

JUNE 13, 2013
TOWN COUNCIL MEETING

The June 13, 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: Also present:
John L. Lewis, Jr., President, Renee M. Bevilacqua, Town Solicitor
Pamela Fontaine, Vice President Kelli Russ, Treasurer
Denise DiFranco, and Patti Moreau, Tax Assessor
Neal C. Whitelaw. Robert Hohler, DPW Director
Roger L. Hawes was excused.

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.*

III. MINUTES

Neal Whitelaw moved, Denise DiFranco seconded, to approve the minutes of **May 23, 2013.**

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 4-0.

IV. WARRANTS

Denise DiFranco moved, Neal Whitelaw seconded, and it was so voted to approve **Payroll Warrant #46**, in the amount of \$26,403.93.

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

Neal Whitelaw moved, Denise DiFranco seconded, and it was so voted to approve **Payroll Warrant #47**, in the amount of \$25,128.65.

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

Denise DiFranco moved, Neal Whitelaw seconded, and it was so voted to approve **Payroll Warrant #48**, in the amount of \$28,080.96.

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

Neal Whitelaw moved, Denise DiFranco seconded, and it was so voted to approve **General Warrant #21**, in the amount of \$79,042.50.

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

V. MONTHLY
REPORTS

None.

VI. QUARTERLY
REPORTS

Denise DiFranco moved, Neal Whitelaw seconded, to accept the Quarterly Report from the Engineering Department.

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

VII. NEW BUSINESS
A. Additions & Abatements

Neal Whitelaw moved, Denise DiFranco seconded, to approve an abatement of \$4,499.21 as presented by the Tax Assessor.

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

B. Boy Scout Proclamations

Denise DiFranco moved, Neal Whitelaw seconded to submit proclamations of the Foster Town Council to Eagle Scouts Joshua Bolt, Nicholas Gareau, Robert Hutson and Nicholas Shippee so that their awards may be contained in the minutes of the Foster Town Council.

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

C. Life-Cycle Event

A request was sent in from LIFEcycle, Inc. for permission to use roadways in Foster as part of a Bike-a-Thon to raise funds to fight cancer. This was referred to the Chief of Police for evaluation. No votes were taken.

D. Resolution 2013-02

Neal Whitelaw moved, Denise DiFranco seconded, to approve Resolution 2013-02 Supporting the Municipal Bond and Bridge Revolving Fund. (See Exhibit A.)

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

E. MVFC loss of tax exemption

Town Treasurer Kelli Russ explained that the Moosup Valley Fire Company lost their tax exempt status due to non-filing because of an oversight. She stated that Chief Paul Cunniff was working to correct the situation and had completed a 52-page application to be reinstated. When accepted, the status will be retroactive.

John L. Lewis, Jr. asked the town solicitor if the town could still fund the fire company. Atty. Renee Bevilacqua replied that they could because the reinstatement would be retroactive; it was only a technical violation. Neal Whitelaw requested an update in a few weeks. Treasurer Kelli Russ said she would let the Town Council know when any information comes in. No votes were taken.

F. BID OPENINGS

The following bids were opened:

a. Plainwoods Road Bridge

Plainwoods Road Bridge Engineering

One bid:

Provost & Rovero, Inc.
\$9,000.00

John L. Lewis, Jr., suggested that it be referred to the DPW Director and Planner for review and recommendation. Neal Whitelaw moved, Denise DiFranco seconded, to refer the bid to the DPW Director and Planner review and recommendation.

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

b. HS Bathroom

Human Services Bathroom Installation

One bid:

L.G. Desormier, Jr., 65 Slavin Path, Chepachet, RI
\$9,250.00 + \$150.00 for Performance Bond

John L. Lewis, Jr. suggested that it be referred to the DPW Director for review. Neal Whitelaw moved, Denise DiFranco seconded, to refer the bid to the DPW Director and Building & Zoning Inspector review and recommendation.

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

JUNE 13, 2013
TOWN COUNCIL MEETING
BID OPENINGS
Continued

c. Crack Sealing

Crack Sealing

Three bids:

1. Seal Coating, 825 Granite St., Braintree, MA
\$0.30/linear foot
\$0.29/linear foot
\$0.27/linear foot
(Depending on quality of sealing material.)
2. Costello Industries, 123 Costello Road, Newington, CT
\$0.53/linear foot
3. Classic Sealing Coating, Inc., 15 Industrial Lane, Johnston, RI
\$0.35/linear foot

Neal Whitelaw moved, Denise DiFranco seconded, to refer all crack sealing bids to the DPW Director review and recommendation.

d. Surplus Equipment

Surplus Equipment

Five bids:

1. Joseph Griffin, 51A Hartford Pike
1961 Caterpillar 120 Grader: \$1,675.00
1997 F350: \$650.00
2003 Ford Explorer: \$550.00
2004 Crown Victoria: \$726.00
4-Grader Tires/rims: \$55.00
2 Turf Tires/rims: \$55.00
2. Hall's Garage, 56 Plainfield Pike, N. Scituate
1961 Caterpillar 120 Grader: \$3,025.00
1997 F350: \$905.00
2003 Ford Explorer: \$805.00
2004 Crown Victoria: \$805.00
4-Grader Tires/rims: \$200.00
2 Turf Tires/rims: \$100.00
3. Jack Lucia
1997 F350: \$718.00
2003 Ford Explorer: \$425.00
2004 Crown Victoria: 427.00
4. Steve Brown
1961 Caterpillar 120 Grader: \$556.00
1997 F350: \$526.00
2 Turf Tires/rims: \$51.25
5. Full Circle Recycling
1961 Caterpillar 120 Grader: \$2,302.00
1997 F350: \$501.00
2003 Ford Explorer: \$401.00
2004 Crown Victoria: \$356.00
4-Grader Tires/rims: \$5.00
2 Turf Tires/rims: \$5.00

Neal Whitelaw moved, Denise DiFranco seconded, to refer the surplus equipment bids to the DPW Director for review and recommendation.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 4-0.

VIII. OLD BUSINESS
a. Perpetual Care of Cemeteries

Denise DiFranco stated that she had spoken to Ed Robinson of the Foster Preservation Society who said there is a tax abatement package at the State House in exchange for cemetery care. She also mentioned Rick Copp of the Boy Scouts who told her that the scouts were taking care of the Clayville Cemetery. She stated that the Hopkins/Paine Road, Spears and Phillips Cemetery were cared for by the Perpetual Care fund. She will also be contacting the Foster Clergy. She also discussed with the town solicitor the issue of someone getting hurt. Town Solicitor Renee Bevilacqua stated that the Trust does not forbid or discourage volunteerism, but needs to have forms signed and they need to know whose equipment is being used. John L. Lewis, Jr. stated that the boy scouts cannot use power equipment, only the adults can.

The town clerk informed the council that Ken Battey had asked if he could proceed with the second mowing and was assured that one could be done for July 4th.

b. Late Quarterly Reports

The Land Trust and Moosup Valley Fire Dept. quarterly reports are still outstanding, John L. Lewis, Jr. asked the council if they would like to take action. Denise DiFranco asked what recourse the council had.

John L. Lewis, Jr. stated that the town funds the organizations, they could withhold until reports are received. Kelli Russ, Treasurer, stated that the next payment would be July 1. No motions were made. No votes were taken.

IX. FUTURE AGENDA ITEMS

- Bike-a-Thon – June 27
- Bid Awards for
 - Bridge Project – June 20th
 - Human Services Bathroom – June 27
 - Crack Sealing – June 27
- Bid Openings for
 - Trash Collection – June 20
 - Audit – June 20
- Animal Shelter
- Public Hearing: Animal Control – June 27
- Swearing-In of New Police Chief – June 27

X. EXECUTIVE SESSION

Neal Whitelaw moved, Denise DiFranco seconded, to go into Executive Session pursuant to a work session regarding RIGL 42-46-5A(1) Personnel, and RIGL 42-46-5A(2) Collective Bargaining / Negotiations or Litigation 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; and Neal Whitelaw, aye. Motion carried 4-0.

Neal Whitelaw moved, Roger Hawes seconded, to reconvene into Open Session at 10:54 p.m. John L. Lewis, Jr. announced that no votes were taken.

Neal Whitelaw moved, Denise DiFranco seconded, to adjourn. John L. Lewis, Jr., aye; Pamela Fontaine, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 4-0.

XI. ADJOURNMENT

Meeting adjourned at 10:55 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
Town Clerk