

MARCH 28, 2013
TOWN COUNCIL MEETING

The March 28, 2013, Town Council Meeting was called to order by John L. Lewis, Jr., President of the Foster Town Council, at the Town House, Foster, Rhode Island, at 7:00 p.m.

The following members were present:
John L. Lewis, Jr., President,
Pamela Fontaine, Vice President
Neal C. Whitelaw,
Denise DiFranco, and
Roger L. Hawes.

Also present:
Renee M. Bevilacqua, Town Solicitor
Kelli Russ, Treasurer
Ann Marie Ignasher, Town Planner
Pattie Moreau, Tax Assessor
Peter Scorpio, Building Inspector
Chief Coyne, Foster Police
Bill Ziehl, Foster Police

I OPEN SESSION
PLEDGE OF
ALLEGIANCE

The Pledge of Allegiance was recited.

II NOTICE

John Lewis stated that the notice of this meeting was properly posted on the Secretary of State's web site. Pamela Fontaine read the notice from the top of the agenda: *Notice: The Foster Town Council does not sanction any electronic audio/video recordings of Town Council Meetings made by the public. Any audio/video recordings made by the public are not public records under Title 38 Public Records.*

III MINUTES

Neal Whitelaw moved, Roger Hawes seconded, to approve the minutes of **March 14, 2013.**

Denise DiFranco requested that those minutes be corrected to show that she recused herself because she is a current member of a teachers' union, not a "former one". John Lewis requested that the notice of internet posting be added and also to add the reading of the notice regarding recordings.

John Lewis moved, Neal Whitelaw seconded and it was so voted to correct the March 14 minutes with these three changes.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye . Amended motion passed 5-0

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye . Main motion passed 5-0.

IV WARRANTS

Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve **Payroll Warrant #36**, in the amount of \$28,183.75.

Discussion: Pamela Fontaine asked Kelli Russ to explain a section regarding dispatcher training.

John L. Lewis, Jr., aye; Pamela Fontaine, aye, Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Neal Whitelaw moved, Roger Hawes seconded, and it was so voted to approve **Payroll Warrant #37**, in the amount of \$27,820.47.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve **General Warrant #16**, in the amount of \$43,037.80.

Discussion: Pamela Fontaine asked Kelli Russ to explain business card expense for department heads.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

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- V MONTHLY REPORTS**
- a. Bldg. & Zoning** Neal Whitelaw moved, Pamela Fontaine seconded, and it was so moved to accept the **Building & Zoning** monthly report for February 2013 as presented.
Discussion: Neal Whitelaw asked Peter Scorpio to add any violations to the report.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0
- b. Public Works** Denise DiFranco moved, Pamela Fontaine seconded, and it was so moved to accept the **Public Works** report for February 2013 as presented.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- c. Finance** Neal Whitelaw moved, Roger Hawes seconded, and it was so moved to approve the **Finance** report for February 2013 as presented.

Discussion: Neal Whitelaw asked Kelli Russ about payment to the former DPW director for unused comp time and Federal Law requirements.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- d. Planning** Neal Whitelaw moved, Roger Hawes seconded, and it was so voted to approve the **Planning** report for February 2013 as submitted.

Discussion: Denise DiFranco asked the Town Planner for explanation of the grant for Town House repairs as mentioned on page 3 of the report.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- e. Police** Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve the **Police Department** report for February 2013 as presented.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- f. RIRRC** Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve the **RIRRC** report for February 2013 as presented.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- g. School Committee** Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve the **Foster School Committee** report for February 2013 as presented.
Discussion: Denise DiFranco asked about the reading specialist.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- h. Tax Assessor** Neal Whitelaw moved, Denise DiFranco seconded, and it was so moved to approve the **Tax Assessor's** report for February 2013 as presented.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- VI QUARTERLY REPORTS** None
- VII NEW BUSINESS**
- a. PTG Panther Dash** Denise DiFranco read a letter from the Foster PTG requesting permission to hold their 2nd annual Panther Dash 5K/10K Walk/Run.

Roger Hawes moved, Neal Whitelaw seconded, to approve the request as written.

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- b. Old Home Days Committee Request** Discussion: Neal Whitelaw made a further motion, Denise DiFranco seconded, to add the date of the event to the minutes. A representative from the PTG spoke to report that the date of the run had been changed to June 15, 2013. The Council requested that Foster PTG send a new letter of request. All motions were withdrawn, no vote was taken.
- Neal Whitelaw read a letter from the Old Home Days Committee requesting permission to hold the Old Home Days on the Town House Grounds July 26, 27 and 28, 2013.
- Denise DiFranco moved, Roger Hawes seconded, to grant permission to the Committee request as written.
- John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0
- c. Building & Zoning Inspector Request** Denise DiFranco read a letter from the Building and Zoning Inspector requesting approval of his revised inspection procedure as it relates to business licensing.
- Neal Whitelaw moved, Roger Hawes seconded, to give the request further study.
- John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0
- d. Recreation Committee Request** Denise DiFranco read a letter from the Recreation Committee requesting permission to reserve the Smithfield YMCA pool for the use of local children on Friday, April 19, 2013 at a cost of \$290.00.
- Denise DiFranco moved, Roger Hawes seconded, to approve the payment of \$290.00 from the Recreation Committee budget to the YMCA as requested.
- John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0
- e. Personnel Policy Updates** John Lewis recommended revising the Personnel Policy to allow comp time to employees.
- Neal Whitelaw moved, Roger Hawes seconded, to reinstate the previous wording of section 502.08 in the Personnel Policy as follows: *The officials and employees listed in section 502.05 shall receive compensatory time at the rate of one hour off for each hour worked over their regularly scheduled hours.*
- John L. Lewis, Jr., aye; Pamela Fontaine, nay; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 4-0
- John Lewis moved, Roger Hawes seconded, to change the wording in the personnel policy for the town Planner position from part time to full time.
- John L. Lewis, Jr., aye; Pamela Fontaine, nay; Denise DiFranco, abstained; Roger Hawes, aye; and Neal Whitelaw, nay. Motion failed 2-2
- f. Appointment of Ad Hoc Personnel Committee** John Lewis outlined his concept of a limited time, ad hoc committee to review and suggest changes to the Personnel Policy, and asked for recommendations of people who are willing to serve on the committee. Denise DiFranco nominated Linda Walden and Ron Sroka; Neal Whitelaw nominated Marianne Knight and Kevin Donovan; Roger Hawes nominated Rocky Riccio and Joseph Cardillo; Pamela Fontaine nominated Patti Fountain.
- Gordon Rogers objected to Roger Hawes' nomination of his son-in-law, Rocky Riccio. John Lewis nominated Rocky Riccio in Roger's stead.
- Roger Hawes moved, Denise DiFranco seconded, to appoint all seven nominees.

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John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0

- g. Retirement of Chief Coyne and Appointment of New Police Chief** Roger Hawes commended Chief Coyne on his years of service and expressed gratitude. Roger Hawes moved, Neal Whitelaw seconded, to hire Bill Ziehl as the next police chief on June 1, 2013.
Chief Coyne stated that he would like to leave office on June 28 at the end of the Town's fiscal year. Bill Ziehl agreed to that date. Roger Hawes amended his motion to reflect that date, Pamela Fontaine seconded.
- h.** Renee Bevilacqua advised the Town Council they should be speaking about these details in executive, not open session.
The motions were withdrawn.

VIII OLD BUSINESS

- a. Scheduling Budget Workshops** John Lewis discussed future workshop dates with the Council. The dates agreed upon were Thursday April 4, 2013, at 7:00 pm at the Benjamin Eddy Building and Monday, April 8, 2013, at 6:30 pm at the Benjamin Eddy Building. The budget adoption date will be April 11, 2013, at the Town Council meeting at 7:00 pm in the Town House.

IX PUBLIC HEARING

- a. Budget** John Lewis read the advertisement for the Preliminary Budget public hearing that appeared in the Bargain Buyer, and opened the public hearing at 8:37 p.m.
Kathleen Swanson, school committee member, outlined the Paine School budget. Public comment was heard in favor of and against the budget. The student population and its affect on the Foster/Glocester regional budget was discussed. It was agreed to set aside \$250,000.00 for future population growth.

The public hearing closed at 10:02 p.m.

X FUTURE AGENDA ITEMS

None

XI EXECUTIVE SESSION

Neal Whitelaw moved, Denise DiFranco seconded, to go into Executive Session pursuant to RIGL 42-46-5 for a work session regarding Collective Bargaining / Negotiations or Litigation according to RIGL 42-46-5-a (2) and for Personnel according to RIGL 42-46-5a(1) and to reconvene into open session and to further keep the minutes of said meeting closed and the minutes of all executive sessions held previous to this meeting remain closed in accordance with provisions in RIGL 42-46-4 & 5. No discussion.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0

XII RECONVENE TO OPEN SESSION

Neal Whitelaw moved, Roger Hawes seconded, to reconvene into Open Session at 11:02 p.m.. John L. Lewis, Jr. announced that no votes were taken.

XIII APPOINTMENT POLICE CHIEF

Roger Hawes moved, Denise DiFranco seconded, to appoint Bill Ziehl as the Chief of Police beginning June 29, 2013, the day after Chief Coyne leaves office. John Lewis said that Chief Coyne will swear in Bill Ziehl on the June 28, 2013 Town Council meeting.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0

Neal Whitelaw moved, Pamela Fontaine seconded, to adjourn.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal C. Whitelaw, aye. Motion passed 5-0.

XIV ADJOURNMENT

Meeting adjourned at 11:06 p.m.

A digital sound file is made a part of the record for a complete account of the council meeting.

Submitted by
Jane Christopher, Deputy Town Clerk