

**October 11, 2012
Town Council Meeting**

The October 11, 2012, Town Council Meeting was called to order by Gordon E. Rogers, 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:

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

Also present:

Kelli Russ, Finance Officer
Patti Moreau, Tax Assessor
Chief Robert Coyne
Atty. David Igliazzi, Town Solicitor, excused

The Pledge of Allegiance was recited.

Marianne Knight moved to go into Executive Closed Session pursuant to RI General Laws 42-46-5 for discussions and work sessions regarding Collective Bargaining/Contract Negotiations/Litigation according to RIGL 42-46-5(a)(2) at 6:30 p.m. Lynne DeStefano seconded.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

The Council came out of Executive Session at 7:03. Gordon Rogers announced that no votes were taken.

**PUBLIC
COMMENT**

None.

MINUTES

Michael Dillon moved, Marianne Knight seconded, and it was so voted to approve the minutes of **September 27, 2012**.

Gordon Rogers, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

WARRANTS

Michael Dillon moved, Marianne Knight seconded, and it was so voted to approve **Payroll Warrant #12** for \$27,775.29.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

Michael Dillon moved, Marianne Knight seconded, and it was so voted to approve **Payroll Warrant #13**, in the amount of \$26,310.39.

**WARRANTS
CONT.**

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

Michael Dillon moved, Marianne Knight seconded, and it was so voted to approve **General Warrant #29**, in the amount of \$414.00.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

Michael Dillon moved, Neal Whitelaw seconded, and it was so voted to approve **General Warrant #6**, in the amount of \$61,953.17.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

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**MONTHLY
REPORTS**

Michael Dillon moved, Marianne Knight seconded, to approve the monthly report of the **Police Department**.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

Michael Dillon moved, Marianne Knight seconded, to approve the monthly report of the **Building & Zoning**.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

Michael Dillon moved, Marianne Knight seconded, to approve the monthly report of the **Planning Department**.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

**ADDITIONS
AND
ABATEMENTS**

Michael Dillon moved, Marianne Knight seconded to approve the **Additions of \$328.86** and the **Abatements of \$611.66**.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

**GLOCESTER
ANIMAL
SHELTER**

Gordon Rogers explained that the Gloucester Animal Shelter is closed for repairs because of scheduled repairs. Marianne Knight said the animals are being brought to Burrillville and that our contract does not allow for the transfer of animals to other shelters. Gordon Rogers says the repairs will be done in 3 to 4 weeks. Marianne Knight feels they have not been honest about the completion times.

She further stated that we have spent \$5,000 for one cat and one dog. Gordon Rogers says that the Scituate Animal Shelter averaged \$15,000/year.

Gordon Rogers said we are still spending less than we ever have, and that the 5-year average was \$15,000 a year and wanted to know what her point was. Marianne Knight said we're spending money we don't have; we could break that contract. Gordon Rogers told her that would be a lawsuit. No motions were made. No votes were taken.

**FOSTER
CLERGY
REQUEST**

Michael Dillon read a letter from the Foster Clergy requesting to use the Town House on November 18, 2012, for an ecumenical service for Thanksgiving.

Lynne DeStefano moved, Michael Dillon seconded, and it was so voted to allow the Foster Clergy to use the Town House.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

TOWN CAR

Estimates of repair were submitted by the DPW director. Marianne Knight said she wanted more than one option and requested more estimates. No motion was made. No votes were taken.

**PUBLIC
HEARINGS:**

“A to Z”

Roland Jacques d/b/a “A to Z” explained that he wanted a secondhand license at the location on the corner of Rt. 6 and Cucumber Hill Road where Countryside Pizza used to be and that he'd be selling used household, antiques and secondhand items.

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**PUBLIC
HEARINGS
CONT.**

People who spoke against: None.
People who spoke for: None.

Gordon Rogers moved, Lynne DeStefano seconded, and it was so voted to approve a Secondhand License to Roland Jacques.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, no. Motion passed 3-1.

Public Hearing on "A to Z" closed.

**DOG AND PONY
SHOW**

Jules A. Martins d/b/a "The Dog and Pony Show" applied for a Secondhand License to sell items at 187 ½ Danielson Pike. She did not appear.

Gordon Rogers asked if everything was up to par with the application. The Town Clerk responded that the property taxes had not been paid so the application did not clear. Mr. Rogers said he did speak to the owner of the property, Mr. Paolissi, who was present. Mr. Paolissi said he could not pay the taxes because a previous tenant had not paid rent and presented a court judgment to that effect.

People who spoke against: None.
People who spoke for: Ronald Cervasio who said he would like to see them have the opportunity to have a shot at letting the business survive.

Gordon Rogers asked if the primary business at that location "The Bath & Biscuit" could still operate. The Town Clerk stated that was true, no license was needed for dog grooming.

John Lewis suggested that the hearing be continued so that there would be no need to re-advertise for a public hearing.

Ron Cervasio asked if there is any law that says the taxes have to be paid? Gordon Rogers said it would be a dangerous precedent.

Gordon Rogers brought the discussion back to the council. Gordon Rogers moved, Lynne DeStefano seconded, to grant a Secondhand License to Jules Martins.

Gordon Rogers, no; Lynne DeStefano, no; Michael Dillon, no; and Marianne Knight, no. Motion failed 4-0.

Gordon Rogers moved, Michael Dillon seconded, to continue the hearing to January 10, 2013.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, aye. Motion passed 4-0.

**WOODLAND
MEETING
HOUSE**

Lisa Mills d/b/a Woodland Meeting House explained that she wanted a permanent outdoor liquor license to run annually with the liquor license she now holds as a seasonal expansion that expired September 15th. She wants it to run to 11:45 seven days a week.

Chief Robert Coyne stated that another license holder has a license until 1 a.m. and that he has not had to respond to any issues at Woodland Meeting House.

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**WOODLAND
MEETING
HOUSE CONT.**

Those who spoke against: John Lewis asked for clarification with the outdoor entertainment license, whether it included entertainment. Gordon Rogers stated that it was just the liquor license and that it did not.

Those who spoke in favor: Kevin Ryan, an abutter. Ron Cervasio stated that a BMX track had been turned down at this site.

Gordon Rogers noted that one letter had been received from an abutter who was against stating that there was no such license, there was no fencing, and that it could affect the town's liability.

Gordon Rogers stated that he had looked into it and referred it to Town Solicitor David Iglizzi. Atty. Iglizzi recommended additional insurance and an indemnification for the town and that these should be added as stipulations on the license. The insurance should be approved by the solicitor and the town treasurer. This should precede the award of the license.

Heidi Rogers asked how this would affect other liquor license holders in town. Atty. Iglizzi stated that they should be sent letters to increase their insurance. Gordon Rogers read the stipulations as suggested by Atty. Iglizzi (Exhibit A).

Gordon Rogers moved, Michael Dillon seconded, and it was so voted to approve the license to Woodland Meeting House with stipulations.

Gordon Rogers, aye; Lynne DeStefano, aye; Michael Dillon, aye; and Marianne Knight, no. Motion passed 3-1.

**FUTURE
AGENDA
ITEMS**

It was noted that the second meeting in November was on Thanksgiving Day. It was decided not to hold that meeting.

**CONCERNED
CITIZENS**

None.

The meeting adjourned at 7:40 p.m.

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

Submitted by

Carol Lyons Sholly, CMC
Deputy Town Clerk