

A special meeting of the Town Council held on Thursday, September 24, 2009 in the North Scituate Community House and was called to order at 6:50 PM. Council President Budway presiding.

After pledging allegiance to the flag of our country, Deputy Town Clerk Chatfield called the roll:

Councilman Farrar- present	Councilman Hanna - present
Councilwoman Frederickson-present	Councilman D'Agostino - present
Councilman Winfield – present	Council Vice-President Collins-present
Council President Budway – present	

Council President Budway addressed the audience regarding how the meeting will be conducted and the issues before them this evening. (Copy of Mr. Budway's statement is attached hereto).

Chief David Randall addressed the audience to request help with the ongoing investigation regarding this matter. Mr. Randall stated that in order to conclude an investigation, it is paramount that they get to the facts of the issue. He asked that if anyone has any amount of information, large or small, it is vital of getting a clear picture of what really happened. We need to find out exactly what happened. The Chief stated that they are not prosecuting, they are fact finding; therefore, if anyone has any information, they need to contact the Police Department so they can get a clear picture of what occurred.

Town Solicitor, David D'Agostino, stated the Town Council asked him to make some comments relative to the unionization litigation that has been ongoing for the last couple of years and to clarify some of the information that has been going around town and in the newspapers. The original petition which named the Town and the Fire Engineering Board as parties that was put before the National Labor Board, was withdrawn by the people who requested to be organized on August 6, 2009.

At this time, Representative Michael Marcello, of Chopmist Hill Road, stated that he wants to make clear for the record that the National Labor Relations Board said they have no jurisdiction to rule on whether or not they were employees or employers of the Town. That is why it is now before the State Labor Board. When a Board has no jurisdiction to render a decision, they cannot make a factual finding of whether or not they are employees or employers.

Mr. Marcello stated he is very concerned. He heard all of the allegations, of which there are 6 of them. These are only allegations. Mr. Marcello stated he would be the first person to say that if there is wrong-doing and misuse of Town property, then those people who are responsible for it should be punished. There is also the issue of proportionality. This story broke about 4 weeks ago when Johnston reported it. Mr. Marcello stated he called the Mayor of Johnston, and he said the Johnston Police were conducting an investigation, of which now has been closed with no criminal charges. Now the Scituate Police are investigating, for which they have every right to do. Most of the allegations are regarding taking water and filling swimming pools, which is wrong. These people should be punished. Mr. Marcello stated that by closing down a complete fire station, these actions are disproportional to the allegations that the Town has yet to prove. It will take more time for a rescue to respond from North Scituate than it would from Chopmist Hill. It sounds like the Police Chief is begging for information. This could have been handled a lot differently. Mr. Marcello stated that the image of the Chopmist Hill Fire Station has been tarnished. There have been no criminal charges. Mr. Marcello asked if the RI Attorney General has been contacted regarding a request for immunity from prosecution? Only the RI Attorney General can give someone immunity from prosecution.

Mr. Marcello asked when the Town was first notified that there is a union card issued to Chopmist Hill Fire Station by the IAFF? Town Solicitor Dave D'Agostino stated that the Town was not a party to that action, so they received no notification. From a legal standpoint, it was in the newspaper and that is when he learned about it. Mr. Budway stated he did not recall the specific date when he learned about this, and he asked Mr. Marcello if he was affiliated with the IAFF? Mr. Marcello stated that he is not a member and not a firefighter, but his brother is a firefighter. Mr. Marcello stated he is a State Representative and he's here to represent these people. Mr. Budway asked Mr. Marcello is he was a recipient of IAFF campaign funds? Mr. Marcello stated the RI Board of Elections has this information on their web site. It was probably contributions of approximately \$1,000.00.

Susan Paliotti, 37 Cooke Drive, stated she is a member of Union 1199, but that is not why she wishes to speak. Mrs. Paliotti stated she is 50 years old, and in January 2009 she took a heart attack. She asked if the Council intends to re-open the Chopmist Hill Fire Station? Council President Budway stated that the Council's intention is to get that place open as soon as possible. Mrs. Paliotti stated that the residents in that area serviced by the Chopmist Hill Fire Station are

being punished with the closing of this station. Mrs. Paliotti asked Mr. Budway, that if she should have another heart attack and rescue personnel can't get to her on time, how will he explain her death to her family if that station remains closed? As everyone knows, when you are having a heart attack, minutes, seconds, make a difference.

Dennis Gaffney, Chief of the Chopmist Hill Fire Department, stated that he just told Mr. Budway and Mr. D'Agostino, Town Solicitor, at a meeting last Friday at the Hope Jackson Fire Department that these guys organized. Chief Campbell was there. Mr. Gaffney stated the Council should have come to him and discussed these allegations. To shut down a station because it's dirty is ridiculous. This is public safety for the people of Scituate. Mr. Gaffney stated he has dealt with a detective from the Town of Johnston and was told they cleared it. Now Scituate has to go into it?

Wendy Knowlton, Deputy Chief of the Chopmist Hill Fire Department, 337 Central Pike, stated she would like to respond to some of Mr. Budway's allegations. First, the inappropriate use of water. Chopmist Hill has used that hydrant for years, so to make this much of an issue over what's been a traditional use is ridiculous. Mrs. Knowlton feels that the Council has used this situation for their own other causes. To deal with the comments that the Council made that the Department was a mess, is hard to believe, because there was just an Eagle Scout project done in there. The floors were sanded, washed and waxed, and a professional sealing was applied, and all the walls were done. That building is in good condition. As far as the floor tiles in the kitchen, those were damaged by a broken pipe that was reported to Dale Langlais for repair three months ago, just after the open house. Mrs. Knowlton explained that the entire station was gone through and cleaned from top to bottom in July for their open house and fundraiser. As far as the propane tank, that tank has been there the last two times that this Town Council has come through and inspected each of the Town buildings. If the Council had a problem with it, they should have addressed it then. To use it now, 2 years later, makes it look like a witch hunt, you have ulterior motives. Mrs. Knowlton stated as far as the gas, there are chainsaws, generators and power tools, all that are all in individually marked containers that are run three and four times a week to insure they run. Yes, the bunk room might be a little sloppy, but when the Police Department comes in at 7 am and rousts you out of bed, you are not going to make the bed, you are going to leave your gear and do what the Police tell you to do. Mrs.

Knowlton stated all of these allegations are just that. Three quarters of them have legitimate responses.

Margaret Ogert, 894 Plainfield Pike, asked President Budway how much it cost to put cameras in the station, and to change the locks? Deputy Public Works Director, Richard Tucker, stated it was just under \$5,000. Ms. Ogert stated that the taxpayers are paying \$5,000 and their fire station is being shut down. She stated she has an elderly mother at home, just as Mr. Farrar does, and who is going to come if they should fall down? They are not waiting 10 minutes. With that \$5,000 the Council could have hired someone to clean the station, or bought paint to clean up the fire department. Ms. Ogert stated that the Scituate Art Festival is coming up and we are going into a dry season, asked Mr. Budway if he feels the remaining fire stations and EMT's can handle 10,000 to 20,000 people that come on this weekend? If this is a problem about water, she will be more than happy to give her first 10 gallons out of her well back to the Town of Johnston.

Alan Zambarano, 19 Cooke Drive, retired firefighter and ex-Chief of Johnston Fire Department, stated that Teddy Hopkins and Angelo Cappelli had a gentlemen's agreement on the water, so that has been going on for years, and he never heard anyone complain about anyone stealing water. Mr. Zambarano agrees with Rep. Marcello's comments. He stated that the time it will take the other departments to respond is way too long, and asked if the Council will be responsible if anything happens to him?

Frank Leporacci, 553 Rocky Hill Road, wished to thank the Town Council for their service. He stated what bothers him tonight is when he hears words like "allegations" and when he hears the Chief of Police reaching out to the community to gather evidence on a case that is still under investigation and is not prosecuting anyone. Mr. Leporacci stated it sounds like the entire fire department has been prosecuted by being shut down, and they have been disgraced, and have pronounced them to be guilty. When allegations were brought against the President of the United States, they did not shut down the entire government. When allegations were brought against police officers in North Providence, they did not shut down the entire police department. When allegations were brought against teachers, they did not shut down an entire school. Mr. Leporacci stated he does not believe justice is served when an entire fire department is shut down, and in his opinion, the way the Council conducts business is a disgrace to the men and women of Scituate and to the men and women of the Chopmist Hill Fire Department.

Walter Cogean, 665 Central Pike, stated his wife was very sick for 15 years, and if it weren't for the Chopmist Hill Fire Department, she would have died a long time ago. A few weeks ago, he took a heart attack and his legs were numb and couldn't walk. It took the North Scituate Fire Department a half hour to get to his house.

Lauren Antrop, 337 Central Pike, asked the Town Council how many of them live in the Chopmist Hill Fire Department district? She asked them what they are going to do when something goes wrong and it takes too much time for someone to show up. She said maybe the Council should think about themselves and not everyone else.

Justin Gaffney, 237 Ide Road, asked the Council why they wasted \$5,000 in taxpayer's money by putting in cameras and changing the locks at the Chopmist Hill station. Mr. Gaffney stated he picked the Chopmist Hill Fire Department to do his Senior project, and he chose Wendy Knowlton as his mentor, but since the Department has been shut down, how is he going to do his project? Does this mean he can't graduate? Is this going to fall on the Town Council's shoulders? Mr. Gaffney stated the other day there was a box alarm at the high school, and the only truck that got out was Ladder 22 with water. He stated the Council just stole 3,000 gallons of water from Chopmist Hill. There are multiple Council members that have children in Scituate High School. There are over 1,000 people in that school. He asked if the Council is going to put all these people at risk? Mr. Gaffney stated this was a very wrong decision and the Council better put the trucks back in Chopmist or there will be a law suit in the Council's hands.

Kenneth Hoskin of 723 Central Pike apologized to the Council if he was rude to anyone this week, but he is very upset over this. He is shocked at Councilman Collins, Councilwoman Frederickson and at Councilman Farrar. Mr. Hoskin stated to Mr. Budway that he really hopes that nothing happens. He feels his tax dollars are being wasted, and the people of the Chopmist Hill Fire Department have been embarrassed. He stated if the Council had a problem with a certain few, then they should have been disciplined, instead of punishing everyone. Mr. Hoskin stated that his taxes have been raised and now his homeowner's insurance is going to go up.

Donald Panarello of Rocky Hill Road asked if the Town Council has the authority to take a vote to open the Chopmist Hill Fire Department back up tonight? President Budway stated no because it is not on the agenda. Town Solicitor D'Agostino stated no, not this evening. President Budway stated that he is not speaking for the rest of the Council, but he personally will not do that until he feels the situation has been properly rectified. Mr. Panarello stated that Scituate

probably has one of the most competent Police Chiefs and Deputy Police Chiefs in the State. He asked if the Council would consider re-opening the fire station under the supervision of Chief Randall and Deputy Chief Lang, so they can restore the public safety and public service while they continue with their investigation? Council President Budway stated he feels this will only complicate things while the police investigation is going on. Mr. Panarello asked the entire Council if they know if a special meeting can be held to open up the Chopmist Hill Fire Department? Councilman Winfield stated not until the investigation is concluded. Councilman Farrar stated when they have all the facts, then they will address it and come up with a plan to re-open it.

Peggy Cost of Ide Road stated she has a family of 9. She takes offense to the statement "reasonable coverage." Mrs. Cost stated her homeowner's insurance will not cover her farm if she is more than 5 miles from a fire station. Councilman Farrar stated she is within 5 miles by the Chepachet Station. She asked how many times before 7 am the Council dropped in on other fire departments? She also stated she would like to see the photographs. Mrs. Cost stated the people here are more than just a little concerned, they are very concerned. She just wants to know why this volunteer station was closed?

Council President Budway stated he appreciates Mrs. Cost's comments and everyone else's comments. The Council is not insensitive to the concerns, and they are willing to listen. They felt it was something that was necessary, and are working to resolve this situation as soon as possible. Mrs. Cost said she still does not understand why the Council closed the station to resolve the issue. Maybe there is some personality difficulties. To close down a whole fire station for perhaps the mis-actions of a few, and to place an entire section of the Town in jeopardy just does not make sense.

Coleen Pendergast, 2 Apple Hill Drive, would also like to thank the Council for their service, and would also like thank all the volunteers from all of the departments in Scituate. She is very proud to say that she resides in Scituate, and volunteerism is a very big part of this Town. Mrs. Pendergast asked who is ultimately responsible for the safety and well-being of the residents of the Town of Scituate? Council President Budway stated this Town, for decades, has had a volunteer system with independent entities developed by themselves. The Town has provided funding and support, but the Town does not control. Nationwide, 70% of fire coverage is provided by volunteers throughout the country. There are some states nearby, Massachusetts

that utilize private ambulance companies to provide rescue coverage. Mrs. Pendergast asked if there is person in the Town who is ultimately responsible? Is it correct that the Council does not exercise any control or management over any of the fire departments? Council President said that is correct.

Council President Budway explained that for the past seven or eight years, the Town of Scituate has acted as a billing facilitator for the rescues performing their service. If there was third party insurance, the paperwork was completed by personnel on the rescue. That paperwork was submitted to the Town and the Town forwards it to the company who bills the appropriate company (Medicare, Medicaid, Blue Cross, etc.). Those claims are processed. Any resident in the Town of Scituate is not billed. The monies come back to the Town, and then is disbursed to the various stations. Since at least June of this year, Chopmist and one other station, stopped submitting billing to the Town of Scituate for processing. Mr. Budway stated that any monies that were paid out by the Town of Scituate into a fund as a stipend for those people came directly from the Town. Those companies told the Town nothing about the fact that they were billing directly and that they had the funds. That information did not come out until last week. This clearly demonstrates that these organizations operate on their own. These are not Town-controlled organizations. If they have the ability to do billing and to collect the money and provide the service, they are on their own. Mr. Budway asked is that the best way to do things? He thinks there should be coordination amongst the departments, but that is not something the Town of Scituate can mandate. President Budway stated that a few years ago there was a meeting held at the Town Garage. Mr. Budway attended that meeting, and the Fire Chiefs of each of the 4 companies attended, along with the Town Solicitor and Town Treasurer and Richard Tucker as the EMA Director, and Councilman Farrar. The reason for the meeting was to try to get the discussions back on track regarding the problems that the various fire companies were encountering. At the onset of that meeting, Mr. Budway made a statement regarding rumors that a group of rescue personnel were in the process of attempting to unionize. Mr. Budway told the Chiefs that he would proceed with the meeting as long as they could tell him they were committed to a volunteer system, because if anyone has an intent to do something else, then we will not go any further with the meeting. Each Chief individually stated they were committed to the volunteer system. A course of action was determined, and everyone met again in two weeks. In the meantime, Mr. Budway heard continuing rumors, so he asked the Chiefs

again if they were committed to a volunteer system. Chief Dennis Gaffney stated he could not go on with this. Within days, it came out in the open that Chopmist was attempting to unionize. They self-declared themselves to be employees of the Town of Scituate. Over the past two years, the Town of Scituate has incurred substantial legal fees to defend the Town of Scituate. Mr. Budway said that if we had employees that want to unionize, that is their legal right to do it. He could not get in the way – it is illegal. President Budway stated that if, in fact, the support for a volunteer system is no longer there for whatever reason, then what we would do is convene a public meeting at the high school and let people know we have this situation. What Mr. Budway would suggest at that time is that we bring in an outside consultant to assess what the needs of the Town of Scituate are. If we need to go into a paid fire department with a paid rescue, then he would want a professional company to come in and advise us as to what is an appropriate amount of resources in terms of buildings, locations and equipment for this population. The Town of Scituate probably has the best equipment in the entire State of Rhode Island for a community of approximately 11,000 people. If you look at the equipment we have, and the volunteers we have, we are in pretty good shape. The paid situation is a different ball field. Now you've got people available 24/7, and Mr. Budway guarantees that we would have excessive equipment that would need to be sold if there is a market for it. If there is concern, perhaps this whole issue needs to be brought before everyone. This is bigger than just Chopmist, it affects the whole Town.

President Budway stated it is his understanding that what the Chopmist Fire Dept. is doing is they are continuing on their path. The decisions of whether or not we have a paid department or paid rescue should not be made by a small few people. They should be made by the people of the Town of Scituate, and it should be based upon factual information. If this is the course that we are going, then let's put it before the voters in open session.

Mrs. Pendergast stated she was not here before the Council with any political agenda. She is a concerned parent of 3 small children who live in the farthest corner of Chopmist Hill. Her question to the Council is at this present time, who is ultimately responsible for the safety and well being of the residents of Scituate. President Budway stated we have a volunteer fire and rescue system. Mrs. Pendergast stated Mr. Budway did say that the Council (elected officials) have absolutely no power or control over any of the management or duties of the Fire Departments. Mrs. Pendergast stated there is nobody that actually oversees these departments.

What is going to prevent this situation from happening again? President Budway stated the volunteer companies are managed by individuals who are also volunteers. The community is dependent upon the conscienceousness of those individuals. That is why this particular circumstance is of extreme concern. Mrs. Pendergast asked the Council if they feel as though that corner of the Town is as well protected as it was a week ago? Councilwoman Frederickson stated absolutely. All of the Council agreed. Mrs. Pendergast asked if the entire Council is going on the record as saying they absolutely agree that portion of the Town is served as well as it was one week ago? Councilman Farrar stated he based his answer on the fact that he checked with the other Fire Chiefs and they said that they are up to the task to do that and he trusts them. Mrs. Pendergast asked if there is any time frame as to when everyone can expect to have service back at that station again? Council President Budway stated that question has been asked several times, and he hesitates to give a date in the event that date doesn't happen. The Council is working earnestly on this, and this meeting this evening was scheduled for this purpose.

Paul Valletta, Legislative Agent for the RI State Association of Firefighters, and is a 25-year veteran on the fire department. He has testified on manning and staffing in both the Senate and House Commissions. Mr. Valletta stated he had no intentions on speaking this evening, but when he heard Councilwoman Frederickson's comment that she is absolutely confident that the Chopmist Hill area is served the way they were a week ago, he changed his mind. The only professional Mr. Valletta has heard comment on whether public safety is jeopardized or not, was the Police Chief (in the ProJo). Mr. Valletta stated with no disrespect to the Police Chief, as a firefighter, he would never give an opinion on law enforcement. Mr. Valletta stated he has not heard an opinion from any of the other 3 Fire Chiefs, and he has not yet heard the Fire Chief from the Chopmist Hill Fire District come up here and say to you that no one is in jeopardy. Mr. Valletta stated that he has learned through many trainings and seminars that EMS has to get to the scene within 4 minutes or no one is being saved. Scituate is a big town. The National Fire Chief's Association & National Fire Protection Agency states that firefighters have to be on scene within 8 minutes. Once it gets to the 8 minute window, then it becomes a back-draft status. Mr. Valletta stated he heard the allegations, and even if these allegations were true, he does not feel they are good enough reasons to close the fire station. It appears that this Council in voting to do this, has played Judge, Jury and Executioner. Mr. Valletta stated that in 1991 the State of RI passed a law that adopted the NFPA 1500. There is a section in this RI law that talks

about the responsibilities of firefighters, and also has a section that talks about municipality responsibility. Part of that responsibility is that cities and towns will give equipment and training to their firefighters to keep them safe, and also provide the necessary service to the cities and towns they represent. He believes the Town of Scituate is violating that by closing Chopmist Hill station. Mr. Valletta stated there is no doubt in his mind that the people of the Chopmist Hill area are not going to be served with having a fire truck and rescue truck in there. Mr. Valletta stated he respects the Town Council and their service, but feels they made a mistake by closing the fire station for no good reason. Someone can get hurt, and that is on the shoulders of the Town Council.

Town Solicitor David D'Agostino stated the NFPA law excludes volunteer departments.

Nelson Pedro, 77 Hope Avenue, stated he's here with a concern for the Chopmist Hill area, and also is concerned that when Hope Jackson responds, his area is out of coverage. The nearest department to him is 12 to 15 minutes away. The bottom line is response times, whether it is fire or rescue. Honestly, Chopmist Hill had long response times. And now the other fire stations have got to pick up their slack. Mr. Pedro stated not only does Chopmist Hill not have safe coverage, but he no longer has safe coverage. Any time a call comes in for the Town of Scituate, Hope Jackson is responding, so not only does this affect Chopmist Hill, but it affects the whole Town and response times. This also affects neighboring Towns and other taxpayers. Mr. Pedro is very concerned that it affects the whole town and it is spilling over into other Towns.

Scott Weller, 30 Alberta Street, stated he also has a lot of concerns like everyone else. He has 3 children and lives in Hope, and also feels if the rescue is out of Hope, who is coming to Hope? Mr. Weller stated he does not understand how the Chopmist Hill section can still be covered as it was before. If he drives in the opposite direction from their station, it has to take much more time to get there from the North Scituate station. Mr. Weller stated maybe it would be a good idea if the Town Council had a gentlemen's agreement with the rest of the Town before they pull fire stations and put people at risk.

Rep. Michael Marcello stated that he feels it is only right to put a time limit on the investigation of two weeks. Mr. Marcello stated that to wait until the investigation is completed to open the station is very unreasonable. This situation needs a compromise, and he feels the request by a gentleman earlier this evening that the station should be open under the supervision

of Chief Randall and Deputy Chief Lang, that is a fair and reasonable compromise that the Council and the residents of the Chopmist Hill area should be able to live with. If there is any wrongdoing, then those people should be punished. Mr. Marcello stated the Council listed seven issues—a dirty station, pool filling, fuel, and then President Budway spent 15 minutes talking about a unionization issue regarding the Chopmist Hill Fire Station. Mr. Marcello stated the Council is sending mixed messages. He stated to open the station under the auspices of the Police Chief and Deputy Police Chief until they complete the investigation, and don't jeopardize the health and safety of those residents of Chopmist Hill.

Carol Courtemache, 960 Danielson Pike, stated she has lived on Chopmist Hill for 37 years, and was a volunteer on Ambulance Corps, and her son was a volunteer at Chopmist Hill Fire Department since he was 15. Mrs. Courtemache stated that for 37 years we've had no problems. There are 2 people that are causing the problems. They have tried to have her son's job on the Cranston Fire Department taken away from him. They've accused him of taking pictures of them, and of patrolling the station. He has never done anybody any harm anywhere. Mrs. Courtemache stated as far as she's concerned, it could happen going down the road in the back of a rescue with Matt Knowlton driving, you could end up in the brush somewhere. Mrs. Courtemache stated she is not afraid at all. It has taken 10 minutes for Chopmist Hill to get to her before. They will get there, and will do a good job when they get there.

Chief Dennis Gaffney asked Mr. Budway if he just heard the tones go off for a box alarm. He stated that obviously the two trucks that are locked at the highway garage did not respond. Mr. Gaffney stated there are four separate charters for the fire districts. The Chopmist Hill has a charter for that district. Mr. Gaffney stated to give him his trucks back and keep the station closed.

Justin Gaffney asked the Town Council if they can have their trucks back? He stated they can use the old fire station and the Town can keep the station closed. Mr. Gaffney stated that almost everything on those trucks belong to the Chopmist Hill Fire Department through fundraising and grants. There is so much that belongs to the Fire Department, but the Council just went in and changed the locks and did everything under the rug. They did not tell any of the taxpayers they were going to shut down the station, and never called anyone ahead of time, but woke people out of bed at 7 am, and that is wrong. Why were people not notified? President

Budway stated they did not notify anyone because they wanted to avoid a confrontation for the safety of the officers and also the safety of the people at the station.

Karen Gaffney asked President Budway and Chief Randall why they did not call Chief Dennis Gaffney (her husband) ahead of time and tell him they had pictures and want to open a case? When this case was opened in July, Johnston Police detectives called Dennis Gaffney and asked to meet with him at the Dunkin Donuts on Route 102. They met and Chief Gaffney said yes that is my truck and yes that is my man, and said he will reprimand him. The detectives said case closed. Mrs. Gaffney asked Mr. Budway and Chief Randall why they did not call Dennis first? Mrs. Gaffney said her husband has never done anything wrong, he has never been in any trouble, and was treated with no respect by sneaking around with the pictures and then closed the station and had the police come at 7:30 am asking for his keys to the station. Why? This is not fair. It was case closed in Johnston, and now Scituate is investigating. Mrs. Gaffney pleaded with President Budway and Chief Randall to open the station and have a meeting with her husband and get this straightened out. There are no morals here. Mrs. Gaffney told Chief Randall that he knows better, and that she has known him for years, and it was very dirty to pull the rug out from under her husband.

Andrew McDaniel, a proud member of the Chopmist Hill Fire Department, asked what is it going to take to open the Fire Department back up? A death? Last week a man had a heart attack in that parking, and the actions of the EMT's and firefighters saved that man's life. What is it going to take to re-open that fire station?

Walter Cogean stated he has one more thing to say. Why take it out on the volunteers? Take it out on the people you're suppose to take it out on, not the volunteers. Just give us our fire station back. Chucky Collins and Brenda Frederickson can tell you how sick his wife was for 15 years, and those people at Chopmist Fire Department took care of her.

Mrs. Ogert asked what ever happened to you're innocent until proven guilty? Did the Town of Foster shut down the entire Police Dept. when Sabetta killed those kids? Why are you shutting down a fire department for water stealing and a dirty station?

Council President Budway stated on behalf of the Council, he would like to thank everyone for coming here this evening, and stated this is obviously a matter of grave concern to everyone and to the Town Council, and they will do their best to resolve the situation as quickly as possible and to get the station re-opened. Before the Town Council goes into closed session,

they will take a brief recess. At this point, Deputy Town Clerk Chatfield left the meeting at 9:00 pm.

Motion made by Vice President Collins, seconded by Councilman D'Agostino, and voted by a roll call to adjourn to closed session at 9:15 pm, pursuant to RIGL 42-46-5(A)2 pertaining to collective bargaining and litigation concerning organizational efforts of some volunteers, RIGL 42-46-5(A)2 as it pertains to the allegations raised in the Channel 12 investigative report aired Friday, August 28, 2009 regarding fire department use of water from Town of Johnston hydrant system, closed pursuant to RIGL 42-46-5(A)4 to discuss ongoing situation/eviction/Town property reclamation action at Chopmist Hill Fire Department, and to allow \_\_\_\_\_to attend (per President Budway).

Council Vice President Collins – aye                      Councilman D'Agostino – aye  
Councilwoman Frederickson – aye                      Councilman Farrar – aye  
Council President Budway – aye

Motion passes.

Open session reconvened at \_\_\_\_\_(per President Budway).

Motion made by Council Vice President Collins, seconded by Councilman D'Agostino and voted to adjourn at \_\_\_\_\_pm (per President Budway) and to keep the minutes of the meeting previously closed to the public; closed pursuant to RIGL 42-46-4 and 42-46-5 and to allow the Town Clerk 14 days to prepare the minutes of the meeting.

Council Vice President Collins – aye                      Councilman D'Agostino – aye  
Councilwoman Frederickson – aye                      Councilman Farrar – aye  
Council President Budway – aye

Motion passes.

For complete discussions, refer to audiotape.

Attest:

Gail Chatfield, Deputy Town Clerk