

August 24, 2006

The August 24, 2006 town council meeting was called to order by Heidi Rogers at the Town House 180 Howard Hill Road Foster, RI 02825 at 7:00 p.m.

The following members were present:

Heidi Rogers, President
Steven Bellucci, Vice President
Ralph Berkowitz, absent
Harold R. Shippee, Sr.
Colette J. Matarese
Jane Gurzenda, Town Solicitor

The following spoke under concerned citizens:

Rose Salvadore, Walker Road
Cheryl Davis, Abbey Lane
Cheryl Wright, Foster Center Road
Tina W. Simula, Howard Hill Road

Colette J. Matarese moved Harold R. Shippee, Sr. seconded and it was so voted to approve the June 8, 2006 minutes. The April 20, 2006 minutes was not voted on because of Ralph Berkowitz's absence.

Steven Bellucci moved Colette J. Matarese seconded with discussion to approve the General Warrant # 33 for \$704.25 and General Warrant #4 for \$155,553.21
Colette J. Matarese noted that General Warrant #33 was not numbered consecutively. The copy here is from 2006. Colette Matarese asked if the money was coming out of this year or last years budget. Councilor Matarese questioned General Warrant #4, page 3 the bottom item of the Providence Journal that is coming out of the Town Clerk's budget. Individuals who go into Probate are required to pay for their own ads. This should not come out of the Town Clerks budget. It should be a reversible item. They basically pay for their own ads and should not be coming out of the Town Clerk's budget.

Jane Gurzenda, Town Solicitor spoke that the Town Clerk's do have an account separate from the department budget and agreed that it should be taken out of a Probate account. Councilor Matarese asked that on page 4 for Licenses and Fees, the vendor should not be RI Department of Attorney General. Licenses and Fees don't go there, they go to the RI Department of Administration. Those checks are made out to the wrong vendor. Then on page 5 the party people again the \$1,050.00 is being taken out of the Recreation Directors salary account, which is totally inappropriate. If the Director wants to say that he is not going to take any salary to balance it that would be one thing, and one item could be over and one item could be under.

Heidi Rogers said that she had spoken to Lisa Mills on that and Lisa said that is what was on the requisition. Colette J. Matarese also said that is why we approve warrants.

Ronald Cervasio of Old Plainfield Pike spoke of going through the budget by line item and that the bottom line is what the town needs to focus on.

Colette J. Matarese spoke about the Town Charter, and that the Town Council is the one responsible for the budget items and not the Directors. Directors make out the budget at the beginning of the budget cycle. That budget is suppose to be accurate and is what the department will be spending for the next fiscal year. The only way to track changes in the budget that need to be made the only way to track expenses is to have the correct line items to be used. The Town Council is the ultimate one responsible and this is the Town Council's budget it is not an individual's budget. They can spend on what they want to spend for however they have got to make sure the correct line items are being used. Colette J. Matarese asked about the checking account for the Recreation Department but did not get an answer. During the budget process I wanted to put Family Fun day into

the Recreation budget but was told no because it was going to be paid out of a separate account that the Recreation committee has. And that I was told to wait one more year to see if it would support itself. It is totally inappropriate to take this money out of this line item.

Colette J. Matarese made an amendment to reduce warrant #4 by \$163.16 for the Probate expenses, Harold R. Shippee, Sr. seconded and it was unanimously so voted. The main motion was so voted and it was unanimously so voted.

Cheryl Davis, asked why there were no payroll warrants on the agenda since Tuesday was not a holiday. Heidi Rogers said she would speak to Lisa Mills.

Lynne Rider, Burgess Road asked that doesn't that mean that the employees don't get paid? Heidi Rogers said no, the council approves them after the fact.

Heidi Rogers said the continuation of the Public hearing for the proposed Amendment of the Zoning Ordinance Article IV Section 7 18. Package Stores.

Colette J. Matarese said that due to the fact a motion was made, seconded and was voted down the last time. What I would like to do is make a motion to reconsider the items on the agenda. That is proper form for Roberts Rules of Order.

Harold R. Shippee, Sr. seconded and it was unanimously so voted to reconsider the items on the agenda.

Charles Knowles spoke as the attorney for William Fortin.

Colette J. Matarese said that she looked at the Town Comprehensive Plan and the Zoning Ordinance and that area is the only recognized Manufacturing/Industrial zone in the town. She looked at other uses for that area and there are more evasive businesses that could be put in the area other than a liquor store. The Town of Foster limits the amount of package store license in town. There has to be an approved site plan review by the planning board prior to any change in use and prior to opening the business. That is what I looked into since the last meeting.

Heidi Rogers asked if there was anyone in favor of the change.

Clodomiro Gabriele of Danielson Pike spoke in favor.

Gordon Rogers of Cucumber Hill Road also spoke in favor.

Heidi Rogers asked if there was anyone who was against the change. No one spoke against.

Steven Bellucci moved to approve the amendment of the zoning ordinance. Colette J. Matarese seconded and it was unanimously so voted to approve the amendment.

Steven Bellucci made a motion to move agenda item 5C up to 5A also, Harold R. Shippee, Sr. seconded and it was unanimously so voted.

Heidi Rogers opened the public hearing for the transfer of a liquor license class A to Twisted Liquor, Inc. from Snagwood Package Store.

Charles T. Knowles attorney for William Fortin spoke in favor of the transfer. And that the council could require a presentation of the site plan for the establishment at a later time. He also spoke in favor of William Fortin's character, he just didn't like his hair cut.

Heidi Rogers asked if there was anyone who would like to speak against the transfer, no one spoke.

Steven Bellucci moved to grant the transfer the liquor license from Snagwood Package store to Twisted Liquors. Harold R. Shippee, Sr. seconded and it was unanimously so voted.

Heidi Rogers opened the public hearing for the secondhand license E & F Realty, LLC .

Ben Gallo, attorney for Morris Maglioli spoke in favor of the renewal of the secondhand license for auto salvage business at 37 Mill Road Foster, RI 02825. The hours of operation are as follows: Monday to Friday from 7 a.m. to 6 p.m. and Saturdays until 12 noon, and closed on Sundays.

Colette J. Matarese asked Mr. Maglioli if there was any crushing of cars on the property and are there any plans to crush cars on the property. Mr. Maglioli answered yes that he would be crushing cars in the future. Councilor Matarese asked if Mr. Maglioli if he had a hazardous waste management plan, what do you do with the waste from the cars?

Mr. Maglioli answered that he had some documentation from DEM and that he has a waste management plan.

Councilor Matarese also asked if Mr. Maglioli if he had a reformation system for R14 and R34 which is for air conditioning systems? Mr. Maglioli said that he did not have that system but will be purchasing one for the business. Colette J. Matarese also said that she did pass by the business but did not go on the property because no one was around. But did see some construction material around and asked if that was to be cleaned up. Mr. Maglioli said that it would be.

Heidi Rogers asked if there was anyone who was against the application.

John Tucker, 40 B Old Danielson Pike spoke on behalf of Dorothy Kilham who is an abutter of the property. Mr. Tucker said that Ms. Kilham had some concerns about the environment impact.

Lynne Rider, Burgess Road asked if anyone had a copy of the stipulations from the previous owners of the business.

Dorothy Billington, Shippee Schoolhouse Road said that the only reason that the applicant is here is because they screwed up and didn't renew their license, I think we should just let them pay their taxes and give them their license.

Linda Tibbetts, Mill Road asked if the applicant were the people that worked on the property after hours and did some dumping on the property.

Mr. Maglioli said it was not him.

Heidi Rogers closed the Public Hearing.

Steven Bellucci made the motion to grant the secondhand license to Morris Maglioli with the same stipulations as the previous license, Harold R. Shippee, Sr. seconded and it was unanimously so voted to approve the license.

Steven Bellucci made a motion to move letter F up to Old Business A1 of the agenda Harold R. Shippee, Sr. seconded and it was unanimously so voted

Heidi Rogers opened the public hearing for Hemlock LLC for Newell & Matthew Wright 37A Mill Road.

Heidi Rogers asked if there was anyone who was for or against the application, no one spoke. Councilor Rogers closed the public hearing.

Steven Bellucci made a motion to approve the license to Hemlock, LLC, Harold R. Shippee, Sr. seconded and it was unanimously so voted.

Sgt. Samuel Mooney, Foster Police Department spoke about the ING account and why the money has not been deposited into to his account when the money has been deducted from his pay every week. He said he would like his account to be brought up to date.

Heidi Rogers said that it was her understanding that all the ING payments were current to June 30th.

Sgt. Mooney said no.

Steve Woerner, said that he had a phone call from the Auditor General's office yesterday afternoon and said that the Auditor General's office is concerned. This affects about four or five employees and it starts from the time period of May 2005.

Sgt. Mooney said that it is 72 weeks.

Steve Woerner said he would have a report in two weeks on the ING account.

Steve Woerner asked if the town council would approve a temporary employee being paid at \$20.00 per hour for a period of two weeks.

Steven Bellucci moved to authorize the hiring of a temporary employee for a maximum of \$1,400.00. Heidi Rogers seconded and it was unanimously so voted.

The following people spoke on the issue in the Treasurers Office:

Cheryl Davis, Abbey Lane
John Charyan, Danielson Pike
Pamela Fontaine, Tax Collector
Ronald Cervasio, Old Plainfield Pike
Lynne Rider, Burgess Road

Steve Woerner spoke of some concerns that he had with the Treasurers Office. He said he received a call from the Auditor Generals office and that office had some concerns with the Town of Foster.

Heidi Rogers stated that it was her understanding that Lisa Mills, Interim Treasurer would be done by October 1st.

Colette J. Matarese said that we do have someone qualified to hire for the Treasurers Position and she could not understand why the council keeps putting this important issue off.

Colette J. Matarese asked the appointment on a Treasurer be put on the next agenda.

Heidi Rogers also stated that she would like to have the appointment of a Treasurer on the next agenda and executive session for Lisa Mills, Interim Treasurer. Also on the agenda will be Finance Liaison.

Steven Bellucci read a memo from Richard Grant, Public Works Director for a proposal for the painting and repairs to the Town Buildings. Mr. Grant recommends Artesani Remodeling and Painting be awarded the bid with the exception of the salt shed. Mr. Grant is working on some grant money for a new salt shed.

Steven Bellucci moved to accept the recommendation, Colette J. Matarese seconded, and it was unanimously so voted.

Donna Carey from Aflac Insurance asked the council to sign for the approval of the pretax 125 Program for the town.

Steven Bellucci moved to approve and Colette J. Matarese seconded and it was unanimously so voted.

Colette J. Matarese moved to pay David Costa reimbursement from the contingency fund in the amount of \$86.93 Steven Bellucci second and was voted unanimously.

Heidi Rogers spoke of the letter received from ABN AMRO Mortgage Group. The checks received from them were deposited incorrectly by the Interim Treasurer and these checks should have been deposited into the taxpayer's accounts.

Colette J. Matarese moved to instruct Lisa Mills to make out these two checks to the Tax Collector for the reimbursement to the taxpayers account. Harold R. Shippee, Sr. seconded and it was unanimously so voted.

Steven Bellucci read a request from the Richard Grant, Public Works Director to deposit funds into the capital budget.

Colette J. Matarese stated that it could not be done without a special financial town meeting with the voters approval.

Heidi Rogers said the council will take no action on this agenda item.

Harold R. Shippee, Sr. stated that the town has had two or three falls in the foyer of the Town Hall. He is recommending that the floor have indoor/outdoor carpeting be installed to solve the problem.

Harold R. Shippee, Sr. moved to the installation Steve Bellucci seconded and it was unanimously so voted.

Robert E. Coyne, Police Chief informed the council about a renewal of the Woodmansee Insurance Co. Policy.

Ronald Cervasio, Old Plainfield Pike spoke of the West Bay Community Health transfer of monies in 2002.

Colette J. Matarese responded that the report from Steve Woerner has all of the details from the audit and shows all of the transactions.

The meeting was adjourned at 9:36 p.m.

Attest:

Tina W. Simula, Deputy Town Clerk

An electronic tape is made a part of the record for a complete account of the council meeting. This tape is on file in the vault at town hall.