

**April 12, 2012
Town Council Meeting**

The April 12, 2012, 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
Michael E. Dillon, Vice President
Neal C. Whitelaw,
Lynne A. DeStefano,
Marianne Knight

Stephen Archambault, Town Solicitor,
Kelli Russ, Treasurer
Patti Moreau, Tax Assessor,
Gary Bergstrom, Acting Director of Public Works

The Pledge of Allegiance was recited.

**PUBLIC
COMMENT**

Lynne Rider of Burgess Road, spoke under Public Comment.

MINUTES

Lynne DeStefano moved, Michael Dillon seconded, and it was so voted to approve the minutes from **February 9, 2012**.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; Marianne Knight, aye. Motion passed 5-0.

Lynne DeStefano moved, Michael Dillon seconded, and it was so voted to approve the minutes from **March 8, 2012**.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

WARRANTS

Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to approve **Warrant #38** in the amount of \$29,958.65.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to approve **Warrant #39** in the amount of \$25,020.34.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to approve **Warrant #40** in the amount of \$24,764.49.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to approve **Warrant #17** in the amount of \$106,801.92.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

**MONTHLY
REPORTS**

Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to accept the monthly report from the **Building & Zoning** department as presented.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to accept the monthly report from the **Police Department** as presented.

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Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to accept the monthly report from the **Tax Assessor** as presented.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

**QUARTERLY
REPORTS**

Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to accept the quarterly report from the **Board of Canvassers** department as presented.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to accept the quarterly report from the **Foster Center Volunteer Fire Department** as presented.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to accept the quarterly report from the **Human Services** department as presented.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to accept the quarterly report from the **Zoning Board** department as presented.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

**MOVE AGENDA
ITEM: PUBLIC
HEARING, CDBG**

Neal Whitelaw moved, Marianne Knight seconded, and it was so voted to move Agenda item **IX PUBLIC HEARINGS: b.) CDBG-Fiscal Year 2012, disc/action above VII. OLD BUSINESS.**

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Gordon Rogers opened the Public Hearing at 7: 08 p.m. for the Community Development Block Grant (CDBG) and read the letter detailing the proposed activities amounting to \$153,000.00 (included as "Exhibit A"). No one spoke in favor. No one spoke against.

Marianne Knight moved, Michael Dillon seconded, and it was so voted to approve the CDBG as presented.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

**OLD BUSINESS:
BID AWARDS**

Lynne DeStefano moved, Michael Dillon seconded, to award the bid for the installation of the **Septic System** at Northwest to GTH Bobcat Services as recommended by Gary Bergstrom, Interim Public Works Director.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, no; and Marianne Knight, no. Motion passed 3-2.

Michael Dillon read the recommendation letter from Gary Bergstrom, Interim Public Works Director, to postpone awarding this bid, and to rebid at another time. Gordon Rogers moved, Michael Dillon seconded, to rebid the **Generator Upgrade** for the Police and Town Hall at another time as recommended.

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OLD BUSINESS CONTINUED: BID AWARDS Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Michael Dillon read the recommendation from Gary Bergstrom, Interim Public Works Director, that the **Surplus Equipment** be advertised on the internet because the current bids were too low. Gordon Rogers moved, Lynne DeStefano seconded, and it was so moved to advertise the surplus equipment as recommended.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Michael Dillon read the recommendation letter from Gary Bergstrom, Interim Public Works Director, to award the bid to L.G. Desormier Jr. for the **Northwest Roof Replacement**. Gary Bergstrom stated that upon reconsideration, he felt the specifications were unclear that that he would now suggest the project be rebid. Michael Dillon moved, Lynne DeStefano seconded, and it was so moved to rebid the Northwest Roof Replacement project.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

Michael Dillon read the recommendation letter from Gary Bergstrom, Interim Public Works Director, to award the bid for a **Garage Lift** to Basic Parts & Tools. Lynne DeStefano moved, Michael Dillon seconded, to accept the bid recommendation.

Gordon Rogers, no; Michael Dillon, no; Lynne DeStefano, no; Neal Whitelaw, no; and Marianne Knight, no. Motion failed 5-0.

Michael Dillon read the recommendation letter from Gary Bergstrom, Interim Public Works Director, for the **Tank Removal** at the old Town House and Northwest Building by Taraco Precision. Lynne DeStefano moved, Michael Dillon seconded to award the bid as recommended. Gordon Rogers stated that he can remove the tanks when he does the septic system. There was discussion regarding the number of tanks involved and what was specified on the bid. Michael Dillon removed his second, Lynne DeStefano removed her motions. Gary Bergstrom stated that he will correct the number of tanks and rebid the project. No action was taken.

Lynne DeStefano read the letter of Gary Bergstrom, Interim Public Works Director, to award the bid for **Demolition** of five buildings at the old Nike Site to Extreme Excavation. Michael Dillon moved, Gordon Rogers seconded to award the bid as recommended.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, no; and Marianne Knight, no. Motion passed 3-2.

NEW BUSINESS: LETTER FROM PLANNING BD. The letter from the Planning Board was not received and the item was tabled.

REQUEST FROM FOSTER OLD HOME DAYS COMMITTEE Lynne DeStefano read the letter from the Foster Old Home Days committee requesting that they be allowed to enlarge the sheep barn on the Town House grounds with donated funds and volunteer labor. Michael Dillon moved, Lynne DeStefano seconded to approve the request to enlarge the sheep barn.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

FCVFC TUITION Lynne DeStefano read the letter requesting that tuition costs be paid in the amount of \$436.00 for training for firefighters James Barrentine and Salvatore Calise. Michael Dillon moved, Lynne DeStefano seconded to approve the payment of tuition costs as presented.

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Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

REQUEST FROM SMCT

Michael Dillon moved, Lynne DeStefano seconded, to approve the request from the Swamp Meadow Community Theater to use the Town House on Friday, July 13, 2012, from 5 to 8 p.m. and Saturday, July 14, 2012, from 4 to 7 p.m. for auditions for Foster Idol.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

FOSTER AMBULANCE STIPENDS

Michael Dillon moved, Lynne DeStefano seconded, to approve the third quarter stipends for the Foster Ambulance Corps.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

TAX ABATEMENTS

Michael Dillon moved, Lynne DeStefano seconded, to approve the abatements in the amount of \$637.40 as presented by Patti Moreau, Tax Assessor.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, aye; and Marianne Knight, aye. Motion passed 5-0.

AD FOR DPW DIRECTOR

Lynne DeStefano moved, Michael Dillon seconded, to place an ad to hire a Department of Public Works Director specifying with a salary not to exceed \$50,000 with a deadline for applications to be submitted in time for the May 23, 2012, town council meeting. No vote was taken.

PUBLIC HEARING: ADOPTION OF BUDGET

Gordon Rogers, Town Council President, stated that the adoption of the budget should not be listed under “public hearing” on the agenda because a public hearing had already been held. Town Solicitor Stephen Archambault stated that how it was listed is not an issue and that it can still be adopted. Gordon Rogers stated to Kelli Russ, Town Treasurer, that the budget has to be adopted because of time constraints. Kelli Russ then explained that the budget had to be adopted in order to place the ad by Monday night. Ms. Russ read the narrative of the budget.

Lynne DeStefano moved, Michael Dillon seconded, to adopt the budget. Discussion questioned whether the approval would be department by department. Michael Dillon removed his second. Lynne DeStefano removed her motion.

Neal Whitelaw moved, Marianne Knight seconded to approve the Legislative/Legal/Gen amount of \$27,509.00. Further discussion questioned approving the budget as a whole. Marianne Knight removed her second. Neal Whitelaw removed his motion.

Lynne DeStefano moved to approve the bottom line of each department. Discussion restated approving the budget as a whole. Lynne DeStefano removed her motion. Michael Dillon moved to accept the budget as presented, Lynne DeStefano seconded.

Gordon Rogers, aye; Michael Dillon, aye; Lynne DeStefano, aye; Neal Whitelaw, no; and Marianne Knight, no. Motion passed 3-2.

CONCERNED CITIZENS

Lynne Rider, Wayne Benjaminio, Ron Cervasio and Heidi Rogers spoke under Concerned Citizens.

Gordon Rogers moved, Michael Dillon seconded, and it was so voted to go into Executive Session according to Rhode Island General Laws 42-46-5 for discussions and work sessions regarding Collective Bargaining/Litigation/Contract Negotiations, according to RI General Laws 42-46-5a (2) , and 42-46-5a(1), regarding the International Brotherhood of Police Officers Local 637, and the Providence Water Supply Board, 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

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

One vote was taken in executive session:

The meeting adjourned at 10:15 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 Sholly, CMC
Deputy Town Clerk