

**June 1, 2012  
Town Council Meeting**

The June 1, 2012, Town Council Meeting was called to order by Gordon E. Rogers, President, of the Foster Town Council at the Old Town House, 180 Howard Hill Road, Foster, Rhode Island, at 7:14 p.m.

The following members were present:

**Gordon E. Rogers, President**  
**Michael E. Dillon, Vice President**  
**Lynne A. DeStefano, Council member**  
David V. Igliazzi, Town Solicitor

The Pledge of Allegiance was recited.

As the first order of business, Gordon Rogers explained that the Town Clerk was not in attendance and her Deputy Clerk was on vacation. He had requested of the Clerk that she have someone in attendance to take the minutes of the meeting considering the importance of granting a liquor license and entertainment license. Gordon Rogers then read article XVI of the Council rules as adopted by the Council as follows:

**RULE 16. Clerk of the Council**

*“Pursuant to Rhode Island General Laws §45-5-5, clerk of Council, the Town Clerk shall be the clerk of the Town Council; but whenever the Town Clerk or Deputy Clerk shall not appear at the time and place appointed for the meeting of the Town Council, the President shall appoint a clerk pro tempore, who, after being duly engaged, shall do and perform all the duties enjoined by the law on the Town Clerk as Clerk of the Town Council. The Town Clerk shall maintain copies of Council rules and policies and provide same to the Public.”*

Gordon Rogers asked the Solicitor if there would be an ethical issue if his Wife, Heidi Rogers, were to take the minutes. The Solicitor advised that there was no financial gain and that it would not create an ethical issue. The President then asked any members of the audience if they would be willing to take the minutes, none volunteered. He asked Lynne Rider of Burgess Road, Foster, RI if she would be willing to take the minutes. She declined but stated that Heidi Rogers was not a reputable person to take the minutes. Councilors Dillon and DeStefano were asked if they would take minutes, and both declined. Gordon Rogers then appointed Heidi Rogers as Clerk Pro Tempore.

**OLD BUSINESS:**

**WOODLAND MEETING HOUSE  
SEASONAL TEMPORARY EXPANSION  
OF BV LIQUOR LICENSE**

Lynne Rider requested that a letter from Roy Ross of 82 East Killingly Road, Foster, RI be read into the record. The letter was read, and Clerk Pro Tempore, Heidi Rogers, requested that Mrs. Rider provide her with a copy so that it could be submitted with the minutes as part of the official record.

Mrs. Rider expressed concern over the short notice of the meeting. Gordon Rogers explained that at the last regular Town Council Meeting, it was decided that the Woodland Meeting House issue would be continued to Thursday, May 31, 2012 because a meeting was to be held for the purpose of interviewing DPW candidates. When he received the agenda for May 31, 2012 and noticed that the item was not included, he contacted the Town Hall to amend the agenda. The Town Clerk had left at 2:00 p.m., and the Deputy Town Clerk was on vacation, so that agenda could not be amended. The meeting was set for June 1, 2012 at 7:00 p.m. because events had already been planned at the Woodland Meeting House for June 3, 2012, and it was necessary for the Council to address the issue of licensing prior to events taking place.

Attorney Keven McKenna was present, representing Lisa Mills, owner of the Woodland Meeting House. Attorney McKenna, Police Chief, Robert Coyne, Building Official, Peter Scorpio, and owner of the Woodland Meeting House, Lisa Mills, had met to discuss restrictions for the expansion area and public safety issues. Lisa Mills explained the nature of the proposed events which would be scheduled and events that had taken place under the prior owners of the Maple Glen.

James Tate and Suzanne Tate of 134-1/2 East Killingly Road, Foster, RI spoke of their concerns.

Chief Robert Coyne raised concerns including the hours of operation for the expanded BV license. Chief Building Inspector Mills and McKenna met to observe the area Chief expressed concern of exterior lighting for the expansion area. Separate set up for a bar outdoors?

Lori Kelsall of 61 Old Danielson Pike, Foster questioned why this procedure was necessary now when this didn't happen with the prior owners.

Jeff Daniels of Shippee Schoolhouse Road, Foster, questioned how neighbors would see plans.

Lynne DeStefano moved to approve the serving of alcohol until 9:00 p.m. in the designated outdoor area on non-event week days, Monday through Thursday. Gordon Rogers seconded the motion.

Lynne DeStefano – AYE. Mike Dillon – AYE. Gordon Rogers – AYE.

Gordon Rogers moved that the start time for serving alcohol in the designated expansion area not be earlier than 9:00 a.m. Monday through Sunday. Lynne DeStefano seconded the motion.

Lynne DeStefano – AYE. Mike Dillon – AYE. Gordon Rogers – AYE.

Lynne DeStefano moved that service of alcohol in the outdoor expansion area for events on weekends, Friday, Saturday and Sunday, not be served prior to 12:00 p.m. After discussion among the council and concerns from citizens and the police chief. Lynne DeStefano removed her motion.

Lynne DeStefano moved that during event times during the week and on weekends, alcohol not be served outside in the designated area after 11:00 p.m. Mike Dillon seconded the motion. Gordon Rogers moved to amend the motion to provide the alcohol not be served during events on week days or on weekends prior to 12:00 p.m. Mike Dillon seconded the motion.

Lynne DeStefano – AYE. Mike Dillon – AYE. Gordon Rogers – AYE.

Gordon Rogers moved that at any time there are 25 people or more in the designated outdoor area be considered an "event". Lynne DeStefano seconded the motion. After discussion from the audience, Gordon Rogers amended his motion to provide that at any time there are 50 people or more in the designated outdoor area be considered an "event". Lynne DeStefano seconded.

Laurie Daniels of Shippee Schoolhouse Road, Foster spoke concerning the number of people which would constitute an "event".

Lynne DeStefano – AYE. Mike Dillon – AYE. Gordon Rogers – AYE.

The Council voted on the main motion as amended that 50 people or more would be considered an "event".

Lynne DeStefano – AYE. Mike Dillon – AYE. Gordon Rogers – AYE.

Gordon Rogers moved that the maximum number of people allowed in the designated outdoor expansion area not exceed 500. Lynne DeStefano seconded the motion.

Lynne DeStefano – AYE. Mike Dillon – AYE. Gordon Rogers – AYE.

Gordon Rogers moved and Lynne DeStefano seconded that the seasonal temporary expansion of the BV license for the Woodland Meeting House be granted with the following conditions/restrictions:

1. The expansion area should be limited to no more than 400' x 400' running perpendicular to the street and to the east of the restaurant building. The expansion area should be no closer than 20' to the street

2. The expansion area needs to be clearly delineated, preferably with fencing or roping sufficient to put patrons and town officials on notice as to where the expansion area ends. There shall also be a minimum of four signs posted at or near the boundaries of the expansion area notifying patrons that no alcohol can be consumed outside of the expansion area.

3. There shall be controlled points of access and egress to the expansion area.

4. Alcohol may be served only at tables or counters where food is served by wait-staff.

5. All wait-staff serving alcohol must be TIPS certified.

6. Glass and bottles shall not be allowed in the expansion area.

7. Maximum number of customers/patrons in the expansion area shall not exceed 500.

8. The applicant needs to pay whatever fees are usually applicable for the filing of such application and licensure.

9. Sufficient lighting in the expansion area to the satisfaction of the building inspector.

10. Expansion of BV license during normal (non-event) hours shall be Sunday through Thursday 9:00 a.m. - 9:00 p.m. Friday through Saturday 9:00 a.m. - 11:00 p.m.

11. Expansion of BV license during events shall be Sunday through Thursday from 12:00 p.m. - 11:00 p.m. Friday through Saturday 12:00p.m. - 11:00 p.m.

12. At any time when there are more than fifty (50 ) people in the outdoor expansion area shall be considered an "event".

13. An outside bar or service station will only be allowed during an event.

14. The expansion of the BV liquor license applies from May 30<sup>th</sup> through September 15<sup>th</sup>.

Lynne DeStefano – AYE. Mike Dillon – AYE. Gordon Rogers – AYE.

Town Solicitor clarified that the granting of this license would be subject to the appropriate department heads signing off.

Gordon Rogers moved and Lynne DeStefano seconded that the granting of the seasonal temporary expansion of the liquor license be subject to the appropriate officials signing off – tax collector, police chief, building and zoning official and fire chief.

## **WOODLAND MEETING HOUSE OUTDOOR ENTERTAINMENT LICENSE**

Attorney for the Woodland Meeting House, Keven McKenna, raised concerns over the particular application that was submitted to the Town Clerk and whether it applied to the outdoor entertainment license.

Town Solicitor, David Iglizzi, clarified the application procedure for entertainment licensing under Town Ordinance 99-13-434. The ordinance allows the Council to impose any restrictions or to waive any requirements of the ordinance as it deems fit.

Gordon Rogers moved to consider the application for entertainment license submitted by the Woodland Meeting House by Attorney Keven McKenna. Mike Dillon seconded the motion.

Lynne DeStefano – AYE. Mike Dillon – AYE. Gordon Rogers – AYE.

Council President, Gordon Rogers asked the owner of the Woodland Meeting House, Lisa Mills, what events she currently has scheduled. At present, there are two outdoor events scheduled for June 3, 2012 and one outdoor event scheduled for June 30, 2012.

Lynne DeStefano moved to waive the requirements of the Ordinance and thirty (30) day notice to allow the Woodland Meeting House to hold two outdoor events on June 3, 2012 and one event on June 30, 2012 which have already been scheduled. Mike Dillon seconded. Gordon Rogers read the following restrictions/provisions as part of the granting of this license.

1. Limiting the license to the dates specified at the June 1, 2012 hearing, which dates should extend out not more than thirty (30) days to allow for eventual public hearing after notice and advertising – June 3, 2012 for two (2) events and June 30, 2012 for one event and limiting the license to the particular events described by the applicant at the June 1, 2012 hearing: Jack & Jill, Police Fishing event and Blue Grass Festival.
2. Limiting the maximum number of attendees to a number not to exceed 500.
3. Provide for parking plan to the south of existing parking area.
4. To the extent any particular event is anticipated to result in crowds that exceed existing restaurant building capacity, require Woodland Meeting House to supply one portable toilet for the first 50 and then for each 100 people over existing building capacity. For example, if current building capacity is 100 and the planned event is anticipated to draw 250 people, applicant should provide two portable toilets.
5. Applicant shall notify the Foster Police at least one week in advance of each outdoor event to inform Police Department of the date, time and anticipated crowd. This requirement shall not be deemed satisfied by the filing of any application with the Town.
6. To the extent any particular event is anticipated to result in crowds that exceed 250 people in total, applicant shall provide Foster Police Chief at least seven days prior notice and applicant will be required to pay for police detail sufficient for the anticipated crowd.
7. To the event any particular event exceeds anticipated crowd by more than 50 people applicant shall immediately contact Foster Police to inform them of the additional crowd and applicant shall be responsible for the cost of any police detail required.
8. Outdoor events shall end no later than 11:00 p.m. on Fridays, Saturdays and on the eve of any holiday. Outdoor events shall end no later than 9:00 p.m. Monday through Thursday, except for the eve of a holiday.
9. Applicant shall be subject to all noise ordinances.
10. Whether the grant of the Entertainment License is temporary (30 days, for example) or for the duration sought by the Applicant, the Entertainment License shall be subject to immediate revocation for failure to abide by the terms and conditions of the grant of the license.

Gordon Rogers made a motion to amend the main motion to include the above stipulations. Mike Dillon seconded the motion.

Lynne DeStefano – AYE. Mike Dillon – AYE. Gordon Rogers – AYE.

The Council then voted on the main motion, as amended, as follows:

Lynne DeStefano – AYE. Mike Dillon – AYE. Gordon Rogers – AYE.

The Town Council anticipates a future public hearing which will require notice to abutters, notice to fire, police and ambulance and sign offs by appropriate Town Officials.

The owner of the Woodland Meeting House, Lisa Mills, stated that she would immediately file the appropriate paperwork for application of the entertainment license.

Gordon Rogers made a motion to adjourn seconded by Lynne DeStefano.

Lynne DeStefano – AYE. Mike Dillon – AYE. Gordon Rogers – AYE.

The meeting was adjourned at 9:28 p.m.

Respectfully submitted,

Heidi Rogers,  
Clerk Pro Tempore

A video DVD file is made a part of the record for a **complete** account of the council meeting.