

June 28, 2007

The June 28, 2007 Town Council Meeting was called to order by Colette J. Matarese President at the Town House, 180 Howard Hill Road, Foster, Rhode Island at 7:00 p.m.

The following members were present :

Colette J. Matarese, President,
John Lewis, Vice President
Peter Baribault
Lynne S. Rider
Harold R. Shippee, Sr.
John J. Bevilacqua, Jr., Town Solicitor

Staff

Ann-Marie Ignasher,
Brad Gove, Public Works Director
Pamela Fontaine, Tax Collector
Randy Rossi, Treasurer, excused

The Pledge of Allegiance was recited.

Colette J. Matarese asked for a moment of silence in respect for the death of Donald Boyden of Kennedy Road.

Lynne S. Rider moved, Harold R. Shippee, Sr. seconded and it was unanimously so voted to approve the minutes of the June 14, 2007 meeting. John Lewis noted that Colette J. Matarese was excused at that meeting however it stated she opened the meeting. The Clerk would correct the error.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye

There were no public comments taken from the audience.

Harold R. Shippee, Sr. moved, Peter Baribault seconded, and so voted to approve Payroll Warrant #49 in the amount of \$24,267.64, Payroll Warrant #50 in the amount of \$22,990.88, Payroll Warrant #51 in the amount of \$35,473.26 and General Warrant #30 in the amount of \$154,248.89.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

Gina Manfredi applied for the issuance of a kennel license for 6 dogs to be granted from June 28, 2007 to December 31, 2007 on the premises described below:

Owner of property: **Dolores d. Tavares, Elsie Duffy, & Gina Manfred**
Name of business: **Green Acres Pines Canine Condo**
Location of property: **Plat 3 Lot 33, 26 T. Parker Road**

Colette J. Matarese explained about the public hearing as follows:

The interested parties in favor of the application are given a chance to speak first and anyone who wishes to speak against the approval of the application will be given an opportunity and then the town council will be given the opportunity to ask questions. The town council shall make its decision and grant or deny such license within ten days after the date of the hearing as in accordance with section v of kennel license 1968-10-38 anyone who speaks should please state their name and address for the record.

Gina Manfred addressed the council members and reported that she would only be taking care of family and friends pets in the home she would not be constructing any buildings. She explained that she would be using the Doggie Dooley System for the dog waste. She said it was environmentally friendly and would not hurt the dogs.

Colette J. Matarese noted that she had written that she would contact the pets' veterinary clinic because they would have the health history of the dog and if she could not contact them she would try her own local Foster Vet Clinic.

Peter Baribault questioned that she would only have one pet at a time. Gina Manfred responded that she would sit for one family at a time and they could have 3, 4 or 2 dogs.

Lynne S. Rider questioned if she would have an outside run for the dogs. Gina Manfred answered that she herself would be walking the dogs that they would not be in a kennel they would be in her home.

Colette J. Matarese asked if anyone wanted to speak in favor of the application. No one responded.

Colette J. Matarese asked if anyone wanted to speak against the application.

Joseph Macoupin of 18 Pierce Road said he was 20 to 25 feet away from the house. He said he moved there for peace and quiet and did not want to hear barking dog.

Julie Singleton of 18 Pierce Road also was against the application and asked about the controlling of the dogs if they get lose or bite someone.

Gina Manfred said that the dogs would be kept in a condo in her yard. She noted also that she would only be taking care of small dogs.

Peter Baribault asked how many dogs she anticipated taking care of at one time. Gina Manfred responded that she had a set of friends that had 3 dogs and another set of friends that have 2 dogs so it could be five dogs. She noted that that would be the extreme.

John Lewis questioned what she meant by a condo. Gina Manfred answered that they had an in-law apartment and that is where they would be located.

Peter Baribault questioned if that was something the council had to ask the Building Official about zoning.

The Town Clerk noted that the in-law apartment was already approved and was restricted.

John Bevilacqua noted that it was probably a restricted covenant in its use and strictly for that use alone and they would have to apply for a variance.

Peter Baribault believed the Town Solicitor should look into the matter.

Delores d. Tavares also an owner of the property spoke up and said that she had original bought the property for the in-law apartment for her mom who recently passed away. She noted that now that it was empty and they have friends who have dogs and they have taken care of before and wanted to go to the town and go through the proper procedure and apply for a kennel license. She said that wanted to do what was appropriate.

John Bevilacqua commented that he would review the deed restrictions.

Peter Baribault moved, Harold R. Shippee, Sr. seconded, and it was unanimously so voted to continue the hearing until the July 26, 2007 council meeting.

Ms. Singleton commented that they also own their own dogs that live on the property.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

The bid award for the bathroom renovations for the Human Services Department will be continued until the next meeting.

John Lewis remarked that at the last meeting the protocol was discussed regarding authorizing expenditures regarding the additional \$21,000 Emergency Services Volunteer Training that was added at the financial town meeting. He noted that a letter was sent to the Fire Chiefs, the Commander of the Ambulance Corps and Engineering Board asking how to spend the monies. He noted that a letter was sent to the council and it was not about a proposal for a particular training exercise but a procedure that they want to utilize in order to expend the funds which was that the proposal would be before the Engineering Board they would vote on it and expend the money. He noted that the conversation the council had at the last meeting was that they should have some oversight on that money to insure that it goes for training.

John Lewis moved, Peter Baribault seconded, and it was unanimously so voted that in order to expend money on the money for training, the council would receive the recommendation from the Engineering Board and it would then need to be approved by the town council.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

Thomas Walden questioned if the previous budget line of \$3,500 also had to go before the council. John Lewis answered to that it did not.

Colette J. Matarese remarked that the council had received a request from Boy Scout Troop 101 regarding renovations at the Woody Lowden Recreation Center asking the council permission to remove the suspended ceiling and to add a plastic curtain as a room divider to cur down the noise level.

John Lewis noted that he did meet with Scout Leaders and the reason they want the ceiling to be removed was because of rodents that had nested in the insulation above the ceiling. He explained that the insulation was removed however there is still some debris above the suspended ceiling that they would like removed. He said the other item was to install a curtain because of the noise level in the room when the 70 scouts meet. He said the scouts would remove the ceiling.

John Gustafson, President of the Young At Heart noted that he was in favor of removing the ceiling panels but questioned the cost of heating in the winter. He noted that his group only meets once a month on the second Wednesday however there was another group that meets on the other Wednesdays of the month.

Ronald Cervasio, Chair of the Recreation also agreed that the ceiling should be removed.

John Lewis moved, Harold R. Shippee, Sr. seconded, and it was unanimously so voted to approve the removal of the ceiling by the Boy Scouts provided that they take proper protective procedures.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

Colette J. Matarese noted that the second item of the plastic curtain that they proposed to install to help contain the noise level she was not in favor and what was the pleasure of the other members. Lynne S. Rider said that it looked like the material used in a car wash and if they could find something else that could make it more attractive.

John Lewis said he would contact the Scout Leaders and let them know and see if they have any other suggestions.

Peter Baribault moved, Lynne S. Rider seconded, and it was unanimously so voted to table the second part of the request from Boy Scout Troop 101 on the plastic curtain.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

Swamp Meadow Community Theater requested the use of the Town House on August 20, through 22, 2007 4:30 to 10:30 p.m. and for Friday July 13th 6:00 p.m. to 9:00 p.m. for auditions for Treasure Island and Saturday July 14th 3:00 p.m. to 9:00 p.m. for auditions Foster Idol.

Harold R. Shippee, Sr. moved, John Lewis seconded, and it was unanimously so voted to approve the request for the Swamp Meadow Community Theater for the use of the Town House on August 20, through 22, 2007 4:30 to 10:30 p.m. for auditions for Treasure Island and for Friday July 13th 6:00 p.m. to 9:00 p.m. and Saturday July 14th 3:00 p.m. to 9:00 p.m. for auditions Foster Idol. Harold R. Shippee, Sr. noted that last July they left the Town House a complete mess and suggested a deposit of \$50.00 should be submitted and if the building is left in good condition they will receive the deposit back.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

The council looked at the Rules of the Town House and a deposit was an option for the Town Council. The President of the Foster Preservation Society volunteered to review the Rules and Regulations to see if any deletions or additions are needed.

The Personnel Committee submitted the following application procedure for review by the Town Council

APPLICATION PROCEDURE

1. Department Head to contact Town Clerk to request to fill an existing job vacancy or submit a request for a new position.
2. Town Clerk – to put the request on the agenda for the next town council meeting.
3. Council acts on the request:
 - a. Union position – does it need to be put out to bid? Time Frame?
 - b. Non-union – Should be advertised, i.e., Foster Home Journal, Providence Journal, Bargain Buyer, The Observer, various employment websites.
 - c. Referred to Town Clerk for above procedures. Cost Issues?
4. Applications
 - a. Applicant must complete approved application.
 - b. BCI Check completed
 - c. Include resume with application
 - d. Time Frame?
 - e. Applications and resumes received by Town Clerk and then goes to the Personnel Board.
 - f. Personnel Board reviews applications and schedules interviews as it deems appropriate.
 - g. After all interviews are completed, Personnel Board develops recommendations and submits to council.
 - h. All final hiring decisions are made by council.
 - i. Letter sent by Town Clerk to those who did not get position.

John Lewis moved, Harold R. Shippee, Sr. seconded, and it was unanimously so voted to forward the above recommendations for procedures for applications to the Human Resource Director for his review.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

Colette J. Matarese announced that there was a deadline for a State Preservation Grant of July 27, 2007 and the Town Planner asked if the council was interested in applying for it.

Lynne S. Rider moved, John Lewis seconded and it was unanimously so voted to direct the Town Planner to prepare and submit a grant for the State Preservation Grant addressing the renovations and restoration of the inside of the town house.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

Robert Fallon requested that the remaining hours of his vacation time be paid instead of taking the time off. Colette J. Matarese noted that it was not allowed in the Personnel Policy.

John Lewis moved, Peter Baribault seconded, and it was unanimously so voted to allow Robert Fallon to carry over 49 hours to be used by December 31, 1007.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

The Public Works Director requested permission that the employees in the department carryover vacation and personal time to the next fiscal year. Colette J. Matarese noted that it was addressed in the union contract and it required no action from the council.

John Lewis noted that the Town Planner was trying to get the Affordable Housing up and running and the initial ruling that created the Board was a little ambiguous regarding whether or not the Liaisons from the Land Trust and the Planning Board were in fact voting members. Mr. Lewis noted it needed to be clarified because of quorum issues.

John Lewis moved Lynne S. Rider seconded that the Land Trust and Planning Board Liaisons on the Affordable Housing be allowed to be voting members and become part of the quorum. Colette J. Matarese said the council should ask the Land Trust and Planning Board for a recommendation on it and then the council can vote on it.

John Lewis withdrew his motion and Lynne S. Rider removed her second.

Peter Baribault moved, Harold R. Shippee, Sr. seconded and it was unanimously so voted to appoint Brenda Lee Duquette as the Deputy Treasurer upon the recommendation of the Town Treasurer.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

John Lewis said that a question was raised by the council on why the council had not received any reports from the Economic Development Advisory Commission. He noted that he said that the last minutes filed was March 2005 and prior to that was July 2004.

He believed it was an important function of the town and he believed it should be up and running so he wanted to absolve the current membership.

John Lewis moved, Harold R. Shippee, Sr. seconded and it was unanimously so voted to temporary place the responsibilities of the Economic Development Advisory Commission on the council with the Town Planner and the Treasurer.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

Public Works Director requested to purchase of a Toro Grounds Master Model 32880D in the amount of \$17,079.85. It was noted that the Town mows between 10 and 14 acres of land.

John Lewis moved, Lynne S. Rider seconded to authorize Mr. Gove, Public Works Director to go out to bid for a lawn tractor

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

Request for Auditing Services was advertised in the Providence Journal on June 18th.
The following bids were received and opened.

Bacon & Company, CPA's LLC	James Nadeau & Co.
\$22,000 2007	\$20,400 2007
\$22,500 2008	\$21,000 2008
\$23,000 2009	\$21,600 2009

The bids were forwarded to the Town Treasurer for his analysis and recommendation.

The Town Solicitor John Bevilacqua informed the council that Foster Gloucester Building Committee had an extra member on the committee that was a former School Committee member from the Town of Gloucester that was not appointed by the Gloucester Town Council.

Peter Baribault moved, Harold R. Shippee, Sr. seconded and it was unanimously so voted to request the Town Solicitor to write a letter to the Building Committee to request that the member be removed from the Building Committee.

Peter Baribault aye, Lynne S. Rider aye, Harold R. Shippee aye, John Lewis aye
Colette J. Matarese aye

Franklin Arnold announced that at two separate meetings of the Board of Foster Public Library and the Board of Tyler Free Library individually voted to put before their general membership, resolutions to dissolve their separate corporations and to create a new non-profit corporation which would take unto itself the operations of the two libraries of Foster, operating as one system with two branches. Until such time as the new corporation "The Libraries of Foster" becomes a reality, the two boards will meet and operate jointly to conduct the business of both libraries. Mr. Arnold explained that new bylaws, new slate of officers and addressing modifications are being prepared and it is anticipated that "The Libraries of Foster will become a reality between September to November, 2007.

Ronald Cervasio of Old Plainfield Pike spoke under concerned citizens.

The meeting was recess at 8:30 p.m.

Lynne S. Rider moved, John Lewis seconded and it was unanimously so voted to go into executive session according to 42-46-4&5 (a) (2) Collective Bargaining regarding Emergency Dispatchers, 42-46-4&5 (a) (2) Collective Bargaining Public Works Contract, and 42-46-4&5 collective bargaining Police Chief and 42-46-4 &5 (1) Personnel and to reconvene in open session and further to keep the minutes of said meeting closed and the minutes of all Executive Sessions held previous to this meeting be closed and remain closed pursuant to provisions of the General Laws of Rhode Island 42-46-4-5.

No votes were taken in executive session.

The meeting was adjourned at 9:30 p.m.

Submitted by

Anne M. Irons
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.