

MARCH 27, 2014
TOWN COUNCIL MEETING

The March 13, 2014, Town Council Meeting was called to order by John L. Lewis, Jr., President of the Foster Town Council, at the Benjamin Eddy Building, 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 were:
Kelli Russ, Town Treasurer
Peter Scorpio, Bldg. & Zoning Inspector
Joe Cardillo, DPW Director
Patti Moreau, Tax Assessor
Jane Christopher, Deputy Town Clerk
William Ziehl, Police Chief

Renee M. Bevilacqua, Town Solicitor

I. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

II. ANNOUNCEMENTS

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.*

Meeting Time Limit

Pamela Fontaine moved, Neal Whitelaw seconded, that the meeting run no longer than 9:30 p.m.

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

III. MINUTES

Denise DiFranco moved, Roger Hawes seconded, to approve the minutes of **January 23, 2014**. Denise DiFranco expressed her thanks for the corrections made.

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

Denise DiFranco moved, Roger Hawes seconded, to approve the minutes of **February 20, 2014**.

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

Denise DiFranco moved, Roger Hawes seconded, to approve the minutes of **March 13, 2014**. Denise DiFranco expressed her thanks for the corrections made.

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

IV. WARRANTS

Denise DiFranco moved, Roger Hawes seconded, to approve **Payroll Warrant #36** for \$27,245.27.

John L. Lewis, Jr., aye; Pamela Fontaine, no; Roger Hawes, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 4-1.

Denise DiFranco moved, Roger Hawes seconded, to approve **Payroll Warrant #37** for \$27,482.05.

John L. Lewis, Jr., aye; Pamela Fontaine, no; Roger Hawes, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 4-1.

Denise DiFranco moved, Roger Hawes seconded, to approve **General Warrant #16** for \$42,911.67.

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

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- V. MONTHLY REPORTS** Denise DiFranco moved, Roger Hawes seconded, and it was so voted to accept the monthly reports for **Finance, Human Services, Planning, Police, RIRRC, School Committee and Tax Assessor.**

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** None.

VII. NEW BUSINESS

- a. "Rhode Kill" Spring Bike Ride** Denise DiFranco moved, Roger Hawes seconded, to accept the request of the Rhode Kill Spring Classic Bike Ride through Foster for March 30, 2014. Corey Lafleur, organizer of the event and resident of West Warwick, explained the route and the annual bike ride which would include 17 miles through Foster. Denise DiFranco asked the Chief of Police if he had any concerns. He replied in the negative.

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** Denise DiFranco moved, Roger Hawes seconded, to approve the abatement of \$1,064.20. John L. Lewis, Jr. pointed out that the abatement was from 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. Winsor Road Bridge letter** Denise DiFranco read the letter from Elizabeth Shallcross of 41 Winsor Road (see Exhibit A) regarding repairs to the Winsor Brook Bridge indicating that the residents heard that the town was not going to repair the bridge. Neal Whitelaw stated that he was not sure how the rumor got started but that there was no intention to not fix the bridge.

Discussion centered on ways of repairing the bridge, recent engineering studies, and advice from former DPW Director Walter May. It was noted that it is considered a single lane bridge and that recent engineering calculations may not have taken that into consideration. Discussion also included funding recommendations. No motions were made. No votes were taken.

- d. Resolution 2014-01 Opposing H-7631 and S-2677** John L. Lewis, Jr. read the Resolution (see Exhibit B). Roger Hawes moved, Denise DiFranco seconded, to approve the issuance of Resolution 2014-01 opposing the exemption from taxation of buildings under construction.

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

- e. Request to use Fairgrounds for the 4-H Horseshow** Denise DiFranco moved, Roger Hawes seconded, to approve the use of the Foster Fairgrounds by the Northern RI 4-H Horse Show on May 4, 2014.

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

**VIII. PUBLIC HEARING
FY 2014-2015
Budget**

John L. Lewis, Jr. read the ad and opened the Public Hearing. He explained that the order of discussion would be 1) Schools 2) Capital, and 3) Departments.

School Budget: Gordon Rogers, Kathleen Swanson, Kelli Russ, John L. Lewis, Jr., and Ron Cervasio spoke in favor. John L. Lewis, Jr. asked if anyone wanted to speak in opposition. There were none.

Capital Budget: John L. Lewis, Jr. noted that the Capital Budget represented 2% of the budget and is determined by the Charter. Ron Cervasio asked Chief Ziehl to explain the security upgrades to the school that were requested in capital. Atty. Renee Bevilacqua stated that upgraded security measures did not have to be divulged. Joseph Carey, Lynne Rider, Gordon Rogers, Anthony Rienzi also spoke. John L. Lewis, Jr. asked if anyone wanted to speak in opposition. There were none.

Departments: Kris Chin, Librarian, spoke in favor of the libraries. There was no opposing discussion.

Robert DePalo, Chair of the Board of Canvassers, spoke about the requirement for additional pollworkers and need to advertise the new polling place location. No one spoke against.

John L. Lewis, Jr. and Lynne Rider spoke about the denial of Town Hall raises. Gordon Rogers, Patricia Moreau, and Anthony Rienzi also spoke.

John L. Lewis, Jr., Lynne Rider, Robert Moreau and Ron Cervasio spoke in regards to Planning. Robert Moreau spoke in regard to Building & Zoning. Lynne Rider spoke regarding Finance salary and noted that the Deputy Treasurer would be making less than a clerk.

Kelli Russ, Treasurer, said that the town was receiving a credit of \$9 thousand when discussing General Administration.

Chief William Ziehl stated that in the Police budget there was a change in personnel and thus also affected retirement.

Public Hearing closed at 9:30 p.m.

IX. OLD BUSINESS

a. RI Laborers Union Vote John L. Lewis, Jr. brought up the issue of equity and stated that if the Council didn't want to give raises, they should not give any rather than only giving to some. He asked if they wanted to reconsider their votes for the RI Laborers' contract.

Roger Hawes moved to give everyone 2%. John L. Lewis, Jr. stated that this was not the item on the agenda. John L. Lewis, Jr. said that if they were happy with their vote, then the contract could be signed. He gave the contract to Pamela Fontaine for signing.

b. Mill Road Update DPW Director Joe Cardillo stated that the Mill Road Bridge was done and that they were just waiting for inspection.

c. Plainwoods Road Bridge DPW Director Joe Cardillo stated that the Plainwoods Road Bridge was 95% done. Only paving was left and that was a weather-related delay.

d. Ordinance Changes Peter Scorpio, Building Inspector, proposed changes to the Zoning Ordinances pertaining to an increase in fees. John L. Lewis, Jr. stated that it should go to a public hearing which would need to be advertised.

e. Review of Budget Roger Hawes moved to give the non-union employees an increase of 2% and 3% for Kelli Russ. John L. Lewis, Jr. seconded. Thomas DiRaimo, Patricia Moreau, Neal Whitelaw, Joseph Carey, and Lynne Rider spoke.

John L. Lewis, Jr., aye; Pamela Fontaine, no; Roger Hawes, aye; Denise DiFranco, no; and Neal Whitelaw, no. Motion failed 3-2.

John L. Lewis, Jr. moved, Roger Hawes seconded, to remove \$9,125 from council salaries to raise non-union salaries.

John L. Lewis, Jr., aye; Pamela Fontaine, no; Roger Hawes, aye; Denise DiFranco, no; and Neal Whitelaw, no. Motion failed 3-2.

John L. Lewis, Jr. discussed the scheduling for the next meeting to be on April 3 at 7 pm to adopt the budget because Kelli Russ, Treasurer, would not be available on the April 10th. There were no objections.

X. FUTURE AGENDA ITEMS

- Contract with Animal Shelter
- Public Hearing in changes to the Zoning Ordinance
- Foster Center Baptist Church Well Request
- Procedures for collecting delinquent tangible taxes

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XI. EXECUTIVE SESSION

Neal Whitelaw moved, Roger Hawes seconded, to go into Executive Session pursuant to a work session regarding RIGL 42-46-5 for the discussion of A(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 be closed and remain closed in accordance with provisions in RIGL 42-46-4 and 5.

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

The Town Council reconvened into open session.

RECONVENE INTO OPEN SESSION

John L. Lewis, Jr. announced that no votes were taken other than to seal the minutes in accordance with RIGL 42-46-4 and to keep these minutes and the minutes of all previous minutes sealed. Another vote was taken to approve the signing of a three-year contract with the Rhode Island Laborers Union, Local #1322 which also passed unanimously.

XII. ADJOURNMENT

Neal Whitelaw moved, Roger Hawes seconded, to adjourn the meeting.

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 11:37 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
Town Clerk