

MAY 23, 2013
TOWN COUNCIL MEETING

The May 23, 2013, Town Council Meeting was called to order by John L. Lewis, Jr., President of the Foster Town Council, at the Town House, Foster, Rhode Island, at 7:00 p.m.

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

Also present:
Renee M. Bevilacqua, Town Solicitor
Kelli Russ, Treasurer
Ann-Marie Ignasher, Town Planner
Patti Moreau, Tax Assessor

**I. OPEN
SESSION
PLEDGE OF
ALLEGIANCE**

The Pledge of Allegiance was recited.

**II. ANNOUNCE-
MENTS**

John Lewis stated that the notice of the meeting was properly posted on the Secretary of State's web site.

Pamela Fontaine read the notice from the top of the agenda: *The Foster Town Council does not sanction any electronic audio/video recordings of Town Council Meetings made by the public. Any audio/video recordings made by the public are not public records under Title 38 Public Records.*

John L. Lewis, Jr. notes the passing of Charles Borders and Eric Zimmerman.

Pamela Fontaine reported on the resolution of an Ethics complaint against her filed by Gordon Rogers that was decided in her favor. She read the decision and order into the record. (See Exhibit A.)

III. MINUTES

Neal Whitelaw moved, Roger Hawes seconded, to approve the minutes of **April 9, 2013.**

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

IV. WARRANTS

Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve **Payroll Warrant #44**, in the amount of \$25,367.76.

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 **Payroll Warrant #45**, in the amount of \$25,628.43.

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 **General Warrant #20**, in the amount of \$68,371.61.

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

**V. MONTHLY
REPORTS**

Denise DiFranco moved, Roger Hawes seconded, to accept all monthly reports a.) through i.) as presented. (Reports include: Building & Zoning, Dept. of Public Works, Finance, Human Services, Planning, Police, RIRRC, School Committee and Tax Assessor.) John L. Lewis, Jr. notes that Human Services used to be a quarterly report but Director Carol Mauro requested that it become monthly like the other department reports.

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

**VI. QUARTERLY
REPORTS**

Neal Whitelaw moved, Roger Hawes seconded, to accept the quarterly report from the South Foster Volunteer Fire Company as presented. John L. Lewis, Jr. noted that three reports are outstanding. They were due in April and John L. Lewis, Jr. questioned what the expectation of the council will be and that the subject be placed on Future Agenda Items.

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

**VII. NEW
BUSINESS
a. Personnel
Committee
Requests**

Personnel Committee member Linda Walden represented the committee. She admitted to some frustration because they were not yet organized. Her questions were as follows:

- Which copy of the Personnel Policy is the most recent?
- What is the Council's Directive?
- What is their deadline?
- Can they get copies of the Charter?
- Can they meet with Kelli Russ, Treasurer, and Renee Bevilacqua, Town Solicitor?
- Is there insurance coverage for volunteers?
- Is there a staff person assigned to them?

She stated that they can meet the second Monday of each month and requested the Eddy Building for their meetings. She also requested that all meeting be posted as "meetings" and not "workshops".

**b. Appointment
of Planning
Board Member**

Neal Whitelaw moved, Roger Hawes seconded to appoint Zachary Farnum to the Planning Board for a five-year term ending in 2018.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 4-0. Roger Hawes recused himself. The Town Clerk swore in Mr. Farnum.

**VIII. OLD
BUSINESS**

None.

**IX. PUBLIC
HEARING
Peddler's
License –
Keystone
Novelties**

The Public Hearing is to grant a Peddler's License to Keith Lambert of Keystone Novelties to open a Fireworks tent from June 26 to July 6. John L. Lewis, Jr. reports that the tent would have to pass inspection by the Building Inspector before license is granted.

John L. Lewis, Jr. opened the Public Hearing. Keith Lambert explained what the business would be and that he would be selling sparklers and fountains only. Hours of operation would be 9 a.m. to 9 p.m., except on July 3rd and 4th when he would be open until 11 p.m. Chief Coyne asked how the items would be contained at night. Mr. Lambert explained that there would be a locked pod.

Roger Hawes moved, Neal Whitelaw seconded, to grant the Peddler's License for Keystone Novelties.

Neal Whitelaw amended the motion to restrict the hours of operation on July 3rd and 4th to 9 a.m. to 10 p.m. Denise DiFranco seconded.

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

Neal Whitelaw amended the motion, Denise DiFranco seconded, to make approval contingent upon sign-off by the Building Inspector after inspection of the tent once it is erected.

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

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

**X. FUTURE
AGENDA
ITEMS**

- Amendments to the Dog Ordinance – June 27, 2013
- Mowing of cemeteries – June 13, 2013
- Quarterly Reports – June 13, 2013
- Bid Openings – June 20, 2013

**XI. EXECUTIVE
SESSION**

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

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Neal Whitelaw moved, Pamela Fontaine 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; Roger Hawes, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 5-0.

Neal Whitelaw moved, Roger Hawes seconded, to reconvene into Open Session at 9:20 p.m.

XII. ADJOURNMENT Neal Whitelaw moved, Roger Hawes seconded, to adjourn.

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

Meeting adjourned at 9:20 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, Town Clerk