

The March 28, 2024 Town Council Meeting was called to order by Denise L. DiFranco, President, in Foster, RI at 6:00 p.m. at the Benjamin Eddy Building.

The following members were present:  
**Denise L. DiFranco, President**  
**Heidi Rogers, Vice President**  
**Cheryl Hawes**  
**David Paolino**  
**Chris Stone**

Also present:  
Kelli Russ, Finance Director  
Julia Chretien, Assistant Solicitor  
Gordon Rogers, DPW Director

- I. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.
- II. EXECUTIVE SESSION

A. PURSUANT TO RIGL 42-46-5 (A), (1) Personnel

1. Policies and Procedures: Police Department

Heidi Rogers moved, Chris Stone seconded, to go into Executive Session pursuant to RIGL 42-46-5 for a work session regarding Personnel and Job Performance according to RIGL 42-46-5-(A)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. Motion passed 5 - 0.

The council reconvened in to Open Session at 6:33 p.m. Denise L. DiFranco announced that no votes were taken in Executive Session Motion passed 5 - 0.

III. OPEN SESSION

1. DPW Director – Gordon Rogers- Open Session

Going into open session, Denise L. DiFranco asked that parties be treated with respect. She will not be taking questions or comments from the audience and said it was not a trial. No names will be used. Letters will not be read. Heidi Rogers recused herself. The reason for the meeting is because we [the council] received letters from staff members within the Town Hall about behaviors and conduct. Atty. Lisa Holley spoke for Gordon Rogers. She said she was not familiar with this type of inquiry. She assumed there was an investigation. Denise L. DiFranco said yes. Atty. Holley said she knew she [Ms. DiFranco] had met with them but was there an investigation? It appears there was a meeting with staff members. Denise L. DiFranco said a Facebook post precipitated it; and there were a lot of concerns. She met with department heads but met with Mr. Rogers privately at her home and told him about the meetings and that she needed something in writing from the people who had concerns. She was not going to listen to complaints and not have a paper trail. Atty. Holley said so after the letters you followed up one on one with the complainants. Denise L. DiFranco said yes, and then met with them as a group. Atty. Holley said so as a result of these meetings that the DPW Director was not privy to, meeting with other directors, meetings with staff, meeting with police staff... Denise L. DiFranco said she wanted to make it clear that the [Facebook] post was not condoned by her or the council. Atty. Holley clarified that the post was not by Mr. Rogers but because of someone else’s post, Mr. Rogers is being investigated. Denise L. DiFranco said no, she was addressing what was being said in Town Hall and the Police Dept. excluding the DPW workers. Atty. Holley asked if Ms. DiFranco asked them to document any issues they might have had? Denise L. DiFranco said she was not addressing them, if they wanted to put it in writing, the council would address them. Atty. Holley asked if they had been addressed sufficiently and fully at this point. Denise L. DiFranco said she feels they have. Atty. Holley asked if Mr. Rogers was given the opportunity to rebut anything that was in there? Denise L. DiFranco said that is what tonight’s meeting is for. Atty. Holley said usually the internal investigation is held first and then the findings are something they can refute. It seems like this is the investigation. Is this the process? Denise L. DiFranco said her understanding is

that she can't address anything as an individual. Julia Chretien said the council cannot have conversations individually. The only way to comply with OMA is to have it on the agenda.

Atty. Holley mentioned an example of a complaint about snow removal on the walkway. She has emails, cell phone records, and photographs of DPW clearing the walkways. She is surprised no comments are involved. There had been no investigation and it seems like you want to try it right now. Denise L. DiFranco asked Ms. Chretien if this is the only way they can move forward. She doesn't know if any of the other council members have met with people from the staff. David Paolino said he met with one of the clerks. He took it seriously and gave the information to the council president. That's something that is dangerous for us, it's not a pleasant thing for a woman to feel physically threatened. She said she was shaking. She wanted to know what we were going to do about it. Atty. Holley said it's the first she's heard of it; it is not in a letter. It appears to her that several people have colluded with the same information and are talking about things that have already been investigated. There was a previous issue investigated of misbehavior in the vault when her client spoke loudly. She thinks this is an attempt to interfere tortuously with his job and his contract. She knows he doesn't have a current contract but reading it, it rolls over until another contract is in place and he's ripe for the pickings. This all started with his contract. There are serious issues here that are damaging to her client. To say we are just going to talk about it now and make a decision without an investigation, she would ask the police department to make an investigation.

Denise L. DiFranco said they have not been investigated. She said that it is what this is. She said Atty. Holley is jumping to conclusions that we are jumping to conclusions. We are not. We are doing our due diligence. We are determining what to do next.

Julia Chretien said to answer her question. There are two routes to take. One you can use this to have a deeper investigation. You can ask Mr. Rogers questions now or you can conduct a full hearing. Denise L. DiFranco asked her to explain what a full hearing is. Ms. Chretien said it would be a show cause hearing with witnesses. Denise L. DiFranco said versus a complete investigation, explain that. Ms. Chretien said that is likely to precipitate a show cause hearing.

Denise L. DiFranco so this would mean continuing this another day.

Cheryl Hawes said this was not what she was expecting tonight given the way it was written [on the agenda]. She was under the impression that a motion was going to be made, and she is willing to make a motion right now and put an end to all this.

Denise L. DiFranco asked for advice from counsel. Ms. Chretien said they need to decide what they want to do. Cheryl Hawes asked if the agenda could stop her from making the motion. Ms. Chretien said no, but she would advise against it. Ms. Hawes asked why. Ms. Chretien said this was not the time for that conversation in open session. Denise L. DiFranco asked what the pleasure of the council was. Both would require another meeting. David Paolino suggested a hearing.

Ms. Hawes moved that we continue this item and that the council meet in Executive Session to discuss procedure, process, and next steps. David Paolino seconded.

Discussion: None.

Motion passed 4 - 0.

Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

Senator Rogers presented the council with \$3,000 worth of grants from the legislature.

**IV. ANNOUNCEMENTS /  
PUBLIC COMMENT**

Denise L. DiFranco announced that thanks to many people we were awarded the \$1,000,000 from Sen. Reed's office for the police station. David Paolino said it was due to the efforts of Representative Chippendale and Committee Chairman Joe Walsh. Rep. Chippendale worked really, really hard with a very difficult body of legislators who were not friendly at times. The planning board and planner Grant McGregor worked really hard on this.

Levi complained about the violence about attacks on white people.

Barry Gold wanted the council to put forward a resolution that it is okay to be white.

Denise L. DiFranco said she will accept comments about town business only and not what Levi and Barry were addressing.

Chad on Zoom said there is a first amendment. He said the origins of slavery in RI was established in Newport, RI and all the ships were Jewish.

Lynne Rider, Burgess Road, said that she is very disappointed and concerned with the fact that town officials, people representing this town, have been trying to undermine what the planning board has done by using Facebook. [They are] going after the ordinances that have already been passed and clearly giving misinformation. Ms. Rider said that she sat in on the meetings and knows that what is being said [on Facebook] is either not completely explained as it happened, or is just plain designed to get people upset.

Adam Dacko spoke on license fees. For him to renew, it would cost him, including the dumpster, \$345.00. Part of that fee is because of the dumpster, another increase in the fee is for a license for a pawnshop, and a license for sale of a secondhand article. He is one of three stores in all of Rhode Island that has a pawnbroker license, and essentially a pawnbroker is a secondhand dealer. He asked why he was being charged twice.

Anthony Renzi, Central Pike, as planning board chair, he referenced Ms. Rogers on the Facebook pages taking shots at the planner, and himself. He said he takes offense at that when you are putting out false stuff.

Denise L. DiFranco said she wanted to warn him. He said you don't have to warn him. Denise L. DiFranco said she didn't want to have to shut him down. Mr. Renzi said she doesn't have to shut him down. The council has time to review and read anything that the planning board brings forward, so you had time to ask questions, and you voted on things, then you leave here and discuss it and the next day people are calling him about things posted on Facebook that we are proposing a trailer park. Heidi Rogers said she voted against that. Mr. Renzi said, correct, and there are several issues out there, but on the Foster Town Council News, your husband and you chiming in said that we propose a trailer park like in Glocester. Things on Facebook after the fact is not the way the town should be run. It stirs up distractions. He understands we run on rumors and the rumor is that she [Mrs. Rogers] and Stonie don't like him as the planning chair, which is fine, he isn't here to be liked. They are

doing a lot of things to benefit the town. We are an advisory board; you have the final vote. He said he noticed on the agenda that we are going over license fees again. He said it is very interesting because he just received one of his licenses in the Town of Smithfield, a peddler's license, \$100, and a BCI form that has to be filled out. This is one of six licenses to sell the lemonade, one for holidays, one for after hours, one for Sunday Sales, and a regular license. They are each \$100, plus the peddler's license. Then there's four licenses for the State. It cost almost \$1000 to sell a 7-oz. cup of lemonade. Now that's from Smithfield who is flush with money. [Foster's] license fees are not to raise money; they cost us more to send out a license application, get the renewal, and have the women do this. We voted on the licenses, and now because one person is complaining, it's not the way to go. He wonders what the town council would say if he showed up next week in Smithfield and complained about his license fee. It's the way it is. Then on a Facebook page that a \$100 fee would affect a business owner's bottom line. If that \$100 affects a business owner's bottom line, we have a bigger issue.

**V. CONSENT AGENDA**

1. Meeting Minutes  
Approval of December 14, 2023 - Scrivener's error correction  
Recommendation of December 14<sup>th</sup> 2023 Minutes
2. Approval of General Warrants FY2024 #17 \$80,900.57
3. Kennel License Renewals: Wild River and Country Mutt

Julia Chretien said the December 14, 2023, minutes cannot be on the consent agenda. It has to be multiple minutes. Heidi Rogers moved to remove approval of the December 14, 2023 minutes to another agenda. David Paolino seconded.  
Discussion: None.  
Motion passed 5 - 0.  
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

David Paolino moved to approve the consent agenda as presented. Heidi Rogers seconded.  
Discussion: None.  
Motion passed 5 - 0.  
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

**VI. PUBLIC HEARINGS  
2024/2025 BUDGET**

Denise L. DiFranco said they started with a budget that was \$228,000 over the cap. She has worked diligently with Kelli [Russ], department heads, and did a lot to reduce the budget. They are still over \$60,000. They have to adopt a budget by April 11.  
Cheryl Hawes read the advertisement.  
Denise L. DiFranco opened the public hearing.  
Ms. DiFranco reviewed where they had made cuts. The Young at Heart cut \$1K, and department heads wage increases were cut. Kelli Russ explained her colors, yellow is a change, and light blue needs adjustment.

**10. General Government**  
Lynne Rider asked about the Other Admin Wages and if that was for the clerks who had to sit out in the hall (for elections). Ms. Russ said partially. It's them because there are 20 days of early voting, then the other part is a lot going on with canvassing. Mrs. Rogers pointed out that Kelli Russ

was the only one who requested a less than 3% salary increase.

Ms. Russ said the percentages are important because there is a 4% limit that we can increase the tax levy. The tax levy is only about 80% of our total revenue, so our expenditures—unless we have other revenue sources—really can't exceed a certain amount because there is no way to raise the revenue. We try to keep the increases for each department at 4%.

#### **11. Finance**

Patti Moreau said it is a reval year and she only asked for \$200 per member for the entire year, which would only be \$600, and next year we wouldn't ask for anything so she wanted to know why it was turned down. Denise L.

DiFranco said they discussed it. There were other boards who do extensive work, and they do not get paid so that was their reasoning.

#### **12. Social Services**

Denise L. DiFranco said they cut Gateway, Comprehensive Community Action, and Sojourner House.

#### **14. Planning**

Denise L. DiFranco said there were a lot of cuts there. The planner had asked for a part-time secretary. The council could not afford that so they have come up with some ideas to discuss with the planner. Also the grant writer was removed.

#### **15. Libraries**

Kelli Russ said they had asked for an increase of \$9,000 and now they are down to \$6,000.

#### **20. Public Works**

Denise L. DiFranco said they made significant cuts in that. Ms. Russ said cuts were rock and tree removal that went from \$30K to \$20K. Rental of a mower was cut. Denise L. DiFranco said we are looking at DPW, the police, and other public safety.

Lynne Rider said she was curious about the uniforms that seemed to have doubled. Kelli Russ said it did double; it was legitimate. It is a bargaining unit agreement. We are looking into competitive prices.

#### **21. Parks and Recreation**

Denise L. DiFranco said that Tammy [Steinkamp] is the chair of parks and recreation. She has done yeoman's work and gone above and beyond, Bright Night, Trunk or Treat, the schedules for the Rec field.

Heidi Rogers said they did have to cut. Denise L. DiFranco said they cut the phone at Woody Lowden so they are looking for it to be 911 only.

Anthony Renzi said he would hope that the people putting up a communications tower at Woody Lowden would provide one as a gesture of good will.

#### **30. Police and 32. Dispatch**

Denise L. DiFranco said a lot of this is contractual but we are still looking. Kelli Russ said this is the third year of the contract.

Lynne Rider asked how they are cutting officers' salaries, medical insurance, dental insurance, payroll taxes—are we going to go down a police officer? Kelli Russ said the request went down. It's based on many things—longevity, levels, benefits, etc.

### **33. Other Public Safety**

Denise L. DiFranco said they made a lot of cuts here. David Rathbun has presented fire fighter incentives. Our fire fighters are volunteers; they do not get paid. It was tough making those cuts and we do want to support creating an incentive program. Kelli Russ said that it looks as though the increase is 22.25% and that is not necessarily an increase in expenditures. Last year when we went fully paid with the ambulance, we took over the cash and the custodial function. We were funding \$228,000 to \$440,000 and that is what the budget increased to assuming a decent rate of return for billing. Part of the 22% is because we aren't offsetting it this year with additional revenue, which we did last year. It's closer to 8%.

David Rathbun, Hartford Pike, thanked them for considering the firefighter incentive. He takes issue with the cuts for South Foster Fire Company; he said they took \$8,000 out of the budget they submitted. These are operating costs, which are fixed costs, so we will have shortfall and have to fund raise. Is there any other department in town that fund raises? Denise L. DiFranco said the library does. Mr. Rathbun said to ask them to fund raise to pay the utility bills, insurance, maintenance, and fuel. Cheryl Hawes asked if the costs went up that much. Mr. Rathbun said yes, they have to pay insurance for the rescue now. You have to find a way to restore that.

Kelli Russ said she would take another look.

### **60-Long-term Debt and Obligations**

Kelli Russ said we had a bond issue this year and when we got the bond, we would not increase taxes for it; we would use the money after making the last payment to Providence Water. We would use ARPA funds to pay this debt. We are using that reserved fund balance to offset that. It's not a real increase of taxpayer dollars.

### **Capital**

Anthony Renzi spoke on the Capital Budget. He said where it says Highway \$400,000. Obviously, that is for asphalt and paving. There are things that are more important. Let's back off on the roads and give the stuff that's needed and more important—police and fire—just for a year. If it were he, he would have flat-lined everything there and just paid everything that was contractual. Heidi Rogers explained that this is Capital; we can't take money out of here for the operating budget. Denise L. DiFranco said it's like two different accounts. Kelli Russ said it's funded by revenue and not taxes.

Ms. Russ noted that "Town Clerk/Town Wide improvements" is to try to be able to put some of the paperwork back in by using a suppression system. For the police, it's their vehicles and communications. For the highway, we have the road plan. Chris Stone said if Mr. Rathbun came to us for something to use capital on that happened to be \$8,000, could we use it then. Ms. Russ said they have capital in their reserves already. Mr. Rathbun said they would like to but they need new equipment.

Kelly Russ continued that Public Works equipment was for a bobcat and a hydro-dig. The \$150,000 for the Engineering Board was agreed to but we are trying to increase it.

The \$249,000 for the Paine School is because they put in a new pavilion and a huge playground. They are also doing some health and safety projects like security cameras, a well, a furnace—a bunch of major projects. The funds come from

the State so we are giving them what is earmarked for their projects.

The police station improvements. The \$600,000 was recommended by the planning board. The \$19,133 is because we have a lease for communications equipment at the police station.

Lynne Rider asked why there was no capital for Buildings and Grounds. Ms. Russ asked what that would be for. Ms. Rider said new lights out in the field. Ms. Russ said that was a lighting study but not lighting. Ms. Rider asked about the Rec Field; it has to be redone. Ms. Russ asked how would that be capital. It's come out of Operating before. There are operation funds to maintain the field. Mrs. Rider said there are probably some projects with the Town House that are going to come up such as the drainage. There are two inches of water in the basement because of the rainstorms. Does Preservation have to go for grants just so we don't flood? It seems like that should be under buildings and grounds.

#### **80 – Misc. Transfers**

Ms. Russ said we didn't change anything.

#### **Capital 2% Transfer**

Ms. Russ said you can see [in Capital] you are spending 1,700,000 but take out the \$600,000 that we talked about but a good \$400,000 of that is what we reserved from the ARPA funds.

Our capital needs are greater than what we put in.

#### **50-Paine School**

Denise L. DiFranco said they came before us with increases. They are at 4%. We knew it was going to happen. Ms. Russ said when they didn't have any increases they had large surpluses in those years. Now they need it. They had changes in the student population.

#### **Education**

Ms. Russ said if our student population goes up, we pay more. Our request is only 1.78%. We are generally on the negative end every two years and you have to put some of that money away.

#### **Expenditures**

Kelli Russ said you don't want to look at the percentage that includes the capital, which can be a million one year, two million the next. It's a fluctuating number based on what your needs are that year, so that's why I do it both with capital and without because without is the one that impacts your taxes. It's a 4.57%.

#### **Revenues**

Kelli Russ said she has been talking about this for years. Revenue sources are stagnant. The only one that isn't seems to be the tax levy because that's all you really have. You have the same restaurants; you have the same abilities to tax. Where other communities bring in hundreds of thousands if not millions of dollars from meal and beverage taxes, we bring in \$28,000. The first four or five items are tax related: the levy, a decrease in that [uncollectible], tax interest, licenses and fees decreased, building fees increased, zoning fees and police fines down. All the lines below are transfers so they are revenues but not impacting taxes. So that's it, you are at a \$60,000 loss and we cannot go forward and cannot adopt a budget with a \$60,000 loss.

Lynne Rider said since we are in such desperate need of revenue, isn't it time to go forward with a municipal court? Denise L. DiFranco said it is in progress. Kelli Russ said a

municipal court costs money, so if you don't make enough new money to cover the full cost you are dipping into what you already budgeted for revenue. It could negatively impact the budget. David Paolino said possibly the first year, and he has checked with other towns and the revenue it brings in is 4 to 1. So, they bring in \$80-90 thousand and their expense is \$20-25 thousand. Richmond, Warren, Burrillville—communities similar to ours.

Anthony Renzi said the planning board was putting the municipal court together with a gentleman named Jeff Sheldon ten years ago when the town council didn't want to do it. Now that we are in desperate need, we're looking at it. Chief Lindell said you don't need probable cause to stop a truck. A car has to be speeding, but a truck squad is [about] inspections so every violation can be a citation. The chief said you have to go to truck school, then hazmat, so it's a long educational process but once you have it, and keep up your certification, you have it. Because of the trucking industry going through small towns, the gantries that went up and all the vehicles that started to go off road, a lot of municipalities sent their guys to school and now they have their own truck guys. She had this idea from day one.

First Hearing: Animals

Denise L. DiFranco opened the public hearing. Grant McGregor read the advertisement. Mr. McGregor explained that these are the DEM livestock welfare standards. They come directly from the RI code of regulations. He did not edit these at all. The reason these are brought forward is because there was some discussion about a 35 animal ordinance in the zoning code, which brought up questions about animal density. There is very little regarding that; chickens are really the only example where there's a limit on square footage on how many you can keep. Essentially, anyone who keeps livestock by State law has to follow these regulations already. David Paolino asked if this was basically housekeeping. Mr. McGregor said we could say that. Denise L. DiFranco asked Mr. McGregor to explain how the right-to-farm act affects these. He replied that basically, any agricultural operation can be subject to things like removal of manure or places for keeping animals. Agricultural operations are exempt under right-to-farm from local ordinances.

- 1. Sec. 8-1. – Livestock welfare – Livestock defined.**  
Recommendation to add the definition of “livestock” to match RIGL 4-26-3(6) and to specify the types of animals covered under this article.
- 2. Sec. 8-2. – Livestock welfare – Adequate living conditions.**  
Recommendation to specify the standard for adequate living conditions for livestock. The definition for “adequate living conditions” matches RIGL 4-1-1(5).
- 3. Sec. 8-3. - General Considerations for the Care and Welfare of Livestock - Definitions.**  
Recommendation to add definitions to define terms related to the general considerations for the care and welfare of livestock. The definitions match 250-RICR-40-05-5.6(A).
- 4. Sec. 8-4 - General requirements for the care and welfare of all types of livestock.**  
Recommendation to add specifications of the general requirements for the care and welfare of all types of livestock in addition to requirements for specific types of



livestock. The same requirements are found in 250-RICR-40-05-5.7.

**Sec. 8-5 - Specific requirements for the care and welfare of ambulatory disabled, non-ambulatory disabled or distressed livestock.**

Recommendation to add specific requirements for the care and welfare of Ambulatory disabled, non-ambulatory disabled or distressed livestock. The same requirements are found in 250-RICR-40-05-5.8(A).

**6. Sec. 8-6 - Specific requirements for the care and welfare of bovine-veal.**

Recommendation to add specific requirements for the care and welfare of bovine-veal. The same requirements are found in 250-RICR-40-05-5.8(B).

**7. Sec. 8-7. – Specific requirements for the care and welfare of bovine-dairy.**

Recommendation to add specific requirements for the care and welfare of bovine-dairy. The same requirements are found in 250-RICR-40-05-5.8(C).

**8. Sec. 8-8 - Specific requirements for the care and welfare of bovine-beef.**

Recommendation to add specific requirements for the care and welfare of bovine-beef. The same requirements are found in 250-RICR-40-05-5.8(D).

**9. Sec. 8-9 - Specific requirements for the care and welfare of porcine-swine.**

Recommendation to add specific requirements for the care and welfare of porcine-swine. The same requirements are found in 250-RICR-40-05-5.8(E).

**10. Sec. 8-10 - Specific requirements for the care and welfare of poultry-layers.**

Recommendation to add specific requirements for the care and welfare of poultry-layers. The same requirements are found in 250-RICR-40-05-5.8(F).

**11. Sec. 8-11 - Specific requirements for the care and welfare of poultry-broilers.**

Recommendation to add specific requirements for the care and welfare of poultry-broilers. The same requirements are found in 250-RICR-40-05-5.8(G).

**12. Sec. 8-12 – Specific requirements for the care and welfare of poultry breeders.**

Recommendation to add specific requirements for the care and welfare of poultry breeders. The same requirements are found in 250-RICR-40-05-5.8(H).

**13. Sec. 8-13 - Specific requirements for the care and welfare of ovine.**

Recommendation to add specific requirements for the care and welfare of ovine. The same requirements are found in 250-RICR-40-05-5.8(I).

**14. Sec. 8-14 – Specific requirements for the care and welfare of caprine.**

Recommendation to add specific requirements for the care and welfare of caprine. The same requirements are found in 250-RICR-40-05-5.8(J).

**15. Sec. 8-15 - Specific requirements for the care and welfare of camelid.**

Recommendation to add specific requirements for the care and welfare of camelid. The same requirements are found in 250-RICR-40-05-5.8(K).

**16. Sec. 8-16 - Specific requirements for the care and welfare of equine.**

Recommendation to add specific requirements for the care and welfare of equine. The same requirements are found in 250-RICR-40-05-5.8(L).

**17. Sec. 8-17 – Violations; Penalties.**

Recommendation to add penalties for violation of the conditions of Article I of Chapter 8 and the regulations of 250-RICR-40-05-5. The same violations and penalties are found in 250-RICR-40-05-5.9.

**18. Sec. 8-18 – Enforcement.**

Recommendation to add specific enforcement measures and authorizations. The same measures and authorizations are found in 250-RICR-40-05-5.10.

Denise L. DiFranco asked three times if anyone would like to speak in favor of these changes.  
There was none.

Denise L. DiFranco asked three times if anyone would like to speak against of these changes.  
There was none.

Denise L. DiFranco closed the public hearing.  
Heidi Rogers asked about manure. Mr. McGregor said it's about agricultural operations, that they do not have to pick up manure because of right-to-farm.  
Chris Stone said his concern with these is that the town does not have the resources to enforce these ordinances. Mr. McGregor said these are State laws and already need to be enforced by DEM. He is not suggesting that the town go around enforcing this. Mr. Stone said if a resident calls Tina (former town clerk) and says we have an issue with the neighbor next door taking care of their animals, we don't even have an animal control officer. Mrs. Dillon and Ms. Russ said yes we do. Cheryl Hawes said they would call DEM. Mr. Stone said the original complaint could come to us. Denise L. DiFranco said these are State and not town, we are putting this in our ordinances as a convenience. Maybe instead of in our ordinances, we have it in a different location such as the website. Would that work? Mr. McGregor said yes.

Second Hearing- Businesses  
Mass Gathering

**19. Sec. 12-137 – Definitions**

Recommendation to add a definition for “temporary mass gathering permit” as defined in RIGL 5-11.1-3(13).  
Amendment to the Ordinance Concerning Mass Gathering Permits. Sec. 12-162. License issuance; fees; limitations. Addition: (3) for any event where the Town, through a Department and/or Committee, is a sponsor and/or coordinator of the event, no public hearing shall be required for the issuance of any event or temporary Mass gathering permit.

David Paolino moved to continue the second hearing on business. Cheryl Hawes seconded.  
Discussion: Grant McGregor said he didn't write that one, Julia did.  
Motion passed 5 - 0.

Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.  
This item will be continued to April 11.

Third Hearing - Animals  
(Ch. 8) and Zoning (Ch. 38)

David Paolino moved to continue the hearing on Animals, Ch. 8 and Zoning Ch. 38 to the April 11 meeting. Heidi Rogers seconded.  
Discussion: None.  
Motion passed 5 - 0.  
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

Fourth hearing on  
Manufactured homes and  
trailers hearing

David Paolino moved to continue the fourth hearing on manufactured homes and trailers to the April 11 meeting. Chris Stone seconded.  
Discussion: Mr. McGregor stated this one is extremely important because of the information that is flat out wrong and the lies about our planning board regarding this. He is trying to clear this up.  
Motion failed 0 - 5.  
Heidi Rogers, no; Chris Stone, no; David Paolino, no; Cheryl Hawes, no; and Denise L. DiFranco, no.

Heidi Rogers read the advertisement.  
Denise L. DiFranco opened the public hearing. The council may vote.  
Grant McGregor said this is the third time these are being heard and if you listen to Councilwoman Rogers, she listed eight different ordinances, 16-121, 16-122, 16-123, 16-124, 16-125, 16-126, 16-151, and 16-152. Those are not listed in what is being heard tonight because those were all approved by the town council at the last meeting and they all relate to trailer parks. 16-121 says that manufactured home parks are prohibited in Foster and the rest of them were removed. If you were on the internet recently you might have heard that we were trying to promote trailer parks when the exact opposite is actually true.

**1. Sec. 16-81. - Unlicensed trailers prohibited.**  
Recommendation to state that no person shall maintain or use any trailer or manufactured home as a dwelling unit without a permit without exceptions. Recommendation to specify that the permitting process for manufactured homes is found in SBC-2 (One and Two Family Residential Code).  
Mr. McGregor said this is regarding replacements. Heidi Rogers said she had to read the ad as it was placed. Mr. McGregor said he understood that, but what he doesn't understand is why on the internet it says that we are looking to put forward trailer parks, which is on the "Foster Town Council News" which is fake news.  
Denise L. DiFranco asked him to stop there. Chris Stone asked what a manufactured home is. Mr. McGregor explained that a manufactured home by the U.S. code definition is anything that is prefabricated on a permanent chassis with or without a permanent foundation. The goal here is to only allow prefabricated homes with a permanent foundation and not allow manufactured homes.  
House Bill 79-80 proposes that manufactured homes be allowed on any single-family residential lot in RI. He spoke with the legislative chair of the RI chapter of the American Planning Association and voiced support for municipalities being able to regulate zoning districts for manufactured homes. They are supportive of that.  
Heidi Rogers said they used to call them mobile homes. Anthony Renzi said that was because they had wheels on

them. Mr. Renzi reviewed types of homes. Mr. McGregor said that these ordinances are about replacement and temporary trailers, pre-HUD 1976, and permits pre-fab homes but only if they have a permanent foundation. Anything else would have to meet the new State building code.

**2. Sec. 16-82. - Procedure for applying for initial trailer license.**

Recommendation to amend the permitting process for manufactured homes to match SBC-2 for replacement and temporary manufactured homes.

Heidi Rogers asked if that is temporary if a house burns down. Mr. McGregor said yes, applied to the building official. You can also replace a grandfathered trailer.

**3. Sec. 16-83. - Standards to govern issuance of initial trailer license.**

Recommendation to amend the standards to govern issuance of license for manufactured homes to match SBC-2 for replacement and temporary manufactured homes. Mr. McGregor explained the required setbacks.

**4. Sec. 16-84. - Hearing on issuance of initial trailer license; issuance or denial of license.**

Removal of section. Manufactured homes are regulated by SBC-2 in all RI municipalities. No hearing is required in the permitting process for manufactured homes in SBC-2.

Mr. McGregor said there is no hearing requirement found in the State building code.

**5. Sec. 16-85 - Previously located trailers.**

Recommendation to state that all replacement manufactured homes must comply with the provisions of SBC-2.

Mr. McGregor said after 1976 replacements must comply with the provisions of the one and two-family codes.

Denise L. DiFranco asked three times if anyone would like to speak in favor of the ordinances.

There was none.

Denise L. DiFranco asked three times if anyone would like to speak against the ordinances.

There was none.

Denise L. DiFranco closed the public hearing.

Heidi Rogers moved to approve the recommendation of the planning board to amend the following sections as presented: Sec. 16-81. Unlicensed trailers prohibited. 16-82. Procedure for applying for initial trailer license. Sec. 16-83. Standards to govern issuance of initial trailer license. Sec. 16-84. Hearing on issuance of initial trailer license; issuance or denial of license. Sec. 16-85.

Previously located trailers. David Paolino seconded.

Discussion: Denise L. DiFranco thanked Mr. McGregor and Mr. Renzi for clarification.

Motion passed 5 - 0.

Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

**VII. OLD BUSINESS**

Urgent Request - Address  
Correction Initiative to  
Enhance Emergency Response  
Efficiency

Denise L. DiFranco said that Mrs. Dillon included the procedure she has in place now. Heidi Rogers and Ms. DiFranco met with the chiefs and they came up with a procedure. The change that they were looking at is where it says the number will be chosen depending on existing numbers. They would like the building inspector to go out because they feel they need a visual. When people go online and ask for a permit, the building official goes out and looks. The recommendation is that the pole nearest

to the driveway is what the address would be. So, if it was 109, then they go to 109-A, 109-B, 109-C. That would be their recommendation going forward. If the building official is comfortable with saying that, he would reach out to the chief within 24 hours.

Heidi Rogers moved to accept the procedure for new house numbers as presented. David Paolino seconded. Discussion: Adam Dacko, 119-A Central Pike, said he was curious how this will affect existing addresses. Denise L. DiFranco said there are some that are incorrect and are not in sequential order, and we are going to address that at another meeting. Mr. Dacko said he has been out here for 44 years. His address has changed three times. Denise L. DiFranco said their concern is with the ones that are not in sequential order, they are not changing any others. Motion passed 5 - 0.  
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

Budget Workshop Schedule

Denise L. DiFranco said the budget has to be adopted by April 11. Wednesday the 3<sup>rd</sup> at 4:00 was suggested. Kelly Russ said she thought we could meet five more times and the decisions will be just as bad. At this point, speak to the departments that have to make cuts, meet, and call it a day. Cheryl Hawes moved to meet on April 3 at 4:00 at the Eddy Building for a budget workshop. Discussion: None.  
Motion passed 5 - 0.  
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

Police Station Update

Denise L. DiFranco said she didn't have anything new to say. They received the million dollars and that we are still in talks with Rowse concerning fees and Glocester has gone forward with their budget for \$12 million. Lynne Rider, Burgess Road, clarified that the million is from Reed and not State money, correct? Denise L. DiFranco said no, that is the State money.

**VIII. NEW BUSINESS**  
National Small Business  
Week Proclamation

David Paolino read the proclamation (see Exhibit A). Heidi Rogers moved to authorize the council president to sign the proclamation. David Paolino seconded. Discussion: None.  
Motion passed 5 - 0.  
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

Schedule Philips Field  
Opening Day

Denise L. DiFranco said we have been looking at having a dedication of the field versus the opening of the field. Have it the first home game at the field. Kelli Russ said it would be nice to mention that DEM gave Tammy \$400,000.

Request to Reconsider the  
following Ordinances

Heidi Rogers moved to reconsider the ordinances as presented excluding Sec. 12-162 - License issuance; fees; limitations. Cheryl Hawes seconded. Discussion: Heidi Rogers explained that she wanted to reconsider it because there are so many ordinances, and she didn't realize the impact it would have on certain business owners like Adam [Dacko] who had 4 licenses. There were some that went from \$25 to \$100, some from \$50 to \$100, and now there is a license for my motel. If we are trying to be business friendly and attract businesses, she thinks all the fees are actually going to hurt the few businesses that we have.  
Motion passed 5 - 0.  
Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

**1. Sec. 12-34 – License for sale of alcohol.**

Recommendation to increase the initial license fee for sale of alcohol to \$500.00. Recommendation for annual renewal fee to match initial license fee.

**2. Sec. 12-35 – License for entertainment**

Recommendation to increase the initial license fee for entertainment to \$300.00. Recommendation for annual renewal fee to match initial license fee.

**3. Sec. 12-36 – License for campground**

Recommendation to increase the initial license fee for campground to \$100.00. Recommendation for annual renewal fee to match initial license fee.

**4. Sec. 12-38 - License for pawn shop**

Recommendation to increase the initial license fee for pawn shop to \$100.00. Recommendation for annual renewal fee to match initial license fee.

**5. Sec. 12-39 – License for sale of secondhand articles**

Recommendation to increase the initial license fee for sale of secondhand articles to \$100.00. Recommendation for annual renewal fee to match initial license fee.

**6. Sec. 12-40 – License for private detective**

Recommendation to increase the initial license fee for private detective to \$100.00. Recommendation for annual renewal fee to match initial license fee.

**7. Sec. 12-41 – License for theater**

Recommendation to increase the initial license fee for theater to \$100.00. Recommendation for annual renewal fee to match initial license fee.

**8. Sec. 12-42 – License for auto repair**

Recommendation to increase the initial license fee for auto repair to \$100.00. Recommendation for annual renewal fee to match initial license fee.

**9. Sec. 12-43 – License for preparing food (Victualling)**

Recommendation to increase the initial license fee for preparing food (Victualling) to \$100.00. Recommendation for annual renewal fee to match initial license fee.

**10. Sec. 12-44 – License for automobile junkyard**

Recommendation to increase the annual renewal fee for automobile junkyard to \$100.00. New junkyards are prohibited.

**11. Sec. 12-45 – License for flea market**

Recommendation to increase the initial license fee for flea market to \$100.00. Recommendation for annual renewal fee to match initial license fee.

**12. Sec. 12-46 – License for retail/holiday sales**

Recommendation to increase the initial license fee for retail/holiday sales to \$100.00. Recommendation for annual renewal fee to match initial license fee.

**13. Sec. 12-47 – License for gravel banks, natural material processing, stone crushing and sorting, mining, quarrying**

Recommendation to increase the initial license fee for Industrial use #21 to \$100.00. Recommendation for annual

renewal fee to match annual license fee. Recommendation to require an inspection to be made by the ZEO annually prior to renewal of a license for Industrial use #21.  
Recommendation to include conditions for restoration of land upon discontinuance of use.

**14. Sec. 12-96 – Application fee; renewal fee**

Recommendation to increase the license application fee for a firearms dealer's license to \$100.00. Fee for issuance of license shall remain \$5.00 pursuant to RIGL 11-47-39(4).

Heidi Rogers moved to approve the recommendations of the planning board to amend ordinances:

Sec. 12-34 – License for sale of alcohol,  
Sec. 12-35 – License for entertainment,  
Sec. 12-36 – License for campground,  
Sec. 12-38 - License for pawn shop,  
Sec. 12-39 – License for sale of secondhand articles,  
Sec. 12-40 – License for private detective,  
Sec. 12-41 – License for theater,  
Sec. 12-42 – License for auto repair,  
Sec. 12-43 – License for preparing food (Victualling),  
Sec. 12-44 – License for automobile junkyard,  
Sec. 12-45 – License for flea market,  
Sec. 12-46 – License for retail/holiday sales,  
Sec. 12-47 – License for gravel banks, natural material processing, stone crushing and sorting, mining, quarrying, and

Sec. 12-96 – Application fee; renewal fee as presented.

David Paolino seconded.

Discussion: David Paolino noted that a pawnshop was not a secondhand store.

Adam Dacko, Rt. 6 Outpost, questioned the pawnshop as compared to a secondhand license. Both are essentially secondhand licenses. Yes, money is loaned, but he tries not to get into that aspect of the pawnshop because he doesn't want to accept stolen goods. David Paolino said that the ordinance is not just for Mr. Dacko. It is for anyone with a pawnshop. If you aren't operating that way, why not just drop the pawnshop license? Mr. Dacko said because he is still accepting trailers. There are other things other than jewelry.

Denise L. DiFranco asked Julia Chretien if the council could make exceptions to these licenses. Ms. Chretien said the council has the authority to do things if a person is getting more than one license to charge specific fees. She did not write these ordinances, but she can review to see if the phrase "the council retains the right to waive a fee, change a fee, etc." Denise L. DiFranco asked if these ordinances had that. Grant McGregor said no, the ordinances are very simple. Cheryl Hawes asked if we could add it at this time. Anthony Renzi said don't sent it back to the planning board because we won't approve it. You want us to put a line in so the town council can change their minds on certain licenses. When the town gets busy and more licenses come in, you are going to have people coming in front of you saying, "I don't want to pay for this license and I think I should have a break" and then you have to do it for all. In order to do business properly and move forward like the rest of the towns in this State, and not be a laughing stock, we have to move forward. The person who was raised to a \$100 should be thankful for all the years he had a \$25 license. You want to change them for your best friend or whomever you went to high school with and your cousin, so you might as well do that for everybody. Our planning board didn't just pull these

fees out of the sky; we went to every town to come up with a fair and reasonable fee. Heidi Rogers said it wasn't all these people. Mr. Renzi said no, it was just you, and you voted for these the other night and then you changed your mind because you went home and had a discussion with somebody that said it would affect your bottom line.

Denise L. DiFranco said she did ask Mrs. Dillon to reach out to the clerks in Scituate and Gloucester. Looking at their fees, she doesn't think we are being unreasonable. Cheryl Hawes said she wanted this discussion to take place. She does not think the fees were where they were supposed to be. She wanted him [Mr. Dacko] to understand how they came up with these fees.

Denise L. DiFranco asked Mr. McGregor if he had a definition of what constitutes a pawnshop and what constitutes a secondhand shop. Mr. McGregor said no, we don't have that and he pointed out that these ordinances were read twice, continued, and were voted favorably on. These were the simplest ordinances put forward. He thinks the council should understand that if you have multiple businesses under one roof, you will have to pay multiple license fee just as in every other town. This is a reflection of not coming to meetings prepared.

Mr. Renzi said a secondhand license is what you sell. Pawnshop is different, it can be on consignment. They are different licenses.

Motion passed 4 - 1.

Heidi Rogers, no; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

**Sec. 12-37 – License for hotel/motel**

Recommendation to increase the initial license fee for hotel/motel to \$100.00. Recommendation for annual renewal fee to match initial license fee.

Cheryl Hawes moved to approve Sec. 12-37 License for hotel / motel. David Paolino seconded.

Discussion: None.

Motion passed 5 - 0.

Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

**IX. EXECUTIVE SESSION**

Cheryl Hawes moved to add to the agenda Executive Session for discussion purposes only pursuant 42-46-5(a) to discuss the DPW Director position. David Paolino seconded.

Discussion: None.

Motion passed 5 - 0.

Heidi Rogers, aye; Chris Stone, aye; David Paolino, aye; Cheryl Hawes, aye; and Denise L. DiFranco, aye.

Cheryl Hawes moved to go into Executive closed session pursuant to R.I.G.L 42-46-5 for the discussion of personnel R.I.G.L 42-46-5(a)(1) and to reconvene in open session and further to keep the minutes of said meeting closed and the minutes of all executive session held previous to this meeting closed and remain according to provisions in the general laws of RI 46-42-4 and 5.

Chris Stone seconded.

**X. ADJOURNMENT**

Meeting adjourned at 10:05 p.m.

Submitted by

Susan M. Dillon  
Town Clerk



# TOWN OF FOSTER

## PROCLAMATION OF NATIONAL SMALL BUSINESS WEEK 2024

*WHEREAS the resilience of American small businesses continues to drive America's strongest economic growth in almost 40 years, fostering the competition and innovation that creates opportunities for families, workers, and neighborhoods; and*

*WHEREAS small businesses are the backbone of our communities and the American economy, employing more than half of our Nation's workers, enriching our Main Streets, making parts and products in America to fuel our supply chains, building our Nation's infrastructure, and innovating and inventing the products of tomorrow; and*

*WHEREAS the historic investments made through the President's American Rescue Plan, Infrastructure Investment and Jobs Act, CHIPS and Science Act, and Inflation Reduction Act are ensuring small businesses can access federal capital support, technical assistance, contracting opportunities, and other resources to help lead the way as we rebuild America's roads and bridges and build a clean energy economy for the future; and*

*WHEREAS when we support small businesses, jobs are created, and local communities preserve their unique culture and enjoy new opportunities to build generational wealth; and*

*WHEREAS entrepreneurship continues to be one of the best pathways to the American Dream, evidenced by the historic small business boom, with a record 16.5 million Americans applying to start a business since January 20, 2021, including 5.5 million last year; and*

*WHEREAS by renewing our commitment to supporting small businesses, we can maintain our global competitiveness and build a stronger Nation where everyone can succeed - from the bottom up and middle out; and*

*WHEREAS the President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs through the U.S. Small Business Administration and other government agencies; and*

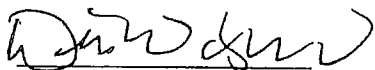
*WHEREAS the Town of Foster supports and joins in this national effort to recognize the contributions of small businesses to the American economy and their importance in ensuring that our local communities remain as vibrant tomorrow as they are today.*

*NOW, THEREFORE, I, Denise L. DiFranco, President of the Foster Town Council do hereby proclaim April 28 through May 4, 2024, as*

**NATIONAL SMALL BUSINESS WEEK**

*Dated the 28<sup>th</sup> of March, 2024.*

Attest:



Denise DiFranco  
Town Council President



Susan Dillon  
Town Clerk

