

**June 28, 2012
Town Council Meeting**

The June 28, 2012, Town Council Meeting was called to order by Michael E. Dillon, Vice 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:

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

Also present:

David V. Iglizzi, Town Solicitor,
Kelli Russ, Treasurer
Police Chief Robert Coyne
Ann-Marie Ignasher, Town Planner

The Pledge of Allegiance was recited.

**PUBLIC
COMMENT**

None.

MINUTES

Lynne DeStefano moved, Neal Whitelaw seconded, and it was so voted to approve the minutes from **May 24, 2012.**

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

Michael Dillon moved, Lynne DeStefano seconded to table the minutes from **June 1, 2012**, because there were only three people at that meeting so all three would be needed to approve, but one of those people, Gordon Rogers, is not present.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

WARRANTS

Lynne DeStefano moved, Marianne Knight seconded, to approve **Warrant #50** for \$43,577.84.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

Lynne DeStefano moved, Marianne Knight seconded, to approve **Payroll Warrant #51**, in the amount of \$25,206.79.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

Lynne A. DeStefano moved, Marianne Knight seconded, to approve **General Warrant #22**, in the amount of \$106,182.14. Discussion: Neal Whitelaw questioned prepaid expenses. Finance Officer Kelli Russ explained it was an accounting procedure.

Marianne Knight, aye; Michael E. Dillon, aye; Neal C. Whitelaw, no; Lynne A. DeStefano, aye. The motion passed 3-1.

**June 28, 2012
Town Council Meeting**

**MONTHLY
REPORTS**

Lynne A. DeStefano moved, Marianne Knight seconded, and it was so voted to accept the monthly report from the **Planning Department** as submitted.

Michael E. Dillon aye; Marianne Knight aye; Neal C. Whitelaw aye; and Lynne A. DeStefano, aye. The motion passed 4-0.

Michael E. Dillon moved, Marianne Knight seconded, to accept the monthly report from the **Finance Department** as submitted. Discussion: Neal Whitelaw questioned why the DPW buildings and grounds line item is over budget. Kelli Russ said that there were cost overruns offset by funds not used for snow removal.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

**NEW BUSINESS
MOVE AGENDA
ITEM**

Michael E. Dillon moved, Lynne DeStefano seconded, and it was so voted to move agenda item a.) Boy Scout Proclamation to position it after VIII. A: OPEB Resolution to allow Nathan Allard to arrive if he was coming.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

**BOC
RESIGNATION
LETTER**

Lynne DeStefano read the letter submitted by Denise L. DiFranco in which she regretfully resigned from the position of Alternate on the Board of Canvassers.

Michael Dillon moved, Lynne DeStefano seconded, to accept the resignation.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

**WOODLAND
MEETING
HOUSE**

Lynne DeStefano moved, Marianne Knight seconded to table the agenda item because there was no paperwork submitted and no one was present.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

**OLD BUSINESS
BID AWARD
FCVFC
PUMPER/
TANKER**

Will Paul, Foster Center Fire Chief, submitted his letter of recommendation that the bid be awarded to C&S Specialty, representing Spartan ERV fire apparatus for \$320,199.00. See "Exhibit A". He noted that a full payment of the chassis would save \$1,008.00.

Michael Dillon moved, Lynne DeStefano seconded, to accept the recommendation. Lynne DeStefano withdrew her second, Michael Dillon removed his motion.

Michael Dillon moved, Lynne DeStefano seconded, to accept the FFC Pumper Tanker in the amount of 320,199.00 from C&S Specialty.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

Michael amends the motion to have the Town Solicitor review the proposed contract, and that the award of the bid be subject to said review.

**June 28, 2012
Town Council Meeting**

Neal Whitelaw moved, Michael Dillon seconded, to give the contract to the Town Solicitor and Treasurer for review.

**APPOINTMENT
OF DPW
DIRECTOR**

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

Lynne DeStefano moved, Michael Dillon seconded, to appoint Brad Smith to the position of DPW Director.

Michael Dillon, aye; Neal Whitelaw, no; Marianne Knight, no, Lynne A. DeStefano, aye. Motion failed 2-2.

Neal Whitelaw moved, Marianne Knight seconded to appoint Michael Webber to the position of DPW Director.

Michael Dillon, no; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, no. Motion failed 2-2.

Michael Dillon moved, Marianne Knight seconded, to table the appointment to July 12, 2012. Discussion: It was noted that acting DPW director, Gary Bergstrom's allotted time as director has expired. There was a question as to whether or not a term was specified. Deputy Town Clerk Carol Lyons said she would check the minutes. Union Steward, Harold Shippee, Jr. would check with the union. Michael Dillon instructed him to call Gordon Rogers with the answer.

**PUBLIC
HEARING –
OPEB
RESOLUTION**

Michael Dillon declares the Public Hearing open. Kelli Russ, Treasurer, explains the "Other Post Employment Benefits" Trust Fund (OPEB) Resolution. See "Exhibit B". She explained why it would advantageous to create it as an accounting practice. Discussion raised many questions and requests for clarification.

Neal Whitelaw moved, Marianne Knight seconded, to continue the Public Hearing to July 26, 2012.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

**RETURN TO
PROCLAM-
ATION**

Michael Dillon moved, Lynne DeStefano seconded, to table the Proclamation for Nathan Allard until July 12, 2012.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

**CONCERNED
CITIZENS**

The following people spoke under Concerned Citizens. Lynne Rider, Barbara Judd, and Patti Fountain.

**RECESS TO
POST
EMERGENCY
MEETING**

A fifteen minute recess was called to allow the Deputy Town Clerk to post an Emergency Meeting notice allowed by the Open Meetings Law to waive the 48 hour requirement.

**EMERGENCY
OPEN SESSION**

Michael Dillon opened the Emergency Meeting open session. Lynne DeStefano moved, Marianne Knight seconded, to allow a trailer at the Judd residence at 53B Maple Rock Road. Marianne Knight removed her second, Lynne DeStefano removed her motion.

**TEMPORARY
TRAILER
PERMIT**

Lynne DeStefano moved, Marianne Knight seconded, to approve a trailer as temporary housing until January 1, 2013 at 53B Maple Rock Road for Barbara Judd while her house was being repaired.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

**June 28, 2012
Town Council Meeting**

Barbara Judd asked for a letter of permission that she could give to her insurance company. The Deputy Town Clerk said she would leave one at the Police Department for her to pick up the next day.

Michael Dillon stated for the record that the council could not comply with the 48-hour notice because of the immediate need for housing due to the house being struck by lightning.

Michael Dillon closed the Emergency Meeting and brought the regular meeting to open session.

**FUTURE
AGENDA
ITEMS**

Boy Scout Proclamation, July 12, 2012
Appointment of DPW Director, July 12, 2012
Woodland Meeting House, July 12, 2012
Kennel License Public Hearing, July 12, 2012
Board of Canvassers candidates, July 26, 2012
Charter Amendments Public Hearing, July 26, 2012
OPEB Resolution continuation, July 26, 2012

Neal C. Whitelaw moved, Marianne Knight 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) ,regarding the International Association of Fire Fighters Local 3422, Providence Water Supply Board, and, International Brotherhood of Police Officers Local 637, and Arbitration / Local 1322, Laborers International, 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

The council was polled:

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; and Lynne A. DeStefano, aye. Motion passed 4-0.

Two votes were taken in executive session,.

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to adjourn the meeting.

Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 4-0.

The meeting adjourned at 10:10 p.m.

Attached is "Exhibit A", "Exhibit B".

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