

**December 9, 2010  
Town Council Meeting**

The December 9, 2010, Town Council Meeting was called to order by John Lewis, Vice President, of the Foster Town Council at the Town House 180 Howard Hill Road, Foster, Rhode Island, at 7:00 p.m.

The following members were present:

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

The Pledge of Allegiance was recited.

**ANNOUNCEMENTS** John Lewis announced that there are some black and white signs on the Town Hall building and at the intersections of Howard Hill Road and Foster Center Road that were donated by the Foster Preservation Society.

**MINUTES** A sump pump was installed in the Town House for any future storms that may threaten the flooding of the basement. Lynne S. Rider moved, Roger L. Hawes seconded, and it was so voted to approve the December 2, 2010, council minutes as presented.

John Lewis aye, Roger L. Hawes aye, Lynne S. Rider aye.

Lynne S. Rider moved, Roger L. Hawes seconded, and it was so voted to approve the December 2, 2010, council transition workshop summary as presented.

John Lewis aye, Roger L. Hawes aye, Lynne S. Rider aye.

**SWEARING IN CEREMONY** John Lewis stated that this is the moment when the old council will yield their positions to the new council. He would also like to thank all the residents of the Town for opportunity to serve, it has been a pleasure, and would like to thank his colleagues on the council for the opportunity to serve with them.

The newly elected town council then sat down.

Carol Sholly, Deputy Town Clerk then swore in Tina W. Freeman, CMC Town Clerk to her new term.

Tina W. Freeman, CMC, Town Clerk, swore in the new incoming town council, Gordon E. Rogers, Michael E. Dillon, Marianne Knight, Neal C. Whitelaw, and Lynne A. DeStefano.

**ELECTION OF PRESIDENT AND VICE PRESIDENT** Marianne Knight moved, Neal C. Whitelaw, seconded, and it was so voted to elect Neal C. Whitelaw as president of the town council since he received the most votes in the election.

Neal C. Whitelaw aye, Lynne A. DeStefano nay, Michael E. Dillon nay, Marianne Knight aye, Gordon E. Rogers nay.

The motion did not carry.

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**ELECTION OF  
PRESIDENT AND  
VICE PRESIDENT  
CONTINUED**

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to elect Gordon E. Rogers as President and Lynne A. DeStefano as Vice President of the Foster Town Council.

Neal C. Whitelaw nay, Lynne A. DeStefano aye, Gordon E. Rogers aye, Marianne Knight nay, Michael E. Dillon aye.

**ORGANIZATION  
OF TOWN  
COUNCIL  
PROCEDURES**

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to adopt the tenth edition of Roberts Rules of Order as the Foster Town Councils' "Rules of Procedures".

Gordon E. Rogers aye, Marianne Knight aye, Neal C. Whitelaw aye, Michael E. Dillon aye, Lynne A. DeStefano aye.

**COUNCIL  
LIAISONS**

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to adopt a liaison system of the Town Council members.

Neal C. Whitelaw amended his motion, which was seconded by Marianne Knight to appoint Gordon E. Rogers as the liaison to the Department of Public Works, Michael E. Dillon as the liaison to the Police Department, Lynne A. DeStefano as the liaison to the Town Hall, Marianne Knight as the liaison to the Finance Department, and Neal C. Whitelaw as the liaison to the School Departments.

Gordon E. Rogers aye, Marianne Knight aye, Neal C. Whitelaw aye, Michael E. Dillon aye, Lynne A. DeStefano aye.

The amendment passed.

Gordon E. Rogers aye, Marianne Knight aye, Neal C. Whitelaw aye, Michael E. Dillon aye, Lynne A. DeStefano aye.

The main motion passed.

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to make a standing order to suspend "Robert's Rule of Order" for the purpose of the agenda item "Concerned Citizens".

**AGENDA ITEM:  
CONCERNED  
CITIZENS**

Neal C. Whitelaw amended his motion, Marianne Knight seconded, to allow a specific period of time, ten minutes, to be distributed equally among those citizens wishing to speak. The ten minute time limit can be amended at any meeting.

Neal C. Whitelaw aye, Gordon E. Rogers aye, Marianne Knight aye, Lynne A. DeStefano aye, Michael E. Dillon aye.

The amendment passed.

Marianne Knight aye, Michael E. Dillon aye, Gordon E. Rogers aye, Lynne A. DeStefano aye, Neal C. Whitelaw aye.

The main motion passed.

**December 9, 2010  
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**APPOINTMENT OF  
TOWN  
SOLICITORS**

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to appoint David V. Iglizzi as Town Solicitor, and Stephen R. Archambault as Town Solicitor, under the advisement of the search committee.  
Gordon E. Rogers asked if there was any discussion.

Neal C. Whitelaw stated that he was not informed of a search committee.  
Gordon E. Rogers stated that he was informed of the search committee, in his house, in his living room, prior to the election.

Neal C. Whitelaw stated that if there was a search committee was it done by a third party? Neal stated that he did not have any authority or any means of interviewing any of the people that this third party actually solicited requests from. Neal wanted to receive information from these attorneys; he might have had other questions. Neal wanted to know how he can ask these questions now that a decision has been made by the third party.

Neal C. Whitelaw nay, Michael E. Dillon aye, Gordon E. Rogers aye, Lynne A. DeStefano aye, and Marianne Knight nay.

**APPOINTMENT OF  
TREASURER**

Lynne A. DeStefano moved, Michael E. Dillon seconded, to appoint Kelli Russ as Interim Treasurer.

Neal C. Whitelaw stated that this was a Town Charter violation. There is no provision for an Interim Treasurer, only to fill the remainder of an appointed Treasurer, once that person has left that position mid-term, which is two years.

Gordon E. Rogers asked Tina W. Freeman, CMC Town Clerk to swear in David V. Iglizzi, and Stephen R. Archambault, as Town Solicitors.

Tina W. Freeman, CMC, Town Clerk, then swore them in as Town Solicitors.

Gordon E. Rogers stated that they have not been able to review the finances for the Town. So therefore a motion was made to appoint an "Interim" Treasurer, so that the council would have time to review the finances.

David V. Iglizzi, Town Solicitor, stated that if a Treasurer is not appointed tonight according to the Town Charter, then Kelli Russ, Treasurer will remain as Treasurer until a new person is appointed to that position. There is no provision for an "Interim".

Lynne S. Rider stated that the newly elected council has had, since the election, to review the finances for the Town of Foster. And that all of the financial details were reviewed at the transition meeting where they went through the budget with the Treasurer present at that meeting to answer any questions that were asked.

Gordon E. Rogers called for a vote on the appointment of an Interim Treasurer.

No votes in favor were audible.

Votes opposed, Gordon E. Rogers voted aye.

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**APPOINTMENT OF  
TREASURER  
CONTINUED**

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to appoint Kelli Russ as Town Treasurer.

Neal C. Whitelaw aye, Michael E. Dillon aye, Lynne A. DeStefano aye, and Marianne Knight aye, Gordon E. Rogers nay,.

**APPOINTMENT  
PROCEDURES**

Neal C. Whitelaw stated that he asked that “appointments” be placed on the agenda to have some discussion of “appointment procedures” for the next agenda. He wanted to make sure there was some kind of procedure for any appointments that need to be made in the future.

**APPOINTMENT OF  
DEPUTY TOWN  
CLERK AND  
DEPUTY  
TREASURER**

Neal C. Whitelaw moved, Lynne A. DeStefano seconded, and it was so voted to approve the appointment of Carol Sholly as Deputy Town Clerk and Lillian Jackson as Deputy Treasurer.

Gordon E. Rogers aye, Marianne Knight aye, Neal C. Whitelaw aye, Michael E. Dillon aye, Lynne A. DeStefano aye.

The motion passed.

Tina W. Freeman, CMC, Town Clerk, swore in Kelli Russ, Carol Sholly and Lillian Jackson.

**PUBLIC HEARING  
–RENEWAL OF  
TOWN LICENSES**

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve the following Holiday Sales Licenses upon receipt of annual licensing fee and approvals from the Building Official, Fire Chief, Tax Collector and Police Chief where applicable:

1. Hitesh Mehta, d/b/a/ BD Food Mart, 189 Hartford Pike
2. Aniello V. Calise, d/b/a/ Danny’s Auction Barn, 150B Danielson Pike
3. Henry Chabot, d/b/a Foster Bear Arms / Bait Shack, 52 Danielson Pike
4. Robert Forrest, d/b/a/ Foster Country Club, 67 Johnson Road
5. Lucine Gyueseryan, d/b/a/ Foster Quick Stop, 173 Danielson Pike
6. Beatrice Gabriele, d/b/a Gabriele’s Package Store, 144 Danielson Pike
7. Russell J. Smith, d/b/a/ Chelsea’s Trading Post, 151 Danielson Pike
8. Bonita Lambert, d/b/a/ Lladyllove Llama, 82 Cucumber Hill Road
9. John & Darlene Fusco, d/b/a/ Tiff-Britt Antiques, 69 Old Danielson Pike
10. Leonard Antos, d/b/a Xtra Mart, 186 Danielson Pike
11. William Fortin, d/b/a Twisted Liquors, 180 Hartford Pike
12. Allyson Roche, d/b/a Allyson Roche Antiques, 96 Foster Center Road

Lynne A. DeStefano amended the motion, which was seconded by Neal C. Whitelaw to change the date for William Fortin, d/b/a Twisted Liquors, 180 Danielson Pike for a term ending January 31, 2011

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**PUBLIC HEARING  
-RENEWAL OF  
TOWN LICENSES  
CONTINUED**

Lynne A. DeStefano, aye, Marianne Knight aye, Gordon E. Rogers aye, Neal C. Whitelaw aye, Michael E. Dillon aye.

The amendment passed

Neal C. Whitelaw aye, Lynne A. DeStefano aye, Marianne Knight aye, Michael E. Dillon aye, Gordon E. Rogers aye.

The main motion passed.

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve the following Secondhand Licenses upon receipt of annual licensing fee and approvals from the Building Official, Fire Chief, Tax Collector and Police Chief where applicable:

1. Russell Smith, d/b/a Chelsea's Trading Post, 151 Danielson Pike
2. Aniello V. Calise, d/b/a Danny's Auction Barn, 150B Danielson Pike
3. Joseph Osmanski, d/b/a/ Foster Auto LLC, 40 Mill Road
4. Henry Chabot, d/b/a/ Foster Bear Arms & Trading Post / Bait Shack, 52 Danielson Pike
5. Newell Wright II d/b/a/ Hemlock Brook Auto Sales & Service, 37A Mill Road
6. Allyson Roche., d/b/a Allyson Roche Antiques, 96 Foster Center Road
7. Michael Coggeshall, d/b/a Mike's Auto Repair, 45 Anthony Road
8. Peter Wilson, d/b/a/ Price Auto Sales, 184 Danielson Pike
9. John & Darlene Fusco, d/b/a/ Tiff-Britt Antiques, 69 Old Danielson Pike
10. Robert Gautreau, d/b/a Things Made Wonderful, 114 Danielson Pike
11. Edward Butola, d/b/a Wilson's Auto Enterprises, Inc., 175 Danielson Pike
12. Morris Maglioli, d/b/a Wright's Auto Salvage, 37 Mill Road

Lynne A. DeStefano amended the motion, which was seconded by Michael E. Dillon to withdraw Morris Maglioli d/b/a Wright's Auto Salvage, 37 Mill Road, from the motion.

Lynne A. DeStefano, aye, Marianne Knight aye, Gordon E. Rogers aye, Neal C. Whitelaw aye, Michael E. Dillon aye.

The amendment passed.

Neal C. Whitelaw aye, Lynne A. DeStefano aye, Marianne Knight aye, Michael E. Dillon aye, Gordon E. Rogers aye.

The main motion passed.

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**PUBLIC HEARING  
–RENEWAL OF  
TOWN LICENSES  
CONTINUED**

Carol Sholly, Deputy Town Clerk, wanted to bring to the Council's attention that none of these businesses have had any fire inspections due to the fact that no one on any of the Fire Departments in Town is qualified from the State to perform these inspections.

Neal C. Whitelaw stated that he has spoken to Representative Michael Chippendale about this issue, and Representative Chippendale was looking into the requirements.

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve the following Victualling Licenses upon receipt of annual licensing fee and approvals from the Building Official, Fire Chief, Tax Collector and Police Chief where applicable:

1. Hitesh Mehta, d/b/a/ BD Food Mart, 189 Hartford Pike
2. Aniello V. Calise, d/b/a/ Danny's Auction Barn, 150B Danielson Pike
3. Janet Brayton, d/b/a/ Shady Acres, 164 Danielson Pike
4. Cerri Pensak, d/b/a State Line Diner, 195 Danielson Pike
5. Leonard Antos, d/b/a Xtra Mart, 188 Danielson Pike

Lynne A. DeStefano, aye, Marianne Knight aye, Gordon E. Rogers aye, Neal C. Whitelaw aye, Michael E. Dillon aye.

The motion passed.

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve the following Gun Shop Licenses upon receipt of annual licensing fee and approvals from the Building Official, Fire Chief, Tax Collector and Police Chief where applicable:

1. Laurence Costa Mello, d/b/a/ Allary Farm, 7 Rickard Road
2. Keith LaFazia, d/b/a/ Breezy Hill Outdoors, 2 Gold Mine Road
3. Henry Chabot, d/b/a Foster Bear Arms, 52 Danielson Pike
4. Steven C. Brown, d/b/a/ Steve's Gun Shop, 66 Central Pike
5. Leon DeFranco, d/b/a/ LJD Gun & Supplies, 9 King Road

Neal C. Whitelaw aye, Lynne A. DeStefano aye, Marianne Knight aye, Michael E. Dillon aye, Gordon E. Rogers aye.

The motion passed.

Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was so voted to approve the following Campground Licenses upon receipt of annual licensing fee and approvals from the Building Official, Fire Chief, Tax Collector and Police Chief:

1. Virginia Bassett, d/b/a/ Ginny B Campground, 7 Harrington Road
2. John Hawkins, d/b/a/ Whippoorwill Hill Campground, 106 Old Plainfield Pike
3. Muriel Walker, d/b/a Dyer Woods Campground, 114 Johnson Road

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**PUBLIC HEARING  
–RENEWAL OF  
TOWN LICENSES  
CONTINUED**

Lynne A. DeStefano, aye, Marianne Knight aye, Gordon E. Rogers aye, Neal C. Whitelaw aye, Michael E. Dillon aye.

The motion passed.

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve the following Private Investigator's License upon receipt of annual licensing fee and approvals from the Police Chief, Fire Chief, Building Official and Tax Collector where applicable:

1. Alan Pittman d/b/a Alan Pittman Investigations, 117 Central Pike

Neal C. Whitelaw aye, Lynne A. DeStefano aye, Marianne Knight aye, Michael E. Dillon aye, Gordon E. Rogers aye.

The motion passed.

**WARRANTS**

Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was so voted to approve Payroll Warrant #22 in the amount of \$27,205.00.

Lynne A. DeStefano, aye, Marianne Knight aye, Gordon E. Rogers aye, Neal C. Whitelaw aye, Michael E. Dillon aye.

The motion passed.

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve General Warrant #14 in the amount of \$67,236.05

Neal C. Whitelaw aye, Lynne A. DeStefano aye, Marianne Knight aye, Michael E. Dillon aye, Gordon E. Rogers aye.

The motion passed.

Neal C. Whitelaw asked Kelli Russ, Treasurer, if she could make the print larger and more descriptive on the Warrants. It was hard to read with the small print.

**SWEARING IN OF  
TOWN SERGEANT  
AND TOWN  
MODERATOR**

Neal C. Whitelaw moved, Michael E. Dillon seconded, and it was so voted to revert back to the previous agenda item of "Oath of Office of Other Town Officials" and swear in Robert Boyden, Town Moderator and Michael Coggeshall, Town Sergeant.

Neal C. Whitelaw aye, Lynne A. DeStefano aye, Marianne Knight aye, Michael E. Dillon aye, Gordon E. Rogers aye.

The Town Council apologized for overlooking them.

Tina W. Freeman, CMC Town Clerk, swore them in.

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**ADDITIONS AND  
ABATEMENTS**

Lynne A. DeStefano moved, Marianne Knight seconded, and it was so voted to approve the regular abatements in the amount of \$3,329.65 for the year 2010, and \$3,242.53 for the year 2009, as submitted by Patti Moreau, Tax Assessor.

Lynne A. DeStefano, aye, Marianne Knight aye, Gordon E. Rogers aye, Neal C. Whitelaw aye, Michael E. Dillon aye.

The motion passed

**CONCERNED  
CITIZENS**

A resident asked that since two of the council members were not aware of the search committee, before the next meeting would they provide of the resumes, requests for re-appointments, in a timely manner so that they can do diligence themselves.

Gordon E. Rogers stated that they will be given the information again.

Neal C. Whitelaw asked that "appointment procedures" be placed on the next agenda.

Another resident asked about the solicitors' salaries, and how the Town Council expects to pay two attorneys with \$45,000.00 and if that includes all of the court fees, and if includes everything.

Gordon E. Rogers replied, that is for everything for the year. And they do not get health insurance.

Gordon E. Rogers stated that there was a motion and second to vote on the next Town Council Meeting date:

Gordon E. Rogers aye, Michael E. Dillon aye, Lynne A. DeStefano aye, Neal C. Whitelaw aye.

Marianne Knight recused herself stating that this vote was a violation of the Open Meetings Law.

Michael E. Dillon moved, Neal C. Whitelaw seconded, and it was unanimously so voted to adjourn the regular session portion of the meeting.

Lynne A. DeStefano, aye, Marianne Knight aye, Gordon E. Rogers aye, Neal C. Whitelaw aye, Michael E. Dillon aye.

Michael E. Dillon moved, Neal C. Whitelaw seconded, and it was unanimously so voted to go into Executive Session according 42-46-5a (2) Collective Bargaining, Litigation, and Contract Negotiations, 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 to provisions of the General Laws of Rhode Island 42-46-4 & 5

A roll call vote was conducted:

Gordon E. Rogers aye, Michael E. Dillon aye, Lynne A. DeStefano aye, Neal C. Whitelaw aye, Marianne Knight aye.

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Michael E. Dillon moved, Marianne Knight seconded, and it was so voted to come out of executive session.

Lynne A. DeStefano, aye, Marianne Knight aye, Gordon E. Rogers aye, Neal C. Whitelaw aye, Michael E. Dillon aye.

No votes were taken in executive session.

The meeting adjourned at 10:00 p.m.

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

Submitted By

Tina W. Freeman, CMC  
Town Clerk