

**DECEMBER 27, 2012  
TOWN COUNCIL MEETING**

The December 27, 2012, Town Council Meeting was called to order by John L. Lewis, Jr., President of the Foster Town Council, at the Town House, 181 Howard Hill Road, Foster, Rhode Island, at 7:00 p.m.

The following members were present:  
**John L. Lewis, Jr., President,**  
**Pamela Fontaine, Vice President,**  
**Neal C. Whitelaw,**  
**Denise DiFranco, and**  
**Roger L. Hawes**

Also present were:  
Renee M. Bevilacqua, Town Solicitor  
Ann-Marie Ignasher, Town Planner  
Kelli Russ, Town Treasurer  
Bradford Smith, DPW Director  
Patricia Moreau, Tax Assessor  
Jane Christopher, Deputy Town Clerk

- I. PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was recited.
- II. MINUTES** Neal Whitelaw moved, Denise DiFranco seconded, to approve the minutes of **December 6, 2012.**
- John L. Lewis, Jr. amended the motion, Neal Whitelaw seconded, to include two corrections: changing the word “council” to “solicitor” on page ii., paragraph 2, and adding Renee M. Bevilacqua’s name to the Swearing-In of Appointed Officials on page iv.
- John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Amendment passed 5-0.
- John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Main motion passed 5-0.
- III. WARRANTS** Neal Whitelaw moved, Denise DiFranco seconded, and it was so voted to approve **Payroll Warrant #22**, in the amount of \$29,634.67.
- John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve **Payroll Warrant #23**, in the amount of \$38,601.47.
- John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- Roger Hawes moved, Denise DiFranco seconded, and it was so voted to approve **General Warrant #9**, adjusted to the amount of \$231,978.49.
- John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- Neal Whitelaw moved, Pamela Fontaine seconded, and it was so voted to approve **General Warrant #10** in the amount of \$59,921.81.
- John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- IV. MONTHLY REPORTS** Denise DiFranco moved, Roger Hawes seconded, and it was so voted to accept the monthly report from **Building & Zoning.**
- John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.
- Neal Whitelaw moved, Denise DiFranco seconded, and it was so voted to approve the October and November monthly reports from the **Dept. of Public Works.**
- John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

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**MONTHLY  
REPORTS  
CONTINUED**

Neal Whitelaw moved, Roger Hawes seconded, and it was so voted to approve the October and November monthly reports from the **Finance Department**.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve the October and November reports from the **Planning Department**.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Neal Whitelaw moved, Denise DiFranco seconded, and it was so voted to approve the monthly report from the **Police Department**.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Neal Whitelaw moved, Roger Hawes seconded, and it was so voted to approve the **RI Resource Recovery** report for November.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Neal Whitelaw moved, Roger Hawes seconded, and it was so voted to approve the November monthly report from the **Tax Assessor**.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

**V. QUARTERLY  
REPORTS**

Denise DiFranco moved, Roger Hawes seconded, and it was so voted to accept the Quarterly Report from the **Board of Canvassers**.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

**VI. TOWN  
COUNCIL  
MEETING  
DATES**

John L. Lewis, Jr., President of the Town Council, explained that he would be away for the meeting date of January 10, 2013. Denise DiFranco moved, Roger Hawes seconded, to move this agenda item to after Old Business.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

**VII. PUBLIC  
HEARING:  
RENEWAL OF  
TOWN  
LICENSES**

John L. Lewis, Jr. opened the Public Hearing which was being continued from December 6, 2012, for the renewal of town licenses. He asked if anyone in favor wished to speak. Gordon Rogers asked what the businesses were. John L. Lewis, Jr. read off the name on the list of renewals. John L. Lewis, Jr. then asked if anyone wanted to speak against. There were none, and he closed the public hearing.

Denise DiFranco moved, Roger Hawes seconded to approve the following **Secondhand Licenses** upon receipt of annual licensing and advertising fees, and approvals from the Building Official, Tax Collector, and Police Chief where applicable:

1. Abby Gosselin, d/b/a A Bee's Buzz, 114 Danielson Pike
2. Russell Smith, d/b/a Chelsea's Trading Post, 151 Danielson Pike
3. Aniello V. Calise, d/b/a Danny's Auction Barn, 150B Danielson Pike
4. Joseph Osmanski, d/b/a/ Foster Auto LLC, 40 Mill Road
5. Henry Chabot, d/b/a/ Foster Bear Arms & Trading Post / Bait Shack, 52 Danielson Pike
6. Newell Wright II, d/b/a/ Hemlock Brook Auto Sales & Service, 37A Mill Rd.
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. Edward Butola, d/b/a Wilson's Auto Enterprises, Inc., 175 Danielson Pike
11. Morris Maglioli, d/b/a Wright's Auto Salvage, 37 Mill Road
12. Mary Alice Beauchesne, d/b/a Sacred Acres, 149 Danielson Pike
13. Marie Petronelli, d/b/a The Second Ride Tack Shop, 146A Danielson Pike

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**RENEWAL OF  
TOWN  
LICENSES  
CONTINUED**

The Town Clerk stated that not all the licensees had cleared the Tax Collector's office. Neal Whitelaw noted that the licenses did not expire until December 31<sup>st</sup> and that there was still time to make payments.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Denise DiFranco moved, Pamela Fontaine 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. Cherri Pensak, d/b/a State Line Diner, 195 Danielson Pike
4. Leonard Antos, d/b/a Xtra Mart, 188 Danielson Pike

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Neal Whitelaw moved, Roger Hawes seconded, and it was so voted to approve the following **Entertainment License** upon receipt of annual licensing fee and approvals from the Building Official, Fire Chief, Tax Collector and Police Chief where applicable:

1. Aniello V. Calise, d/b/a/ Danny's Auction Barn, 150B Danielson Pike

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Neal Whitelaw moved, Denise DiFranco 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

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Denise DiFranco moved, Pamela Fontaine 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 & Trading Post, 52 Danielson Pike
4. Lucine Gyuleseryan, d/b/a/ Foster Quick Stop, 173 Danielson Pike
5. Bonita Lambert, d/b/a/ Lladyllove Llama, 82 Cucumber Hill Road
6. John & Darlene Fusco, d/b/a/ Tiff-Britt Antiques, 69 Old Danielson Pike
7. Leonard Antos, d/b/a Xtra Mart, 186 Danielson Pike
8. Abby Gosselin, d/b/a A Bee's Buzz, 114 Danielson Pike
9. Russell Smith, d/b/a Chelsea's Trading Post, 151 Danielson Pike

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

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TOWN COUNCIL MEETING**

**RENEWAL OF  
TOWN  
LICENSES  
CONTINUED**

Neal Whitelaw moved, Roger Hawes 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

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Neal Whitelaw moved, Pamela Fontaine 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

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

**VIII. NEW BUSINESS**

Neal Whitelaw moved, Pamela Fontaine seconded, and it was so voted to approve the Additions of \$2,803.11 and Abatements of \$813.02 as presented.

**a.) ADDITIONS  
AND  
ABATEMENTS**

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

**b.) APPOINTMENT  
TO CONCOMM**

Pamela Fontaine moved, Neal Whitelaw seconded, and it was so voted to appoint Todd Sholly to the Conservation Commission.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

**c.) POLICE  
AWARD  
CEREMONY**

Chief Robert Coyne commenced the proceedings with a recommendation for promotion for Robert Bolger from Lieutenant to Captain. Roger Hawes moved, Pamela Fontaine seconded, and it was so voted to approve Chief Coyne's recommendation.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0. Town Clerk Carol Lyons Sholly performed the swearing-in. Mr. Bolger's son pinned the new badge on his father's uniform.

Chief Coyne introduced the newest member of the Foster Police Department, Robert Paige.

Chief Coyne issued Letters of Recognition for various officers and dispatchers. The first group for their teamwork handling a shooting on September 11, 2012, which was also assisted by the Scituate Police and the State Police.

Letters were issued to Robert Bolger who responded to the hospital and interviewed the victim. Steven Duda who worked on the crime scene investigation. William Maguire, crime scene preservation and interviews with witnesses. Michael Laurito, preservation of the crime scene. Tyler Domingoes who was first on the scene and rounded up witnesses. Dispatcher Michael Kitson who took the call and handled the suspect when he arrived at the station to turn himself in. He acquired critical information and held the prisoner there until an officer arrived.

Chief Coyne explained that the second incident was a drug arrest in June of 2012 which yielded \$70,000 worth of marijuana (21 pounds) growing hydroponically off Round Hill Road. He issued Letters of Recognition to the following: Robert Bolger who obtained probable cause and was involved in inventory control. William Maguire who inventoried over 300 items, including 145 photos, vehicles, etc.

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**POLICE  
AWARD  
CEREMONY  
CONTINUED**

Chief Coyne also recognized two dispatchers for community outreach: Linda Niles and Pamela Watson. He also recognized Joann Law for improving operational effectiveness including payroll, processing invoices, VIN checks and the ordering of supplies to her regular dispatch duties.

Lt. Col. Gary Maddocks of the State VFW presented an award to the Foster Police Department for their community outreach and support of the veterans.

**d.) WRIHR  
PRESENTATION –  
JUDY LOVEN**

Judy Loven, Chair of the WRIHR, presented her recommendation that the WRIHR program form a partnership with NeighborWorks Blackstone River Valley. She expressed her desire to get the program up and running again because it was important to the community. John Lewis told her that the council was waiting for information from the State of RI before making any decisions. No action was taken.

**e.) APPOINTMENT  
OF MEMBERS  
FOR UNION  
NEGOTIATING  
TEAMS**

John Lewis explained that contracts were coming up for renewal. The International Brotherhood of Police Officers (IBPO) contract from July of 2012 has still not been agreed upon, plus there will be the new one coming up July 1, 2013. Mr. Lewis asked for volunteers for a negotiating committee. Neal Whitelaw volunteered to continue his negotiations for the 2012 IBPO contract. Pamela Fontaine volunteered as well.

Neal Whitelaw moved, Denise DiFranco seconded, and it was so voted to appoint Neal Whitelaw and Pamela Fontaine to be the negotiating team for the 2012 contract with the Police Department.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

John Lewis asked for volunteers for the upcoming IBPO contract for 2013. There were no volunteers. Roger Hawes suggested Neal Whitelaw and Pamela Fontaine. John Lewis seconded the suggestion. Neal Whitelaw stated that he would be willing to be on the team but as a second and not the lead person. Denise DiFranco then volunteered for the IBPO Contract. Roger Hawes moved, Pamela Fontaine seconded, and it was so voted to appoint Denise DiFranco and Neal Whitelaw to the negotiating team for the upcoming 2013 Police Contract. There was no discussion.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Denise DiFranco, abstained. Motion passed 4-0.

Pamela Fontaine and Roger Hawes volunteered for the IAFF team. Neal Whitelaw moved, Denise DiFranco seconded, and it was so voted to appoint Pamela Fontaine and Roger Hawes to the negotiating team for the International Association of Fire Fighters (IAFF) Dispatchers' contract.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

**IX. APPOINTMENTS**

Pamela Fontaine stated that the ad requesting applications that was placed in the *Observer Valley Breeze* was a small ad and that the fax number was incorrect. She wanted to have it advertised again. Pamela Fontaine moved to run the ad in the January 10th and 17th editions of the Help Wanted section and to list the deadline for applications no later than January 22 at 4 p.m. Roger Hawes seconded. Discussion: Neal Whitelaw did not feel that waiting another six weeks to make appointments was necessary. Denise DiFranco agreed and said she felt they should move forward. Neal Whitelaw further stated that there was no legal standard that had to be met. Town Solicitor, Renee Bevilacqua agreed but stated that there were common sense requirements and that there was no indication in the ad that job descriptions were available. Denise DiFranco stated that anyone faxing a resume would check to see if it was received. Neal Whitelaw wanted to proceed with setting up an interview schedule.

John Lewis called for a vote and explained that an "aye" vote would be to rerun the ad and a "no" vote would be to leave it as is.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, no; Roger Hawes, aye; and Neal Whitelaw, no. Motion passed 3-2.

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Neal Whitelaw moved to accept and retain the resumes and letters of interest that were already submitted. Denise DiFranco seconded.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

Neal Whitelaw stated that he would like to set up interviews, or did they have to wait for another council meeting to review resumes on the 24<sup>th</sup>? He stated he would like to make it quicker and have something in place to call people before the 24<sup>th</sup>, and then the council would know where they are going by then. John Lewis asked if they wanted to schedule interviews with every applicant or just some. Mr. Whitelaw asked if it would be appropriate to set some now for the 24<sup>th</sup>. The Town Solicitor said they could place it on the agenda for Executive Session.

**TOWN COUNCIL  
MEETING DATES**

Moved from item VI. Previous discussion had been to set a meeting on the 3<sup>rd</sup> because John Lewis would not be present on the 10<sup>th</sup>. As of now there were not a lot of items to place on the agenda. Town Solicitor Renee Bevilacqua pointed out that the council had decided on the second and fourth Thursday of the month and should stay with that and avoid having special meetings. Denise DiFranco moved to have the meeting on the 10<sup>th</sup>. No second was needed because that date had already been established.

**X. FUTURE AGENDA  
ITEMS**

- Council Rules

**XI. EXECUTIVE  
SESSION**

Neal Whitelaw moved, Roger Hawes seconded, to go into Executive Session pursuant to RIGL 42-46-5 for a work session regarding Collective Bargaining / Negotiations or Litigation according to RIGL 42-46-5-a (2) and to reconvene into open session and to further keep the minutes of said meeting closed and the minutes of all executive sessions held previous to this meeting remain closed in accordance with provisions in RIGL 42-46-4 & 5. No discussion.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

No votes were taken.

**XII. ADJOURNMENT**

Neal Whitelaw moved, Rogers Hawes seconded to adjourn the meeting.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; Roger Hawes, aye; and Neal Whitelaw, aye. Motion passed 5-0.

The meeting adjourned at 9:05 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