

**March 25, 2010**

The March 25, 2010, Town Council Meeting was called to order by Colette Matarese, President, of the Foster Town Council at the Benjamin Eddy Building, Foster, Rhode Island, at 7:00 p.m.

The following members were present:

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

**AGENDA** John Lewis moved, Lynne S. Rider seconded, and it was unanimously so voted to move  
**ITEM** the new business item “seven f”, proclamation for Edward “Mike” Wood up directly  
**PLACEMENT** under “five” warrants of the agenda.

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

The Pledge of Allegiance was recited.

**PUBLIC** No one spoke under public comment.  
**COMMENT**

**REPORTS** John Lewis moved, Lynne S. Rider seconded, and it was unanimously so voted to accept  
the recycling report as submitted.

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

**MINUTES** John Lewis moved, Roger L. Hawes seconded, and it was unanimously so voted to  
approve the February 25, 2010, meeting minutes as written.

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

John Lewis moved, Roger L. Hawes seconded, and it was so voted to approve the March 11, 2010, town council meeting minutes as written.

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

Colette Matarese abstained; she was not present at the March 11, 2010 meeting.

**WARRANTS** Lynne S. Rider moved, Roger L. Hawes seconded, and it was unanimously so voted to approve the following warrants: Payroll Warrant #36 in the amount of \$26,534.62, Payroll Warrant #37 in the amount of \$30,116.75, and General Warrant #18 in the amount of \$44,023.24.

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

**PROCLAMATION FOR MIKE WOOD** John Lewis moved, Roger L. Hawes seconded, and it was unanimously so voted to approve the proclamation for Edward “Mike” Wood, and proclaim April 22, 2010, Earth Day, as “Mike Wood” day in the Town of Foster.

Colette Matarese, President read the proclamation to the family members and citizens in the audience.

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

**RAMBONE DISPOSAL CONTRACT** Roger L. Hawes moved, Lynne S. Rider seconded, and it was unanimously so voted to continue with the current Rambone Disposal contract for an additional three years. Each year will be \$209,499.96, with the second and third years having an additional CPI index added to it. The current contract has an option to renew for an additional three years.

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

Colette Matarese added that Mr. Rambone and his company has been very good to the Town of Foster over the years and would like to continue having the good relationship with him in the future.

**LICENSE RENEWALS** No action was taken on the renewal of the Victualling and Sunday sales licenses for BD Food Mart.

**PUBLIC HEARING** Colette Matarese opened the Public Hearing for a request for a second hand license for Allyson Roche. Ms. Roche was not present at the meeting for any questions the town council might have. The property owner offered to answer any questions the council had. John J. Bevilacqua, Town Solicitor stated that any applicant who applies for any type of license should be present at the public hearing.

John Lewis moved, Lynne S. Rider seconded and is was unanimously so voted to continue the public until the next town council meeting.

**REQUEST FOR USE OF FAIRGRNDS** John Lewis moved, Joe Cardillo seconded, and it was unanimously so voted to approve the requests from the Swamp Meadow Community Theatre to use the Town House on July 13<sup>th</sup>, July 14<sup>th</sup> and July 15<sup>th</sup> 2010, for auditions of “Dracula”, and August 22, 2010 for the production of “Olivia” on the grounds. Lynne S. Rider added that they would also provide “porta potty’s”

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

**EPA’S BROWN-FIELD’S APPLICATION** John Lewis moved, Lynne S. Rider seconded, and it was unanimously so voted to approve the application from a EPA Brownfield’s program property at 169 Danielson Pike, to take effect only upon the review and approval by the solicitor. Ann-Marie Ignasher, Town Planner, explained that the way the federal money is approved for such an application is to get the approval from the town first before the property owners can actually receive the funds. She would be submitting the application for the property owners.

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

**REQUEST FROM THE TOWN OF COVENTRY** John Lewis moved Roger L. Hawes seconded, and it was unanimously so voted to table the item for further consideration. John Lewis explained that the Town of Coventry asked the Town of Foster to transfer some or all of its Municipal Leaf and Yard Debris tonnage to them since the town of Coventry has gone over their cap.

**REQUEST FOR A TEMPORARY TRAILER** John Lewis moved, Roger L. Hawes seconded, and it was unanimously so voted to approve a temporary trailer, for a period of one year, at 16 Boswell Trail so the Kennedy/McDermott family can rebuild their home that was lost due to a fire.

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

**RESOLUTION**

John Lewis moved, Joe Cardillo seconded, and it was unanimously so voted to approve the resolution in Opposition to Mandatory Contract Continuation Legislation.

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

**RESOLUTION  
In Opposition to  
Mandatory Contract Continuation Legislation**

WHEREAS: Current state law does not provide for mandatory continuation of either municipal employee or school teacher collective bargaining agreements and;

WHEREAS: Whereas a Superior Court justice ruled on March 15, 2010, that state statute, defining when a contract ends, obviates any contract clause agreed to which allows for the continuation of a public employee labor contract and;

WHEREAS: School districts and cities and towns have seen a calamitous reduction of state aid and;

WHEREAS: There exists a \$210 million dollar revenue/expenditure gap in the current FY 2010 budget and over an anticipated \$400 million revenue/expenditure gap for the FY 2011 budget that will result in further state aid reductions and;

WHEREAS: Taxpayers are already burdened by some of the highest property taxes nationally and;

WHEREAS: School districts and cities & towns must comply with RIGL §44-5-2, that caps the property tax levy imposed by municipalities and;

WHEREAS: According to § 16-2-9 (d) "The school committee of each school district shall be responsible for maintaining a school budget which does not result in a debt." and;

WHEREAS: School committees may require employee concessions to comply with the aforementioned state statutes and;

WHEREAS: 2010 – S 2603 would mandate that a expired contract shall continue under all the same terms and conditions of employment and;

WHEREAS: This would serve as a disincentive for unions to bargain in good faith and allow existing employee wages and benefits to continue unchanged indefinitely thus forcing districts to possibly violate RIGL §44-5-2 & § 16-2-9 (d); now, therefore be it

RESOLVED: That the Town Council of Foster respectfully requests the Rhode Island General Assembly to oppose 2010 – S 2603 that mandates expired teacher contracts must continue all the existing terms and conditions of employment ; and be it further

RESOLVED: That a copy of this Resolution by forwarded to every State Senator, State Representative and the Governor.

ADOPTED this twenty-fifth day of March A.D. 2010. TOWN OF FOSTER

\_\_\_\_\_  
Colette Matarese., President

ATTEST:

\_\_\_\_\_  
Tina W. Freeman, CMC  
Town Clerk

SEAL

**TOWN  
HOUSE  
FUNDS**

John Lewis moved, Joe Cardillo seconded, and it was unanimously so voted to approve the expenditures from the Town House Fund up to \$1000.00 to install emergency lighting and install drainage updates.

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

**RESOLU-  
TION**

John Lewis moved, Lynne S. Rider seconded, and it was unanimously so voted to approve the resolution for the "America's Cup".

**TOWN OF FOSTER  
RESOLUTION**

**WHEREAS**, on February 14, 2010, the BMW ORACLE Racing Team defeated Alinghi off the coast of Valencia, Spain, to capture the 33<sup>rd</sup> America's Cup competition; and

**WHEREAS**, for much of the 20<sup>th</sup> century, Newport, RI, served as host for the America's Cup races; and

**WHEREAS**, as the "Sailing Capital of the World", with a culture and history rich with maritime pursuits, the presence of the America's Cup competition in the City of Newport would offer a significant boost to the local economy.

**NOW, THEREFORE BE IT RESOLVED**, that the Foster Town Council wholeheartedly congratulates the ORACLE syndicate on its victory and encourages this group to return to the 34<sup>th</sup> America's Cup challenge to its true home, Newport, Rhode Island.

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to Mr. Larry Ellison of BMW Oracle Racing, and to all the cities and towns in Rhode Island asking that they join in encouraging the return of the America's Cup Races to the City of Newport.

Taken under our hands this 25<sup>th</sup> day of March, 2010.

ATTEST: \_\_\_\_\_  
Tina W. Freeman, Town Clerk

\_\_\_\_\_  
Foster Town Council

(SEAL)

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

**CDBG  
PUBLIC  
HEARING**

Tina W. Freeman, Town Clerk, stated to the Town Council that the CDBG public hearing was not included on the agenda due to some questions by the Planning Board and the Town Planner. The public hearing was continued to the April 8, 2010 town council meeting.

**CONCERNED  
CITIZENS**

A citizen asked about the budget schedule. Ronald Cervasio, school committee member stated some updates concerning busing. Another citizen stated that some other cities and towns are seeking alternate ways to retrieve money from the state. Another question was the sign on the Benjamin Eddy Building.

Lynne S. Rider announced that the RI League of Cities and Towns has taped some of their workshops and anyone can log on to the web site and get the information. The site is [www.rileague.org](http://www.rileague.org)

**EXECUTIVE  
SESSION**

Lynne S. Rider moved, Roger L. Hawes seconded, and it was unanimously so voted to go into Executive Session according 42-46-5a (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 to provisions of the General Laws of Rhode Island 42-46-4 & 5

Lynne S. Rider moved, John Lewis seconded, and it was unanimously so voted to adjourn the meeting.

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

The meeting adjourned at 8:00 p.m.

There were no votes taken in Executive Session.

The executive session portion of the meeting adjourned at 8:15 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