drive for the company the Public Works Director recommended. He suggested that the council vote on the issue of the recommendation.

Lynne Rider of Burgess Road asked how the purchase of sand has been done. Is it under an old bid? She also asked that the remainder of the town council give Mr. Whitelaw needs to have all the facts beforehand. So he can make an educated decision.

Mr. Rogers stated that when that topic comes up on the agenda, she would be able to get that information.

Ronald Cervasio of Old Plainfield Pike stated that the fourth and fifth grade students from the Capt. Isaac Paine School who are at the Middle School due to the roof situation at Paine School, say that they love it at the Middle School, they don't want to come back.

Gordon E. Rogers stated that this was not on the agenda and Public Comment is for agenda items only.

David V. Igliazzi, Town Solicitor stated that it was fine since it is listed under executive session.

Ron also said if the school committee does absolutely nothing and leaves the fourth grade at the region next year, you will save the differentiation of \$3000.00 per student or \$180,000.00 will go back into the Paine School reserve fund. You don't want to disrupt the students again, so just leave them at the middle school.

Gordon E. Rogers recused himself from the table.

**March 10, 2011  
Town Council Meeting**

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

Lynne Rider asked what the town has been paying for winter sand since January of this year.

Robert Clarkin, Public Works Director stated that it was \$9.25 per ton which was the bid price that LaFramboise was awarded some time ago.

Neal C. Whitelaw stated that when the town buys the sand it is done a thousand dollars at a time, and it is paid for by the ton. Under the bid system, it is done per yard; there fore it is hard to calculate exactly what the ton price is to a yard. It is two different measurements.

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

The motion did not pass.

**MINUTES** Lynne A. DeStefano moved, Neal C. Whitelaw seconded to approve the town council minutes from the January 13, 2011 and February 10, 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, Neal C. Whitelaw seconded and it was so voted to approve Payroll Warrant #34 in the amount of \$27,402.23, Payroll Warrant #35 in the amount of \$27,604.39, and General Warrant #20 in the amount of \$98,807.33

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

The motion failed.

Lynne A DeStefano moved, Michael E. Dillon seconded and it was so voted to approve Payroll Warrant #34 in the amount of \$27,402.23.

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

Lynne A. DeStefano moved, Neal C. Whitelaw seconded and it was so voted to approve Payroll Warrant #35 in the amount of \$27,604.39

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

Neal C. Whitelaw asked Tina W. Freeman, CMC, Town Clerk if she could ask Kelli Russ, Treasurer to include the compensation time on the payroll warrants along with the check numbers listed on the warrants. She agreed to tell Kelli Russ, Treasurer.

**March 10, 2011  
Town Council Meeting**

**MONTHLY  
REPORTS**

Neal C. Whitelaw moved, Lynne A. DeStefano seconded and it was so voted to approve the monthly report from the Building and Zoning Office as submitted.

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

Neal C. Whitelaw moved, Lynne A. DeStefano seconded, and it was so voted to approve the Planning Department monthly report as submitted.

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

Lynne A. DeStefano moved, Marianne Knight seconded, and it was so voted to approve the Police Department as submitted.

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

Lynne A. DeStefano moved, Neal C. Whitelaw seconded and it was so voted to approve the monthly report from the Tax Assessor as submitted.

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

**MONTHLY  
REPORTS  
CONTINUED**

Lynne A. DeStefano moved, Michael E. Dillon seconded and it was so voted to approve the monthly report from the Tax Collector.

Neal C. Whitelaw asked when someone was late on their taxes, and there is an interest due, does anyone in the office get to reduce the interest total?

Lynne A. DeStefano stated that she thought that was fixed at the 12%.

Neal C. Whitelaw stated that he would ask Kelli Russ, Treasurer.

Lynne Rider of Burgess Road asked if anyone checked the accuracy of the Tax Collector's report.

Pamela Fontaine of Danielson Pike asked the January report was for the entire month.

Gordon E. Rogers stated that it was.

She asked that the report for January be rewritten due to the fact that the Tax Collector was in that office for only one day. The collector should not be taking credit for the entire month.

Gordon E. Rogers said that she closed out the accounts for the month.

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

The motion passed.

**March 10, 2011  
Town Council Meeting**

**PRESENTA-  
TION TO ZACH  
FARNUM**

Senator Nicholas D. Kettle stated that on behalf of the Senate he wanted to congratulate Zach Farnum for becoming a Senate Page. It was an honor because he grew up with him and their families have mutual friends. He is very hard working; he is involved with the community. Senator Kettle stated that he believed that Zach is the first Page to go to the Senate. It is good to see young people get involved with their community and take an interest because they are the future of the State. Congratulations, and we wish you luck.

Tina W. Freeman, CMC, Town Clerk stated that she had spoken to Representative Michael W. Chippendale and he asked that she or a council member read his letter of congratulations and present his award.

Neal C. Whitelaw stated that Tina could read it.

Tina W. Freeman, CMC Town Clerk said it would be an honor and read the letter and presented the award.

**WRIHR  
LETTER OF  
INTENT**

Gordon E. Rogers read the letter of intent from the Western Rhode Island Home Repair Program.

Ann-Marie Ignasher, Planner stated that the reason for the letter is to inform the town council that the process has begun.

**REQUEST  
FROM RIVMA**

Lynne A. DeStefano moved, Marianne Knight seconded, and it was so voted to approve the request from the RI Veterinary Medical Association to use the Foster fairgrounds for a Large Animal Rabies Clinic on Saturday, April 2, 2011 from 11:00 am to 1:00 pm

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

**REQUEST  
FROM 4H**

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve the request from the Northern RI 4H to use the Foster fairgrounds to hold a horse show on May 7, 2011

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

**APPOINTMENT  
OF DEPUTY  
EMA  
DIRECTOR**

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to appoint Heidi Rogers the Deputy EMA Director.

Neal C. Whitelaw asked who was in that position now.

Ann-Marie Ignasher, Planner stated that Sharon Cotter was in that position as of right now.

Neal C. Whitelaw asked if Sharon Cotter was notified. What was the procedure?

Gordon E. Rogers stated that Robert Carnevale, EMA Director was not at the meeting.

Ann-Marie Ignasher, Planner stated that Mr. Carnevale was in her office earlier in the week, and she said that he was not aware that Sharon Cotter was in that position.

Heidi Rogers stated that Mr. Carnevale asked her to sit in, because he was not available for meetings and things like that. He went to the Police Station and checked with the dispatchers and they did not have Sharon down as the Deputy EMA Director, and he also went to the State and they did not have anyone down as Deputy in the

**March 10, 2011  
Town Council Meeting**

**APPOINTMENT  
OF DEPUTY  
EMA  
DIRECTOR  
CONTINUED**

Town of Foster either. I have not had a chance to speak to Sharon about this. If the council wants to put this off until the next meeting. I will speak to Robert Carnevale.

Lynne S. Rider of Burgess Road stated that Gordon E. Rogers needs to recuse himself under the Code of Ethics-Under Regulation 36-14-5004 prohibitive activities-Nepotism.

Gordon E. Rogers asked David V. Iglizzi, Town Solicitor for his opinion.

David V. Iglizzi, Town Solicitor stated that the key under code of ethics is whether or not you or your family members receive any direct or indirect financial monetary gain. So if there is a direct or indirect monetary gain you cannot vote. If there is not a gain than you can vote.

Gordon E. Rogers asked the Town Clerk if the EMA Director was a paid position. She replied that it was not.

Linda Walden of Central Pike stated that the town that she works in, that attorney stated that there should not be any kind of participation, that way there is no question involved.

The Town Clerk polled the council.

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

Gordon E. Rogers abstained.

The motion did not pass.

**APPOINTMENT  
OF LIAISON TO  
PLANNING AND  
HOUSING  
BOARDS**

Gordon E. Rogers moved, Michael E. Dillon seconded and it was so voted to appoint councilperson Lynne A. DeStefano as liaison to the Planning Board and the Affordable Housing Board.

Neal C. Whitelaw stated that he did not know anything about the appointments.

Gordon E. Rogers stated that there were some requests from the Affordable Housing Board, that a liaison be appointed. Lynne A. DeStefano asked Gordon if anyone was appointed as the liaison for the Planning Board, he replied that there was not.

Neal C. Whitelaw asked if there was a liaison from the town council for the Zoning Board.

Gordon E. Rogers stated that has been in the past.

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

The motion passed.

**ECONOMIC  
DEVELOP-  
MENT  
COMMITTEE**

Gordon E. Rogers moved, Michael E. Dillon seconded and it was so voted to reinstate the Economic Development Committee that was in the past.

Ann-Marie Ignasher, Planner, stated that the way it was set up in the past, is that the committee would respond to the Planning Board, and then the Planning Board would advise the town council.

**March 10, 2011  
Town Council Meeting**

**ECONOMIC  
DEVELOP-  
MENT  
COMMITTEE  
CONTINUED**

And the board was dissolved due to lack of participation.

Gordon E. Rogers stated that Julia Parmentier, Chair of the Planning Board said it was a concern of businesses moving into town with no one being able to review the information, since the hours were cut for the town planner.

Neal C. Whitelaw stated that he did not have a problem with the Economic Development Advisory Committee, on the agenda it is listed as appointments, not reinstatement of the board.

Lynne S. Rider of Burgess Road stated that in the Foster Home Rule Charter Article II, Section 2.18, Committees, Boards and Commissions, the boards serve as an advisory capacity.

Neal C. Whitelaw nay, Marianne Knight nay, Gordon E. Rogers nay, Michael E. Dillon (no response), Lynne A. DeStefano (no response)

The motion failed.

Gordon E. Rogers asked the town clerk to place the economic development advisory committee on for future next agenda items.

**CONCERNED  
CITIZENS**

Tina W. Freeman, CMC, Town Clerk announced that there was going to be a budget workshop this Saturday, at 8 a.m. She stated that she informed Mr. Rogers that she and her deputy Carol Sholly could not attend the meeting due to previous commitments. Also that Marianne Knight has agreed to record the meeting in her absence.

Linda Walden of Central Pike stated that she arrived late at the last council meeting in which there was a dentist that owned a yacht talking about the tax structure in Rhode Island. Perhaps that should not have been put on a public meeting agenda to take up the time of the town's people, when they are here for other items on the agenda.

Robert Peterson of Foster Center Road stated that he attended the Regional Financial Town Meeting and he stated that Foster is in a tax crisis. If that budget from the school passes, Foster will be required to increase its contribution to the region by \$229,787.00. The town is restricted in raising taxes to four and a half percent, or four and a quarter. The most we could raise taxes would be about \$400,000.00. So half of that would be taken up, if everything else stayed the same, by the increase in this budget. So in order to keep taxes just as the same as the year before, we either give up a third of the police department or trash pickup, those are the only two large items we have to deal with. The school has an assistant superintendant because the state has now lain upon every school district to require every teacher be observed at least six times a year not just once a year. So they have to keep their assistant superintendant in order to coordinate all of the observation. We do have a new governor in the state and he has some new ideas. In the document that was handed out at that meeting, it states that they have eighteen custodians. We only have seven people in the public works department. It just proves that you can't keep shoving the burden of the taxes down to the next step and end up at the end of the food chain, which is the town council.

**March 10, 2011  
Town Council Meeting**

**CONCERNED  
CITIZENS  
CONTINUED**

Lynne S. Rider asked that the town council receive a legal opinion, before they appoint any members to an advisory committee. Also she would like to know if the town council is going to pursue the Foster/Glocester Regional School five percent reduction, it is \$188,000.00. If the council does not pursue the taxpayers will have to pay this year, on top of everything else.

Patricia Fountain, Foster School Committee Member stated that she is not against education, in the past she has been accused of being a non-educative supporter, and that could not be further from the truth. In the Region, the budget increase that Foster will see is about \$229,000.00 and change. My reason why I did not support that budget is that we are top heavy with administration in the Region. Simply said we now have our Foster students in four schools because of the roof collapse. We have them in the High School, Middle School and two Elementary Schools. We are paying five superintendants for four schools. She has spoken to many parents and she has asked them how it was going? They have said that is was going great. One parent said to her that she wished they did no have to go back. The superintendants in Glocester and at the Region have full custody and control and care of the students right now. In my opinion, they have done a great job. If anyone does not agree with that, I will certainly welcome their comments. We are paying an interim superintendant whose contract has expired on January 25, 2011, and has not come forward for re-appointment and we continue to pay for a superintendant for Paine School. She did want to say that she was not speaking on behalf of school committee; I am speaking as the minority member of the school committee. We are paying for principals and assistant principals. Those contracts were voted on and renewed before this school committee took office. There are only two contracts that we are able to negotiate; one is the principal at the middle school, and an assistant principal at the high school. I did not vote against the budget because she is against education, I voted against the budget because I do not like the way the money is being allocated. We have students in study periods, which is against State law, we have one foreign language, and again state law states we need two, and anyone who had a student apply to college, and my youngest has applied to college and college admission offices has said to her the curriculum at your high school is very weak. So instead of paying for education, we are paying for administrators. That is my opinion. I don't know why we have to pay five superintendants to run four schools. At the last Paine School committed meeting it was voted to add \$157,000.00 to the bottom line of the Paine School budget, I did not vote for that, it was a two to one vote. Without assigning those dollars to any particular line item, just as a lump sum, in case we need it, because we don't trust the town council.

Lynne A. DeStefano asked where the Paine School teachers are now.

Patricia Fountain replied that they are in the schools where the students have been assigned to according to the grades.

Donna Mansolillo stated that Patricia Fountain was correct. And asked that the town council report on the Paine School updates at every meeting.

**March 10, 2011**  
**Town Council Meeting**

**FUTURE AGENDA ITEMS** Gordon E. Rogers asked that liaison to land trust, conservation and zoning boards. He wished to show interest in the land trust. And Economic Development Advisory Committee, formation and rules. Warrant number 20, winter sand bid award.

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 9:30 p.m.

Michael E. Dillon moved, Neal C. Whitelaw 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, 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