

AUGUST 8, 2013
TOWN COUNCIL MEETING

The August 8, 2013, Town Council Meeting was called to order by John L. Lewis, Jr., President of the Foster Town Council, at the Town House, 181 Howard Hill Road, Foster, Rhode Island, at 7:00 p.m.

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

Also present:
Renee M. Bevilacqua, Town Solicitor
Kelli Russ, Treasurer
Patricia Moreau, Tax Assessor
Ann-Marie Ignasher, Town Planner
Chief Wm. Ziehl

**I. OPEN
SESSION
PLEDGE OF
ALLEGIANCE**

The Pledge of Allegiance was recited.

**II. ANNOUNCE-
MENTS**

John L. Lewis, Jr. stated that the notice of the meeting was properly posted on the Secretary of State's web site.

Pamela Fontaine read the notice from the top of the agenda: *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.*

Mr. Lewis also announced that the Chief of the Foster Center Fire Company, Will Paul, had retired and that Deputy Chief Aaron Marsland was now Acting Chief.

III. MINUTES

Neal Whitelaw moved, Roger Hawes seconded, to approve the minutes of **July 25, 2013.**

Pamela Fontaine amended the motion to remove John Lewis's name from the Executive Session portion because he did not attend that meeting.

Pamela Fontaine, aye; Roger Hawes, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. John L. Lewis, Jr. abstained. Motion carried as amended. 4-0.

IV. WARRANTS

Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve **Payroll Warrant #3**, in the amount of \$25,966.50.

John L. Lewis, Jr., aye; Pamela Fontaine, nay; Roger Hawes, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 4-1.

Neal Whitelaw moved, Roger Hawes seconded, and it was so voted to approve **Payroll Warrant #4**, in the amount of \$28,316.13.

John L. Lewis, Jr., aye; Pamela Fontaine, nay; Roger Hawes, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 4-1.

Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve **General Warrant #3**, in the amount of \$44,424.34.

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

Neal Whitelaw moved, Roger Hawes seconded, and it was so voted to approve **General Warrant #25** in the amount of \$2,062.60.

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

**V. MONTHLY
REPORTS**

Denise DiFranco moved, Roger Hawes seconded, and it was so moved to approve the School Committee report for the month of June. Neal Whitelaw thanked the School Committee for providing the warrants as requested.

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

- VI. QUARTERLY REPORTS** Denise DiFranco moved, Roger Hawes seconded, and it was so moved to accept the quarterly reports for second quarter from Engineering, Libraries, Planning Board, Recreation, South Foster Fire Station and the Zoning Board. Neal Whitelaw wanted it put on the record that he had some questions that were clarified.

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

VII. NEW BUSINESS

a. Abatements from Tax Collector

Neal Whitelaw moved, Roger Hawes seconded, to approve the abatements as recommended by the Tax Collector for Personal Property of 1,844.11 and Motor Vehicle taxes of \$7,279.75 from 2003 because of the Statute of Limitations.

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

b. Additions & Abatements from Tax Assessor

Denise DiFranco moved, Roger Hawes seconded, to approve the additions of \$437.55 and abatements of \$2,134.64 as presented by the Tax Assessor.

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

c. Police Promotion

John L. Lewis, Jr., explained that Sgt. Adam Arico resigned from the force which left the post of sergeant open. Police Chief William Ziehl has recommended William McGuire for the position.

Neal Whitelaw moved, Roger Hawes seconded, to approve the Chief of Police's recommendation to promote William McGuire, Sr. to the rank of sergeant.

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

Chief William Ziehl stated that William McGuire has been with the Foster Police Department for two years. During this time he was assigned to various shifts and has been designated the Field Training Officer. He has led by example and displayed excellent leadership ability as a patrol officer. He recently completed the First Line Supervisor course at Roger Williams University. He served with the Warwick Police Dept. and retired with 21 years of service. He is also a veteran of the U.S. Army. Chief Ziehl swore in officer McGuire to the position of Sergeant. Sgt. McGuire's wife pinned the new badge on his uniform.

d. Letter from OHDS Committee

Denise DiFranco read the letter from the Old Home Days Committee praising the DPW department for their excellent work on the grounds. (see Exhibit A).

e. Bid Award

Ann-Marie Ignasher read and explained her recommendations for the Engineering Inspection & Evaluation bid which were any one of three which included Resource Controls, Provost & Rovero, or Pare. The DPW Director was not available for a recommendation.

Pamela Fontaine moved, Roger Hawes seconded, to have the DPW Director and Planner check all references for these recommended lowest three bidders and return in a week or two with a recommendation. Denise DiFranco amended the motion to be one week. Roger Hawes seconded.

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

f. MEDS Agreement

John L. Lewis, Jr. explained that the MEDS agreement is a grant to the town's Ambulance Corps which is awarded every year. He asked the Town Solicitor to review it. Town Solicitor Renee Bevilacqua stated that the agreement is a continuation of the previous one and not a new one. It is money coming to us and one of those situations where if you want the money you must agree to their terms and that there was nothing unusual in the contract, but there were some name changes required.

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- g. MEDS Agreement** Roger Hawes moved, Neal Whitelaw seconded, and it was so voted to approve the MEDS agreement.
cont.

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

VIII. OLD BUSINESS

a. Foster Home Repair

John L. Lewis, Jr. explained that Foster Home Repair would be the successor to Western RI Home Repair. He recently attended a meeting with Kelli Russ, Ann-Marie Ignasher, Ken Knight, and Neal Whitelaw, which included Joe Garlick from NeighborWorks Blackstone River Valley as well as Mike Tondra, June House, and Charles Kimes from the Office of Housing and Community Development. They discussed how to transition to the new program. They suggested hiring someone to gather all the former records. Mr. Garlick sent a proposal so that the council would be aware of his due diligence. The State has approved this proposal. John L. Lewis, Jr. suggested that the council have Mr. Garlick come in and explain the proposal. This can be a future agenda item.

John L. Lewis, Jr., stated that he would like the council to vote to approve the hiring of a custodian to get the files, retrieve the funds, and identify current liens. This will let us know where we stand.

John L. Lewis, Jr. moved, Roger Hawes seconded, to authorize the Town of Foster and Kelli to take the lead in the appointment of a temporary custodian to separate Western RI Home Repair assets and records of the three towns in a procedure approved by the State Office of Housing and Community Development.

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

IX. b. Gas Monitoring System

John L. Lewis, Jr. stated that DPW Director Mr. Hohler has decided to repair the Gas Boy system so there will be no need to proceed with the Fuel-Master system. This did not come to light until after it was listed as a Future Agenda Item. No motions were made. No votes were taken. The Town Solicitor requested that it be written into the minutes that more than one council member requested that the DPW Director appear and explain it.

Pamela Fontaine moved, Roger Hawes seconded, to have Director Hohler be present at our next regular Town Council Meeting to discuss the gas situation.

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

X. FUTURE AGENDA ITEMS

- Bid Opening for Plainwoods Bridge Reconstruction – Aug. 15th
- Bid Award for Five Bridge Engineering Evaluations – Aug. 15th
- Gas Boy system – Aug. 22nd
- Ordinance relating to Animal Control Officer – Aug. 22nd

XI. EXECUTIVE SESSION

Neal Whitelaw moved, Roger Hawes seconded, to go into Executive Session pursuant to a work session regarding RIGL 42-46-5A(2) Collective Bargaining / Negotiations or Litigation 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.

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

Neal Whitelaw moved, Roger Hawes seconded to reconvene into open session. John L. Lewis, Jr. announced that no votes were taken.

XII. ADJOURNMENT

Roger Hawes moved, Neal Whitelaw seconded, to adjourn.

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

Meeting adjourned at 9:25 p.m.

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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
Town Clerk