

July 12, 2012
Town Council Meeting

The July 12, 2012, Town Council Meeting was called to order by Gordon E. Roger, 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
Neal C. Whitelaw,
Lynne A. DeStefano,
Marianne Knight

Also present:

David V. Igliazzi, Town Solicitor,
Kelli Russ, Treasurer
Robert Coyne, Police Chief
Ann-Marie Ignasher, Town Planner
Gary Bergstrom, Acting DPW Director
Peter Scorpio, Bldg. & Zoning Director

The Pledge of Allegiance was recited.

**PUBLIC
COMMENT**

None.

MINUTES

Michael Dillon moved, Lynne DeStefano seconded, and it was so voted to approve the minutes from **June 14, 2012**. Discussion: Michael Dillon notes that on page 3, the bid for the 2012 Silverado should be \$45,024.70 and not \$28,098.70. He amended his motion to include the correction. Lynne DeStefano seconded.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 5-0.

Main motion: Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 5-0.

Michael Dillon moved, Lynne DeStefano seconded, and it was so voted to approve the minutes from **June 28, 2012**.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 5-0.

WARRANTS

Michael Dillon moved, Lynne DeStefano seconded, and it was so voted to approve **Warrant #52** for \$26,770.51.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 5-0.

Michael Dillon moved, Lynne DeStefano seconded, and it was so voted to approve **Payroll Warrant #52-A**, in the amount of \$28,919.12.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 5-0.

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Michael Dillon moved, Lynne DeStefano seconded, and it was so voted to approve **General Warrant #23**, in the amount of \$218,270.27.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion passed 5-0.

MONTHLY REPORTS

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

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; Lynne A. DeStefano, aye. Motion passed 5-0.

Michael E. Dillon moved, Lynne DeStefano seconded, to accept the monthly report from the **Police Department** as submitted.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; Lynne A. DeStefano, aye. Motion passed 5-0.

Michael E. Dillon moved, Lynne DeStefano seconded, to accept the monthly report from the **Building & Zoning Department** as submitted.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; Lynne A. DeStefano, aye. Motion passed 5-0.

QUARTERLY REPORTS

Michael E. Dillon moved, Lynne DeStefano seconded, and it was so voted to accept the Quarterly Report from the **Tax Board of Review**.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; Lynne A. DeStefano, aye. Motion passed 5-0.

Michael E. Dillon moved, Lynne DeStefano seconded, and it was so voted to accept the Quarterly Report from the **Foster Center Fire Company**.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; Lynne A. DeStefano, aye. Motion passed 5-0.

Michael E. Dillon moved, Lynne DeStefano seconded, and it was so voted to accept the Quarterly Report from the Foster **Land Trust**.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; Lynne A. DeStefano, aye. Motion passed 5-0.

HOUSING BOARD APPT.

Gordon E. Rogers moved, Lynne DeStefano seconded, to appoint Joe Carey to the Housing Board to fulfill the term of Edward McClelland.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; Lynne A. DeStefano, aye. Motion passed 5-0.

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**ADDITIONS &
ABATEMENTS**

Michael Dillon moved, Lynne DeStefano seconded, to accept the additions of \$2,130.55 and abatements of \$8,909.13.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; Lynne A. DeStefano, aye. Motion passed 5-0.

RIDOT MOA

The RI Dept. of Transportation sent in a request to have an Memorandum of Agreement signed regarding reimbursement for police details. Gordon Rogers moved, Michael Dillon seconded, and it was so voted to approve the request from RIDOT for a MoA.

Gordon E. Rogers, aye; Michael E. Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; Lynne A. DeStefano, aye. Motion passed 5-0.

**BOY SCOUT
PROCLAMATION**

Lynne DeStefano reads the Proclamation recognizing Nathan Allard as an Eagle Scout. Gordon Rogers presented the proclamation to him.

**APPOINTMENT
OF DPW
DIRECTOR**

Lynne DeStefano moved, Michael Dillon seconded, to appoint Bradford Smith to the position of Department of Public Works Director.

Michael amended the motion to have the Town Solicitor review the proposed contract, and the award of the bid be subject to said review.

Gordon Rogers, aye; Michael Dillon, aye; Lynne A. DeStefano, aye; Neal Whitelaw, no; Marianne Knight, no,. Motion passed 3-2.

**WOODLAND
MEETING HSE.**

Gordon Rogers opened the Public Hearing.

Lisa Mills explained the intent of the application, music, amplified on weekends, acoustic on Sundays. Maximum number of attendees being 1000. Gordon Rogers referred to stipulations from temporary license. Atty. Mark Charleson explained that this is a license that must be applied for every year. Questions arise during discussion due to vagueness in the application regarding activities.

Neal Whitelaw moved, Marianne Knight seconded, to deny the specific application being presented.

Gordon E. Rogers, aye; Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye, Lynne A. DeStefano, aye. Motion to deny passes 5-0.

Gordon Rogers suggested a continuance until later in the meeting so that the lawyers, Keven McKenna and Mark Charleson, can confer using suggestions from Lynne A. DeStefano spelling out the activities and times.

Lynne A. DeStefano moved, Michael E. Dillon seconded, and it was so moved to recess the hearing until after Item IX b) to give the attorneys an opportunity to present an amended application.

Gordon Rogers, aye; Michael Dillon, aye; Neal Whitelaw, no; Marianne Knight, no, Lynne A. DeStefano, aye. Motion passed 3-2.

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**KENNEL
LICENSE**

Gordon E. Rogers opened the Public Hearing for a Kennel License for Victoria Sikorski, 61 Kennedy Road. Ms. Sikorski requested that her husband Rafael Kula speak for her. Mr. Kula stated that they have 20 dogs, born in Germany who are housed in a building in the center of a large lot which has a fenced in area. He does not board dogs. He is a trainer and a breeder of long-coated shepherds. Discussion. The following people spoke against, John Lee, Tim Corcoran, Claire Livingston, Philip & Beth Jutras, and Megan Giovanni. People who spoke in favor included Therese Viveiros and John Jendzejec. Mr. Kula read letters of support from John Sgambato and Charles Bergeron and others.

Gordon E. Rogers closed the public hearing.

Neal C. Whitelaw moved, Marianne Knight seconded, to deny the kennel license at Plat 1 Lot 10.

Gordon Rogers, aye; Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; Lynne A. DeStefano, aye. Motion to deny passed 5-0.

**RETURN TO
WOODLAND
MEETING HSE.**

Gordon E. Rogers moved, Michael E. Dillon seconded, to reconsider the application for Woodland Meeting House for an Ongoing Open Recreation License.

Attorney Mark Charleson presented the amended application and stipulations for Woodland Meeting House. See "Exhibit A".

Gordon E. Rogers moved, Lynne A. DeStefano seconded, to approve the Ongoing Recreational license with the amendments.

Gordon Rogers, aye; Michael Dillon, aye; Lynne A. DeStefano, aye; Neal Whitelaw, no; and Marianne Knight, no. Motion passed 3-2.

**CONCERNED
CITIZENS**

Carol Lyons Sholly read a letter of resignation from Tina W. Freeman into the record. See "Exhibit B". The resignation is effective Monday, July 16, 2012, whereupon Ms. Sholly steps into the role of Town Clerk.

Lynne Rider spoke.

**FUTURE
AGENDA
ITEMS**

Neal Whitelaw suggested that the approval of the appointment of a Deputy Town Clerk be added to future agenda items. Also included are the Charter Review Commission and the OPEB continuance.

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to go into Executive Session according to Rhode Island General Laws 42-46-5 for discussions and work sessions regarding Collective Bargaining/Litigation/Contract Negotiations, according to RI General Laws 42-46-5a (2), regarding the International Association of Fire Fighters Local 3422, International Brotherhood of Police Officers Local 637, and 42-46-5a(1) Personnel and to reconvene in open session and further to keep the minutes of said meeting closed and the minutes of all Executive Sessions held previous to this meeting be closed and remain to provisions of the General Laws of Rhode Island 42-46-4 & 5

The council was polled:

Gordon Rogers, aye; Michael Dillon, aye; Neal Whitelaw, aye; Marianne Knight, aye; and Motion passed 4-0. Lynne A. DeStefano was excused.

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Two votes were taken in executive session,.

Neal C. Whitelaw moved, Marianne Knight seconded, and it was so voted to adjourn the meeting.

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

The meeting adjourned at 10:30 p.m.

Attached is "Exhibit A", "Exhibit B".

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