

September 24, 2009

The September 24, 2009, Town Council Meeting was called to order by John Lewis, Vice President, of the Foster Town Council at the Foster Town House, 181 Howard Hill Road, Foster, Rhode Island, at 5:30 p.m.

The following members were present:

Colette Matarese, President,
John Lewis, Vice President,
Joe Cardillo
Lynne S. Rider,
Roger L. Hawes,
John J. Bevilacqua, Town Solicitor

Also present:

Kelli Russ, Treasurer
John Bevilacqua, Town Solicitor
Ann-Marie Ignasher, Town Planner

The Pledge of Allegiance was recited.

EMERGENCY AGENDA ITEM John Lewis, Vice President, announced that an emergency agenda item needed to be added to the meeting from Ross Farrugia for a temporary mobile home while he rebuilds his house that recently burned down. Roger Hawes moved, Lynne S. Rider seconds, and it was unanimously so voted to add the agenda item.

Colette Matarese, aye; John Lewis, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and Joe Cardillo, aye.

MINUTES Minutes from September 10, 2009, were tabled as they were not yet finished by meeting time.

Lynne S. Rider moved, and Roger Hawes seconded, to approve the minutes of September 17, 2009.

Lynne S. Rider, aye; Roger L. Hawes, aye; and John Lewis, aye. Colette Matarese and Joe Cardillo were not present at the September 17, 2009, meeting.

WARRANTS Colette Matarese moved, Roger L. Hawes seconded, and it was unanimously so voted to approve Payroll Warrant #10 for \$27,094.30, Payroll Warrant #11 for \$27,046.85 and General Warrant #6 for \$62,736.91.

Colette Matarese, aye; John Lewis, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and Joe Cardillo, aye.

MONTHLY REPORTS Lynne S. Rider moved, Roger Hawes seconded, and it was unanimously so voted to accept the Monthly Reports from Public Works and the Tax Assessor.

Colette Matarese, aye; John Lewis, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and Joe Cardillo, aye.

**EMERGENCY
TRAILER
APPROVAL**

Ross Farrugia of 145 Plainwoods Road was present to seek approval to live in a temporary mobile home because his house burned down last week.

Joe Cardillo moved, Roger Hawes seconded, and it was unanimously so voted to allow Mr. Farrugia to use a mobile home for one year while rebuilding his home that was destroyed by fire.

Colette Matarese, aye; John Lewis, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and Joe Cardillo, aye.

**AFFORDABLE
HOUSING
PUBLIC
HEARING**

John Lewis continued the Affordable Housing public hearing. The council reviewed the Ordinance as corrected. Ann-Marie Ignasher, Town Planner, explained that the changes made to the ordinance were underlined, and the most recent changes were highlighted in yellow and the highlighted areas were what needed to be voted on. John Lewis noted that the items not underlined were already current and it the ordinance.

John Lewis asked for comments for or against. No comments were made. Lynne S. Rider explained to those in attendance that the changed to this ordinance put the town “in the driver’s seat” in terms of affordable housing and prevents any outside entity from coming into the town to dictate what needed to be done to be in compliance. John Lewis notes that the Town Solicitor needs to give an opinion prior to acceptance and closed the public hearing. No action was needed; however, the ordinance will need to be a future agenda item.

**REQ. FROM
TAX COLL. TO
BE OPEN OCT
30TH**

John Lewis noted that the Pam Fontaine, Tax Collector, submitted a letter requesting that she be able to stay open on Friday, October 30, 2009, for the last day of collection for second quarter taxes.

Colette Matarese moved, Lynne S. Rider seconded, and it was unanimously so voted to allow the Tax Collector to be open on Friday, October 30, 2009.

Colette Matarese, aye; John Lewis, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and Joe Cardillo, aye.

**ADDITIONS &
ABATEMENTS**

Anne Carlson, Tax Assessor, submitted additions of \$2,979.79 and abatements of \$482.78 to the tax roll.

Colette Matarese moved, Lynne S. Rider seconded, and it was unanimously so voted to approved the additions and abatements as presented.

Colette Matarese, aye; John Lewis, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and Joe Cardillo, aye.

LETTER FROM AFFORDABLE HOUSING BOARD

Ann-Marie Ignasher, Town Planner, submitted a letter from the Foster Affordable Housing Board to be sent to the state representative, senator, and other state commissions working with affordable housing issues. The letter takes issue with the mandate for affordable housing as applied to rural areas in the same way it is applied to cities and towns. The housing board is requesting support from the Foster Town Council.

Colette Matarese moved, Joe Cardillo seconded, and it was unanimously so voted to sign and send the letter as written.

Colette Matarese, aye; John Lewis, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and Joe Cardillo, aye.

John Lewis requests that a copy of the letter be included in the minutes. (see Exhibit A)

APPOINTMENT TO BOARD OF CANVASSERS

Robert DePalo submitted his name for appointment to the Board of Canvassers for a six year term replacing the vacancy created when Natalie Arnold resigned. The position is an appointed one which does not require a vote. John Lewis, Vice President, appointed Mr. DePalo to the Board of Canvassers and Mr. DePalo was sworn in by Deputy Town Clerk, Carol Lyons.

CONCERNED CITIZENS

Gordon Rogers stated that he was waiting for information from Town Solicitor John Bevilacqua. John Bevilacqua, Jr. who was sitting in for the solicitor and stated that the information would be given to him sometime in the following days.

Cheryl Wright asked if the town finished the fiscal year in the black or the red. Kelli Russ, Town Treasurer, stated that she was still allocating funds and did not have an answer yet.

Gordon Rogers noted that he is still waiting for a copy of a letter from the auditors.

FUTURE AGENDA ITEMS

Future agenda items will include the Affordable Housing Ordinance approval, and minutes from September 10, 2009. Lynne S. Rider asked about energy audits and grant funds. and if there was a plan. Ann-Marie Ignasher, Town Planner, stated that Robert Clarkin was working on getting someone from ESCO to do an energy audit here, and that she had attended a meeting at the state and that the current amount being considered for grants was approximately \$13.75 per capita.

EXECUTIVE SESSION

Lynne S. Rider motioned, Roger Hawes seconded, to go into Executive Session at 7:00 p.m. according to 42-46-5a(2) Collective Bargaining / Litigation and 42-46-4 & 5 (a) Personnel, and to reconvene in open HEARING 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 to provisions of the General Laws of Rhode Island 42-46-4 & 5.

Colette Matarese, aye; John Lewis, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and Joe Cardillo, aye.

ADJOURNMENT Lynne S. Rider motioned, Roger Hawes seconded, and it was unanimously approved to come out of Executive Session and adjourn at 8:45 p.m. No votes were taken.

Colette Matarese, aye; John Lewis, aye; Lynne S. Rider, aye; Roger L. Hawes, aye; and Joe Cardillo, aye.

A digital sound file is made a part of the record for a complete account of the council meeting.

Submitted By

Carol Lyons
Deputy Town Clerk

EXHIBIT A



Town of Foster

Est. 1781

September 24, 2009

RE: Affordable Housing Issues

Dear Legislator(s):

We are sending you this correspondence to voice our concerns regarding the current state statutes governing affordable housing.

One of our main concerns is the 10 percent building requirement for every community in the state. We believe this particular requirement is arbitrary and capricious as there is no reasonable explanation behind this across the board percentage for every city and town.

As the majority, or the greater percentage, of the existing population, housing, jobs, infrastructure, and public transportation lie within the urban / suburban areas; creating the same percentage of housing in rural areas makes little sense. Building new affordable housing in rural areas often turns out to be a state mandated form of sprawl.

Most modern planning practices attempt to avoid building in rural communities; rather, they look to revitalize urban and suburban areas. Indeed, the Executive Summary of Land Use 2025 (Rhode Island State Land Use Policies and Plan) attempts to identify "optimum areas for accommodating the bulk of the state's development needs through 2025". Not surprisingly, the towns of Foster, Gloucester and Scituate have the bulk of their area committed to prime farmland, and conservation, not urban or suburban development, partly because these towns are located well outside of the urban services boundary. We must question why the rural communities are expected to meet urban and suburban standards of development. Is it really the intent of the legislature for the state to become homogenized? What happened to the sense of place, and pride that makes Rhode Island unique by having distinct urban, suburban, rural and coastal communities?

Some rural communities do have small village centers; however, these villages are often historical in nature and are often developed to their potential at this point. More than once it was suggested to the rural communities that we could solve our affordable housing woes by rehabilitating one of our old abandoned mills. Unfortunately, this does not work for the community of Foster as we do not have a single existing mill in our community, never mind one that we can rehabilitate.

Do not get us wrong, our communities do want to create new affordable housing, but there are few funding opportunities available – and we often lose out on those funding opportunities to the larger suburban and urban projects. When we are refused funding we are told that the urban and suburban projects are most likely to have a higher success rate of completion, and that the projects submitted by the rural communities do not have the elements of job opportunities and public transportation capabilities for the future residents.

Are the funders saying we will be less likely to complete a project due to the increased cost of developing a public water supply and individual onsite wastewater treatment systems for the rural community proposals? Of course we do not have the commercial or industrial job opportunities – we are rural communities. Are we to be punished because the state’s public transit system finds it unprofitable to service the residents of our communities? RIPTA no longer has a single point of service in Foster.

We do have some affordable housing within our communities; unfortunately, it does not meet the current definition of affordable housing established by state statute through the Housing Resources Commission. In order to meet the state definition, a housing unit must have a government subsidy, occupants must meet the low or moderate income threshold, and the unit must be deed restricted as affordable for at least thirty (30) years or more.

The town of Gloucester has almost one hundred (100) units of mobile home housing that is meeting some of the needs of its low and moderate income residents; however these units cannot count towards Gloucester’s mandated 10% because they are not deed restricted for thirty (30) years. Foster, as well as Gloucester, allows families to create in-law apartments for aging parents, unfortunately, though these are subsidized housing units – there are restrictions upon these in-law apartments - they do not meet the state’s definition either. Foster and Gloucester both offer an elderly tax freeze. Often this may be the one thing that allows an elderly couple to stay within the community that they raised their family in.

A single measure for affordable housing is not sensible or sustainable in every city and town within the state. We request that the proper powers consider expanding the current definition of affordable housing to better mirror the current housing opportunities that exist statewide. We suggest this amendment allow for mobile homes, in-law apartments, and elderly tax freeze etc. be considered part of the affordable housing equation.

We would like you to consider amendments to the current legislation in order to effect the suggestions made in this correspondence. We will be happy to meet with you to discuss these issues.

Thank you for your time and consideration in this matter.

Very truly yours,

Julia Parmentier, Chair
Foster Planning Board