

**November 10, 2011
Town Council Meeting**

The November 10, 2011, Town Council Meeting was called to order by Gordon E. Rogers, President, of the Foster Town Council at the Benjamin Eddy Building 6 South Killingly Road, Foster, Rhode Island, at 7:00 p.m.

The following members were present:

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

David V. Iglizzi, Town Solicitor,
Robert E. Coyne, Jr., Police Chief

The Pledge of Allegiance was recited.

**PUBLIC
COMMENT**

Davida Irving, Paine School Superintendant, spoke under Public Comment.

MINUTES

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to approve the October 27, 2011, minutes as presented.

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

The motion passed.

WARRANTS

Michael E. Dillon moved, Lynne A. DeStefano seconded and it was so voted to accept General Warrant #35 in the amount of \$82.55.

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

The motion passed.

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to accept General Warrant #9 in the amount of \$104,640.01.

Neal C. Whitelaw amended the motion, seconded by Marianne Knight to exclude any invoices submitted by "Emerald Services", the Charter states that any employee of the town cannot contract any work from the town other than their appointed position.

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

The amendment passed.

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

The main motion passed excluding any payment to Emerald Services.

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to accept Payroll Warrant #17 in the amount of \$25,823.08.

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

The motion passed.

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to accept Payroll Warrant #18, in the amount of \$41,800.94.

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

The motion passed.

**November 10, 2011
Town Council Meeting**

**AGENDA ITEM
MOVED** Gordon E. Rogers moved, Lynne A. DeStefano seconded to move item # “IV e)” Payroll Warrant #19A, down to “VII a)” Old Business on the agenda.

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

The motion passed.

**MONTHLY
REPORTS** Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to accept the monthly report from the Building & Zoning Department as submitted.

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

The motion passed.

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to accept the monthly report from the Planning Department as submitted.

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

The motion passed.

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to accept the monthly report from the Police Department as submitted.

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

The motion passed.

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to accept the monthly report from the Tax Assessor as submitted.

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

The motion passed.

**QUARTERLY
REPORTS** Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to accept the quarterly report from the Foster Center Fire Department as submitted.

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

The motion passed.

OLD BUSINESS Gordon E. Rogers moved, Neal C. Whitelaw seconded, and it was so voted to pay Ann-Marie Ignasher, Planner for the extra hours that were worked over and above the regular twenty hour work week on Grant Writing.

The motion and second were removed.

Neal C. Whitelaw moved, Marianne Knight seconded, to approve Payroll Warrant #19A in the amount of \$223.98 for the eight hours that were already worked over the regular twenty hour work week.

The council vote was polled: Marianne Knight aye, Lynne A. DeStefano nay, Michael E. Dillon aye, Gordon E. Rogers nay, Neal C. Whitelaw aye.

The motion passed.

**November 10, 2011
Town Council Meeting**

DIRECT ENERGY CONTRACT The item was tabled.

NEW BUSINESS-CHARTER REVIEW COMMITTEE Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to appoint Ronald Cervasio to the Charter Review Committee.

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

The motion passed.

Neal C. Whitelaw moved, Lynne A. DeStefano seconded, and it was so voted to appoint Joseph Carey to the Charter Review Committee.

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

The motion passed.

Michael E. Dillon moved, Neal C. Whitelaw seconded, and it was so voted to appoint Susan Tabor to the Charter Review Committee.

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

The motion passed.

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to appoint Steve Brown to the Charter Review Committee.

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

The motion passed.

Lynne A. DeStefano moved, Neal C. Whitelaw seconded, and it was so voted to appoint Robert Boyden to the Charter Review Committee

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

The motion passed.

ADDITIONS & ABATEMENTS Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to approve the abatements in the amount of \$1,398.87, as submitted by the Tax Assessor.

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

The motion passed.

MEDS PLAN Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted to accept the MEDS plan as written.

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

The motion passed.

NOVEMBER & DECEMBER COUNCIL MEETINGS Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to not meet on November 24th, 2011, and hold the next town council meeting on December 8, 2011, and at that time the second meeting for the month of December will be discussed at the December 8, 2011, town council meeting.

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

The motion passed.

**November 10, 2011
Town Council Meeting**

**ON CALL SNOW
PLOW DRIVERS**

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted to approve the recommendation of Robert Clarkin, Public Works Director, to pay \$13.00 per hour for Non CDL drivers, and \$15.00 per hour for CDL drivers, with proof of license.

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

The motion failed.

**LICENSE
RENEWALS**

Gordon E. Rogers moved, Lynne A. DeStefano seconded, and it was so voted to approve in conformity with and under the authority of the provisions of Title I, Chapter 5 of the General Laws of the State of Rhode Island, Revision of 1956, as amended, and any and all amendments thereto, the annual fees for

Class A Package Store License shall be and are hereby fixed at Four Hundred Dollars (\$400.00) each.

That the Annual Fees for Class B Victuallers (BV) shall be and is hereby fixed at Four Hundred Dollars (\$400.00) each;

That the Annual Fees for Class D unlimited shall be and is hereby fixed at Eight Hundred Dollars (\$800.00) each;

That the Annual Fee for extra hour closing shall be and is hereby fixed at Two Hundred Dollars (\$200.00);

That the Annual Fee for an Entertainment License shall be and is hereby fixed at Two Hundred Dollars (\$200.00);

That the Annual Fee for Holiday Sales is Twenty-five Dollars (\$25) for each.

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that all holders of such licenses hereunder granted except Class A Package Store Licenses are hereby granted permission to hold dances in their respective places so licensed.

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that no transfer application or applications that may be made to have one or more granted licenses transferred from one person to another person or persons at the same location without a specific consideration and determination by the Town Council.

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that the following persons and corporations be granted renewal licenses for their respective places of business pending receipt of Certificates of Good Standing from the Rhode Island Division of Taxation to the Town Clerk, and contingent upon all required documentation and full payment of any license fees, advertising costs, and taxes.

Class A Package Store including Sunday and Holiday Sales

License for Beatrice Gabriele, d/b/a Gabriele's Package Store, 144 Danielson Pike;

License for William Fortin, d/b/a Twisted Liquors, 180 Hartford Pike

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

**November 10, 2011
Town Council Meeting**

**LICENSE
RENEWALS
CONTINUED**

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that the following persons and corporations be granted renewal licenses for their respective places of business pending receipt of Certificates of Good Standing from the Rhode Island Division of Taxation to the Town Clerk, and contingent upon all required documentation and full payment of any license fees, advertising costs, and taxes.

Class BV

License for Thomas Breard d/b/a Lucky's, 143 Danielson Pike;

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that the following persons and corporations be granted renewal licenses for their respective places of business pending receipt of Certificates of Good Standing from the Rhode Island Division of Taxation to the Town Clerk, and contingent upon all required documentation and full payment of any license fees, advertising costs, and taxes.

License for Tykamac Enterprises, Inc. d/b/a Foster Country Club, 67 Johnson Road;

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that the following persons and corporations be granted renewal licenses for their respective places of business pending receipt of Certificates of Good Standing from the Rhode Island Division of Taxation to the Town Clerk, and contingent upon all required documentation and full payment of any license fees, advertising costs, and taxes.

License for Helen's Place Inc. d/b/a Helen's Place Inc., 172A Danielson Pike;

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that the following persons and corporations be granted renewal licenses for their respective places of business pending receipt of Certificates of Good Standing from the Rhode Island Division of Taxation to the Town Clerk, and contingent upon all required documentation and full payment of any license fees, advertising costs, and taxes.

License for Lisa M. Mills d/b/a Woodland Meeting House, LLC 115 East Killingly Road

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that the following persons and corporations be granted renewal licenses for their respective places of business pending receipt of Certificates of Good Standing from the Rhode Island Division of Taxation to the Town Clerk, and contingent upon all required documentation and full payment of any license fees, advertising costs, and taxes.

**November 10, 2011
Town Council Meeting**

**LICENSE
RENEWALS
CONTINUED**

Class D

License for Little Rhody Vasa Park, Inc., 10 Boswell Trail

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

The motion passed.

Entertainment Licenses

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that the following persons be, and are hereby granted, Entertainment renewal licenses for their respective places.

License for Thomas Breard d/b/a Lucky's, 143 Danielson Pike;

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that the following persons be, and are hereby granted, Entertainment renewal licenses for their respective places.

License for Tykamac Enterprises, Inc., d/b/a Foster Country Club, 67 Johnson Road;

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that the following persons be, and are hereby granted, Entertainment renewal licenses for their respective places.

License for Lisa M. Mills d/b/a Woodland Meeting House, LLC 115 East Killingly Road

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that the number of liquor license to be granted and issued for and during the current term next ensuing and ending December 1, 2012, shall be as follows:

Class A Package Store	Two (2)
Class B Victuallers	Four (4)
Class D Unlimited	One (1)

And furthermore that the Town Clerk shall not receive any other applications without the approval of the Town Council.

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

The motion passed.

**November 10, 2011
Town Council Meeting**

**LICENSE
RENEWALS
CONTINUED**

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted that it is ordered in granting the previously specified and numbered licenses that the provisions of said General Laws of 1956, as amended and all amendments thereof and thereto, and also the provision for any and all laws affecting such licenses shall apply and such licenses are hereby granted subject to such rules and regulations and conditions heretofore established or that may hereafter be established by the Town Council of Foster and that licenses hereby granted shall expire on the first day of December 2012 at twelve o'clock midnight, unless sooner revoked for cause.

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted to approve that the following businesses that have applied for renewal of **Game and Amusement Devices Licenses:**

Lucky's - 2 machines, 1 pool table.

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted to approve that the following businesses that have applied for renewal of **Game and Amusement Devices Licenses:**

Helen's Place - 1 pool table.

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

The motion passed.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted to approve that the following businesses that have applied for renewal of **Game and Amusement Devices Licenses:**

Woodland Meeting House - 1 machine, 2 pool tables.

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

The motion passed.

**TRANSFER OF
LIQUOR
LICENSE**

Gordon E. Rogers moved, Lynne A. DeStefano seconded, and it was so voted to approve the application for a transfer of the Class A liquor license from William Fortin d/b/a Twisted Liquors to Lorraine Healey d/b/a The Watering Hole 185 Hartford Pike, Foster, R.I. 02825.

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

The motion passed.

Gordon E. Rogers amended, Michael E. Dillon seconded the amendment to the motion, to stipulate that there are objections to the transfer who are only debtors and do not have ownership in any real estate as an abutter.

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

The amendment passed.

