

April 28, 2011
Town Council Meeting

The April 28, 2011, Town Council Meeting was called to order by Gordon E. Rogers, 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:

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.

**PUBLIC
COMMENT**

No one spoke under public comment.

OLD BUSINESS

Lynne A. DeStefano asked that the road salt contamination be removed from the agenda.

Lynne A. DeStefano stated that at a previous meeting discussion was made about possibly enforcing the trash ordinance. In the town ordinance book, page forty nine, it states the possibility of fines. How would the town enforce these fines? It seems there is a lot of trash on the side of the streets, since the snow has melted, you can see all of the refuse now.

David V. Igliazzi, Town Solicitor, suggested that there be some sort of advertisement that there is going to be an enforcement effort, so that they are not all of a sudden giving out tickets. He assumed that the DPW department would have the ability to issue the tickets, as opposed to the police.

Robert Clarkin, Public Works Director, stated that it was brought up at one of the budget meetings for the increase in tonnage for the town recycling. "No bin, No barrel", which the council may not want to start in June, when the weather is nice and the garbage will start to smell, but perhaps in September after you have given them notice of the policy. Everyone has to get onboard and put out a green and blue bin. There will be a lot of people complaining, but it will force the recycling rate to go up.

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**OLD BUSINESS
CONTINUED**

Gordon E. Rogers asked how often they check the recycling rate.

Robert Clarkin, Public Works Director stated that they check it yearly. We are at about 23 ½ percent.

Gordon E. Rogers: So we wouldn't know the rate until we have gone a whole year ahead.

Robert Clarkin, Public Works Director: No, we receive reports every month. It is a gradual education.

Gordon E. Rogers: Do we have anything planned through... I saw the ad you put in the *Foster Home Journal*, will she let you put one in every month at no charge?

Robert Clarkin, Public Works Director: That was not me that was the Conservation Commission. I just put an article in, what are the options. Carol McCollough is the person that prints the *Foster Home Journal*, and she would like to be part of the recycling.

Gordon E. Rogers: People need to realize that it costs us more money by not recycling.

Lynne A. DeStefano: Robert Clarkin, Public Works Director, brought this up at the last town council meeting, regarding the ratio of refuse with the population. You mentioned that you were going to talk to Recycle Recovery about people who are bringing their bottles back for the deposit, and what not. Obviously that is making an impact on the recycling. I don't believe that we should be penalized for that. Has that been discussed at all?

Robert Clarkin, Public Works Director: It is a statewide formula on how much each person should generate in refuse for the year, that's how they come up with it. It's based on population.

Lynne A. DeStefano: If we are going to be penalized, for not putting out enough recyclables, due to the nature of our town, I want to know if that was brought up to anyone and if there is a contact person that I can call and find out how this can be rectified?

Robert Clarkin, Public Works Director: I will give you the name of Sarah Kite, I will give the rest of the information after the meeting.

Gordon E. Rogers: Mike do you have any questions?

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**OLD BUSINESS
CONTINUED**

Michael E. Dillon: Like Bob said we're gonna have to start something. The most logical solution would be what Bob said, putting an ad in the paper. Seems to make sense, we already have the bins, and trying to do something that isn't a financial impact to the town if you get into the large waste cans and things like other towns do, obviously it gets expensive. We already have the cans, and all we have to do is push the issue with the recycling, and the system doesn't change, it's what we are already doing.

Gordon E. Rogers: Now cans or bins are available at town hall ready, how much are they?

Robert Clarkin, Public Works Director: If you bring in one that is damaged, you get them free. If you don't its four fifty or five dollars. There are stickers that you can get to put on your own barrels.

Gordon E. Rogers: Do we have those too?

Michael E. Dillon : You had recommended waiting?

Robert Clarkin, Public Works Director: I would say to get it in motion either today or next month, you talk about a date that it is going to be "no bin no barrel". I'm just recommending because it will force people who are not. I don't think there are a whole lot, but people have to get educated and you have to recycle more. Rhode Island Resource Recovery is shooting for thirty five percent, everyone should generate "X" amount of trash and that's what they go by. They don't go by northwest RI, southern RI, they just don't do that. I would set a date at some point that this will be implemented.

Michael E. Dillon : We need to set a date on it.

Gordon E. Rogers: Do you want to leave it as it is and get some ads in the *Foster Home Journal*, and then re-address it.

Michael E. Dillon: Leave it generic that it will come. Go out a couple of months?

Ronald Cervasio of Old Plainfield Pike asked if we knew how many cities and towns are meeting the percentage of recycling rate.

Robert Clarkin, Public Works Director: Middletown is the best, they have a pay as you throw. They are over forty three percent. There are not many who make the thirty five percent. They have a "profit share". The people who recycle more receive a larger check.

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**OLD BUSINESS
CONTINUED**

We used to be at twenty percent, now we are at twenty five. So we are going in the right direction. Thirty five percent is the target.

Gordon E. Rogers: So at this point we will move forward with the education part of it. We will address the “no bin no pick up” later on.

Rose Salvadore of Walker Road said that she thinks there will be a problem with the recycling being picked up every other week. People putting their garbage out and leaving it out until the next week.

Gordon E. Rogers: This is what has been done in other towns.

Rose Salvadore of Walker Road said that other towns and cities recycle every week. I think your going to have more garbage on the side.

Gordon E. Rogers: We have to do something, it is costing us around \$10,000.00 penalty a year.

Ginny Colwell of Salisbury Road said that if we are going to notify people that you are going to implement this, I think you should decide on a date like Mr. Clarkin said, and not doing this during the summer. You just pick September 1st. this is when it is going to stop, people will now have three or four months of being told that this is the date and that is it and are done with it.

Gordon E. Rogers: So do we want to move forward with this to get the awareness out there for “no bin no pickup”?

Neal C. Whitelaw: I think it is a good idea, and we need to recycle more, the one problem I have is that I am not sure on the “no bin no barrel” which comes first? I am never sure if the recycle man comes first or the garbage. So if I take my barrel in, does my recycles get picked up?

Robert Clarkin, Public Works Director: I would just leave the barrels out there until everything is picked up.

Neal C. Whitelaw: If the recycles have to beout to pick up the trash, like it is today, it was a windy day and my trash buckets were in the woods. How does that work? I will pick a rock in the bottom of the barrel and leave them there.

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**OLD BUSINESS
CONTINUED**

Lynne A. DeStefano: What about the people who come by and take half your recycle bin? That is not fair. We are being penalized because someone else is taking all of the cans so that they can go cash them in and get money.

Robert Clarkin, Public Works Director: I think you have to back up the policy of that being illegal and they should be written up.

Gordon E. Rogers: It's my understanding that once the garbage hits the curb, it's the town's to be recycled. Some people ask to come on their property and he redeems it. At that point it's not town property because it's not on the curb, and that's how he has floated back and forth.

Rose Salvadore of Walker Road said that what if we get a notice when we get our tax bills in July. Everybody is going to get their tax bill, maybe if you put a blurb in the envelope.

Michael E. Dillon: Mr. Clarkin, wanna pick a date?

Robert Clarkin, Public Works Director: I had mentioned one of the biggest dates in town; Foster Old Home Days to advertise there. September 1st to me makes sense; the weather gets a little cooler. I don't think tonight you have to say that. There are still some questions about "no bin no barrel".

Gordon E. Rogers: At this point we will definitely move forward with the learning curve part of it.

**TWISTED
LIQUORS**

Tina W. Freeman, CMC, Town Clerk, stated that Mr. Fortin asked her to continue the item to the May 12, 2011 town council meeting due to a death in his family.

Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was so voted to continue the item to the May 12, 2011, town council meeting.

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

MINUTES

Lynne A. DeStefano moved, Michael E. Dillon seconded to table the January 27, 2011, meeting minutes.

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

**April 28, 2011
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**MINUTES
CONTINUED**

Lynne A. DeStefano moved, Michael E. Dillon seconded to table the March 24, 2011 meeting minutes.

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

WARRANTS

Gordon E. Rogers moved, Michael E. Dillon seconded and it was unanimously so voted to approve Payroll Warrant #41 in the amount of \$27,170.48.

Lynne A. DeStefano asked what the foreman rate adjustments, training and training pay adjustments were.

Kelli Russ, Treasurer stated that the foreman adjustment is when the Director of Public Works is not here the top level workers get a pay differential of 89 cents per hour increase for the hours worked. And the training pay is we are currently training a dispatcher, the current working dispatcher receives an additional \$2.50 per hour to train the trainee. The additional pay is by contract.

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

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was unanimously so voted to approve Payroll Warrant #42 in the amount of \$28,320.16.

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

Gordon E. Rogers moved, Lynne A. DeStefano seconded, and it was unanimously so voted to approve General Warrant #23 in the amount of \$67,607.79.

Gordon E. Rogers stated that Scituate Cesspool charged \$870.00, and asked which systems were pumped.

Robert Clarkin, Public Works Director stated that is was for the pumping at Northwest Community on Theodore Foster Drive. They came the first time and pumped 3,000 gallons, and came back a second time and pumped about 1,400 to 1,500 gallons.

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

**April 28, 2011
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**MONTHLY
REPORTS**

Lynne A. DeStefano moved, Neal C. Whitelaw seconded and it was unanimously so voted to accept the Planning Department report for the month of March 2011.

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

**QUARTERLY
REPORTS**

Lynne A. DeStefano moved, Michael E. Dillon seconded and it was unanimously so voted to approve the quarterly report from the Foster Center Vol. Fire Co. as submitted.

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

Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was unanimously so voted to approve the quarterly reports from the Human Services, Western RI Home Repair and the Libraries of Foster.

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

**REQUEST
FROM THE
SMCT**

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was unanimously so voted to approve the request from the Swamp Meadow Community Theatre to use the Town House on Monday, August 1st, and Wednesday, August 3rd. 2011.

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

**REQUEST
FROM
BRAKING THE
CYCLE**

Gordon E. Rogers moved, Lynne A. DeStefano seconded, and it was unanimously so voted to approve the request from “Braking the Cycle” to travel through the town on September 16, 2011.

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

ABATEMENTS

Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was unanimously so voted to approve the abatements submitted by Patti Moreau, Tax Assessor, in the amount of \$362.32 for the 2010 tax roll.

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

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**ABATEMENTS
CONTINUED**

Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was so voted to accept the tax abatements from Nancy Delaere, Tax Collector in the amount of \$1,982.65 for personal property and the amount of \$7,281.87 in motor vehicles.

Neal C. Whitelaw asked if any of these properties still in litigation with the town?

Kelli Russ, Treasurer stated that she was sure that some of them still are.

Neal C. Whitelaw asked if the council approved these then would the collection agency actively stop trying to get payments.

Kelli Russ, Treasurer stated that she would check into that, to get the information.

Neal C. Whitelaw stated that he would like to table the request until further information is received.

Lynne A. DeStefano removed her main motion; Neal C. Whitelaw removed his second.

Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was unanimously so voted to table the request.

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

**REQUEST
FROM OLD
HOME DAYS
COMMITTEE**

Gordon E. Rogers moved, Marianne Knight seconded, and it was unanimously so voted to approve the request from the Foster Old Home Days Committee to construct a goat barn.

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

**LETTER TO
THE FOSTER
AMBULANCE
CORPS.**

Gordon E. Rogers stated that David V. Igliazzi, Town Solicitor wrote a letter to the Foster Ambulance Corps. on behalf of the Foster Town Council.

No action was necessary.

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**CONCERNED
CITIZENS**

Ginny Colwell of Salisbury Road asked if there was any new information concerning the reconstruction of the roof at Capt. Isaac Paine School.

Davida Irving, Superintendant, stated that she just came from a meeting this afternoon. The roof trusses are ready to be installed, we are waiting for the permit to be signed. The information for the permit was brought to Michael Paolucci's office, where she believed the Scituate's Building and Zoning Official is reviewing the plans to authorize and sign the permits that are necessary. Starting next week the masonry work will be started. Some of the blocks of the walls, are coming down and new ones are being installed. There were concerns of the safety of the roof, so that it will not cave in again. They tested it for sixty pounds per square foot. It is well beyond what is required to hold the weight. They did take some pictures of it. She said she would be glad to bring some pictures to the next town council meeting. There will be engineers at the school making reports on the progress. Any questions concerning the school everyone is welcome to send them to her. Next week we should have a timeline for the school to be finished.

Gordon E. Rogers stated that he spoke to Mr. Wallace about a week and a half ago to see how things were going along. They were going to do some trusses, pre-build them, five or six of them and try them out to see if they work and they actually did. The only difference that they found was, once they worked, they have ordered all of the trusses and they it's working is, the trusses are delivered, only they had to take off more of the plywood, basically every truss in the building has some damage, so they are all compromised, they are replacing one entire room. All the others are being installed side by each right beside the old one. They are doing that throughout the whole building. They are pretty much on schedule from what he was told.

Davida Irving stated that she lets the crew in and they are there from 7am to 4:30 or 5:00 o'clock every day. They have even asked if they can come in on Saturdays, and between Joe McGovern and her they have been let in to work. They are actually close to finishing the cafeteria. She met the representatives from the "Trust" and they have assured everyone that they are going to provide us with a very safe building. They are taking every precaution that they can.

Ginny Colwell of Salisbury Road asked how often is the Building Inspector from Scituate checking on the process and going the way it should be?

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**CONCERNED
CITIZENS**

Gordon E. Rogers said they he just started with Mike and Mike has contacted him. Warren Ducharme is also helping them out on an as needed basis to move the process along. At this point there is no delay other than the time frame from when we didn't have a building inspector until we appointed Mike Paolucci as interim. He is the liaison to get the proper people and get the proper signatures to make sure that everything is done correctly.

Ginny Colwell of Salisbury Road how are we going to go further from this point on with the proper Building Inspector?

Gordon E. Rogers stated that the position is advertised and Mike is interim, acting as a liaison to get the correct people involved with the correct signatures, with the correct appropriate certificates.

Neal C. Whitelaw stated that it will be done by the Scituate Building Official. He will be one who will actually be signing the updates or the inspections as they go along.

**FUTURE
AGENDA
ITEMS**

Future agenda items are Minutes and Twisted Liquors License Renewal.

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

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The meeting adjourned at 7:50.

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