

December 8, 2011
Town Council Meeting

The December 8, 2011, Town Council Meeting was called to order by Gordon E. Rogers, President, of the Foster Town Council at the 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,

Stephen R. Archambault, Town Solicitor,
Ann-Marie Ignasher, Planner
Robert Clarkin, Public Works Director,
Kelli Russ, Treasurer
Robert E. Coyne, Jr., Police Chief

The Pledge of Allegiance was recited.

**PUBLIC
COMMENT**

No one spoke under Public Comment.

MINUTES

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to approve the November 10, 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 Payroll Warrant #19 in the amount of \$27,849.70.

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 Payroll Warrant #20 in the amount of \$26,799.47.

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

The motion passed.

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to accept Payroll Warrant #21 in the amount of \$26,551.42.

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 #22, in the amount of \$25,919.52.

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

The motion passed.

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**WARRANTS
CONTINUED**

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to accept General Warrant #10, in the amount of \$89,024.66.

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 General Warrant #36, in the amount of \$2,241.49.

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 and Zoning 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 Planning 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 Police Department as submitted.

Gordon E. Rogers aye, Neal C. Whitelaw aye, Marianne Knight aye, Lynne A. DeStefano 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 Tax Assessor as submitted.

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

The motion passed.

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

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

The motion passed.

**SETTLEMENT
AGREEMENT
WITH
REGIONAL
SCHOOL**

Gordon E. Rogers read the "Settlement Agreement" between the Foster/Glocester Regional School District and the Town of Foster. This is labeled "Exhibit A" attached to these minutes.

There was discussion on the floor

No action was taken.

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DIRECT ENERGY CONTRACT Gordon E. Rogers moved, Lynne A. DeStefano seconded, and it was so voted to table this item for further study.

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

The motion passed.

TWISTED LIQUORS, LIQUOR LICENSE William Fortin asked the Town Council for a clarification of his liquor license renewal. There was a question about the back taxes owed on the property. Stephen R. Archambault, Town Solicitor stated the property owner is responsible to pay the taxes, not the renter of the property.

No action was necessary.

TOWN HALL FINANCE KEYS Gordon E. Rogers moved, Lynne A. DeStefano seconded, and it was so voted to instruct the Town Clerk to make a set of keys for Robert Clarkin, Public Works Director.

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

Neal C. Whitelaw did not vote. He stated that he would not vote on a motion that is out of order.

The motion failed.

LETTER FROM PLANNING BOARD Lynne A. DeStefano read the letter from the Planning Board, which is marked as "Exhibit A1".

No Action was taken.

DEPARTMENT HEAD OVERTIME Gordon E. Rogers read page 39 of the Personnel Policy, 502.06.

There was some discussion.

No action was taken.

REQUEST FROM POST 101 Gordon E. Rogers read the letter from Post 101 requesting that the town council restore \$290.98 to the recreation department for the purpose of transportation costs regarding the Ponaganset High School Band at the 2012 Memorial Day Parade.

Mr. Rogers stated that the request would be considered in the budget preparation for the next fiscal year.

No action was taken.

CHANGE OF ORDER ON THE AGENDA Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to change the order of the agenda, VIII(c) Proposed Amendments to the Foster Zoning Map-Reedy, to VII(e).

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

The motion passed.

PUBLIC HEARING-ZONE CHANGE Gordon E. Rogers opened the Public Hearing for the proposed amendment to the Foster Zoning Map.

Lynne A. DeStefano read the letter from the Planning Board concerning the proposed zone change, which is marked as "Exhibit B".

Brian Carpenter submitted a letter of authorization, to represent Mr. Alan Reedy, which is marked as "Exhibit C"

The following people spoke in favor of the Zone Change: Brian Carpenter, James Deaett, Gino Constantino.

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**PUBLIC
HEARING-ZONE
CHANGE
CONTINUED**

The following people spoke against the Zone Change: Joseph Walsh, Kevin Gallagher, Walter May, Andy McKnight, David Tonge, Ronald Cervasio. Mr. Walsh submitted a "memo" which is marked as "Exhibit D".

Lynne A. DeStefano moved, Gordon E. Rogers seconded, and it was so voted to approve the Zone Change for Plat 14 Lot 96A from Agricultural/Residential to General Business Mixed Use.

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

The motion passed.

**RE-
APPOINTMENTS
TO THE ZONING,
PLANNING,
LAND TRUST
AND
RECREATION**

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to re-appoint Donna Bianca to the Foster Recreation Committee, with a term ending December 2016.

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

The motion passed.

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to re-appoint Julia Parmentier to the Foster Planning Board, with a term ending December 2016.

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

The motion passed.

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to re-appoint Sissan Smallman to the Foster Planning Board, with a term ending December 2016.

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

The motion passed.

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to re-appoint Walter May to the Foster Land Trust, with a term ending December 2014.

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

The motion passed.

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to re-appoint Linda Tibbetts to the Foster Land Trust, with a term ending December 2014.

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

The motion passed.

Neal C. Whitelaw moved, Michael E. Dillon seconded, and it was so voted to re-appoint Joseph Walsh to the Foster Zoning Board, with the term ending December 2016.

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

The motion passed.

**December 8, 2011
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**RE-
APPOINTMENTS
TO THE ZONING,
PLANNING,
LAND TRUST
AND
RECREATION
CONTINUED**

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to re-appoint Maureen McEntee to the Foster Zoning Board, as an alternate, with the term ending December 2012

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

The motion passed.

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to re-appoint John Esposito to the Foster Zoning Board, as an alternate, with the term ending December 2012.

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

The motion passed.

**LETTER FROM
CONSERVATION
COMMISSION**

Michael E. Dillon read a letter from the Conservation Commission.

No Action was taken.

**ADDITIONS &
ABATEMENTS**

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so voted to approve the additions in the amount of \$17,149.22, and abatements in the amount of \$4,315.57.

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

The motion passed.

**MVFD
REQUESTS FOR
TRAINING
FUNDS**

Gordon E. Rogers moved, Lynne A. DeStefano seconded, and it was so voted to approve the request from Moosup Valley Fire Department for training funds in the amount of \$400.00 for Justin Bettez.

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

The motion passed.

Gordon E. Rogers moved, Lynne A. DeStefano seconded, and it was so voted to approve the request of reimbursement for the Paramedic refresher course, in the amount of \$200.00 per person from Moosup Valley Fire Department to Heather Bettez and Michael Dexter.

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 recused himself for the next two motions.

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to approve the request from Moosup Valley Fire Department for training funds in the amount of \$1,430.00.

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

The motion passed.

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**MVFD
REQUESTS FOR
TRAINING
FUNDS
CONTINUED**

Michael E. Dillon moved, Lynne A. DeStefano seconded, and it was so voted to approve the request from Moosup Valley Fire Department for training funds in the amount of \$1,700.00.

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

The motion passed.

**LICENSE
RENEWALS**

Gordon E. Rogers moved, Neal C. Whitelaw 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:

December 31, 2011 – 2012 Holiday Sales License Renewals

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 & Trading Post, 52 Danielson Pike
4. Robert Forrest, d/b/a/ Foster Country Club, 67 Johnson Road
5. Lucine Gyuieseryan, 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. Allyson Roche, d/b/a Allyson Roche Antiques, 96 Foster Center Road

Gordon E. Rogers opened the Public Hearing; No one spoke, and there was no discussion.

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

The motion passed.

Gordon E. Rogers moved, Lynne A. DeStefano 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:

December 31, 2011 - 2012 Secondhand License Renewals

1. Abby Gosselin, d/b/a A Bee's Buzz, 114 Danielson Pike
2. Allyson Roche., d/b/a Allyson Roche, 96 Foster Center Road
3. Russell Smith, d/b/a Chelsea's Trading Post, 151 Danielson Pike
4. Aniello V. Calise, d/b/a Danny's Auction Barn, 150B Danielson Pike
5. Joseph Osmanski, d/b/a/ Foster Auto LLC, 40 Mill Road
6. Henry Chabot, d/b/a/ Foster Bear Arms & Trading Post / Bait Shack, 52 Danielson Pike
7. Newell Wright II d/b/a/ Hemlock Brook Auto Sales & Service, 37A Mill Road
8. Michael Coggeshall, d/b/a Mike's Auto Repair, 45 Anthony Road
9. Peter Wilson, d/b/a/ Price Auto Sales, 184 Danielson Pike
10. Kevan Rochette, d/b/a Sawshop, 144 Danielson Pike

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**LICENSE
RENEWALS
CONTINUED**

11. John & Darlene Fusco, d/b/a/ Tiff-Britt Antiques, 69 Old Danielson Pike
12. Edward Butola, d/b/a Wilson's Auto Enterprises, Inc., 175 Danielson Pike
13. Morris Maglioli, d/b/a Wright's Auto Salvage, 37 Mill Road

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

The motion passed.

Gordon E. Rogers moved, Lynne A. DeStefano 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:

December 31, 2011 – 2012 Victualling License Renewals

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. Cherri Pensak, d/b/a State Line Diner, 195 Danielson Pike
5. Leonard Antos, d/b/a Xtra Mart, 188 Danielson Pike

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

The motion passed.

December 31, 2011 – 2012 Gun Shop License Renewals

Gordon E. Rogers moved, Lynne A. DeStefano 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, 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

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

The motion passed.

December 31, 2011 – 2012 Campground License Renewals

Gordon E. Rogers moved, Lynne A. DeStefano 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. Muriel Walker, d/b/a Dyer Woods Campground, 114 Johnson Road

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

The motion passed.

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**LICENSE
RENEWALS
CONTINUED**

December 31, 2011 – 2012 Private Investigator’s License

Gordon E. Rogers moved, Lynne A. DeStefano seconded, and it was 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, Marianne Knight aye, Lynne A. DeStefano aye, Michael E. Dillon aye, Gordon E. Rogers aye.

The motion passed.

**PUBLIC
HEARING FOR
SECOND RIDE
TACK SHOP**

Gordon E. Rogers opened the public hearing.

There was some discussion.

Lynne A. DeStefano moved, Marianne Knight seconded, and it was so voted to approve the Second Hand License for Maria Petronelli d/b/a Second Ride Tack Shop at 145A Danielson Pike, Foster, RI.

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

The motion passed.

**CONCERNED
CITIZENS**

The following people spoke under concerned citizens: Lynne Rider, Ronald Cervasio, Kevin Garreau, Joseph Walsh, Gino Constantino, and Robert Peterson.

**FUTURE
AGENDA ITEMS**

- Nike Site
- Personnel Policy
- No Bin/No Barrel

No executive session was held.

Gordon E. Rogers moved, Michael E. Dillon seconded, and it was so voted to adjourn the meeting.

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

The meeting adjourned at 10:47 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