

JULY 11, 2013
TOWN COUNCIL MEETING

The July 11, 2013, Town Council Meeting was called to order by John L. Lewis, Jr., President of the Foster Town Council, at the Captain Isaac Paine School,, 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
Robert Hohler, DPW Director
Chief Wm. Zeihl

**I. OPEN
SESSION
PLEDGE OF
ALLEGIANCE**

The Pledge of Allegiance was recited.

**II. ANNOUNCE-
MENTS**

John L. Lewis, Jr. 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.*

Mr. Lewis also announced the passing of Foster resident Herbert Niles, former member of the South Foster Volunteer Fire Company and requested a moment of silence.

III. MINUTES

Neal Whitelaw moved, Roger Hawes seconded, to approve the minutes of **June 27, 2013.**

Discussion: Denise DiFranco asked if the woman from D.O.T found out if the paint for the roads was toxic. The woman replied that it was not. Denise DiFranco also asked for an amendment to the minutes to change page v, item X number 3 to read "a majority" instead of "everyone else."

John L. Lewis, Jr. asked for approval on the minutes as amended.

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 #51**, in the amount of \$25,631.73.

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, and it was so voted to approve **Payroll Warrant #52**, in the amount of \$25,590.66.

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

Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve **General Warrant #23**, in the amount of \$58,454.06

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, and it was so voted to approve **General Warrant #1** in the amount of \$25,571.66.

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**

None.

**JULY 11, 2013
TOWN COUNCIL MEETING**

VI. QUARTERLY REPORTS John L. Lewis, Jr. noted that the quarterly report for Moosup Valley Fire Co. had been received and asked that it be placed on the next agenda.

VII. NEW BUSINESS

a. Additions & Abatements Denise DiFranco moved, Roger Hawes seconded, to approve the abatement of \$11,352.97 as presented by the Tax Assessor.

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

b. Resolution 2013-04 Neal Whitelaw moved, Roger Hawes seconded, to approve Resolution 2013-04 opposing S-322 and H-5394 addressed to the Governor of RI, requesting that he veto the bills. John L. Lewis, Jr. explained that these bills would prevent the taxation of new buildings that remain unoccupied after construction is completed.

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

c. DPW Temporary Work Hire DPW Director Robert Hohler requested the hiring of a part-time, temporary worker to help with mowing during the summer. Mr. Hohler recommended John Mathieu who had previous experience with the DPW department last year.

Denise DiFranco moved, Neal Whitelaw seconded, to approve the hiring of John Mathieu as a temporary employee at 24 hours per week. There was much discussion from townspeople regarding hiring practices, including Gordon Rogers, Richard Grant, Lynne S. Rider, Steven Croteau and others.

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

d. F-2 Liquor License Application from the Republican Town Committee was withdrawn.

e. Fuel-Master Gasoline System Purchase John L. Lewis, Jr. explained that this was a system for apportioning gasoline usage among the various town departments. The old system was hit by lightning and is unusable. He asked the solicitor if it was necessary to go out to bid. Town Solicitor, Renee M. Bevilacqua, explained that she had looked into the NJPA (National Joint Powers Alliance) and found that they are an organization allowed to contract wholesale prices and are used by the State of RI. The NJPA has 50,000 members including 18 states who use them exclusively. The State has accepted their bidding process as a governmental agency so it is not necessary to go out to bid. She also noted that the contract lists Fuel-master as the "seller" and us as the "end user". It is up to the Council to accept their bidding process but notes that it would be better than what the town, or state could do on its own.

Neal Whitelaw stated that the system is needed but he is not sure the money is available for the purchase. Neal Whitelaw moved, Denise DiFranco seconded, to table the purchase until it is determined that the funding is available.

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

VIII. OLD BUSINESS

a. Animal Control Ordinances John L. Lewis, Jr. explained that he had promised to advertise a vote on this issue. He also explained that a motion must be made in the affirmative. John L. Lewis, Jr. moved, Roger Hawes seconded, to approve the revisions and additions to the Animal Control Ordinances as presented.

John L. Lewis, Jr., no; Pamela Fontaine, no; Roger Hawes, no; Denise DiFranco, no; and Neal Whitelaw, no. Motion failed 5-0.

b. Foster Home Repair Program John L. Lewis, Jr. stated that the town had received the final report from the State Auditor General regarding Western RI Home Repair (WRIHR). Communication was also received from the State Office of Community and Housing Development to set up a meeting in August if any other council members wished to attend.

JULY 11, 2013
TOWN COUNCIL MEETING

Foster Home Repair Program – *cont.* Neal Whitelaw stated that he would be interested in going. Denise DiFranco stated that she would go if Mr. Whitelaw found that he could not.

IX. FUTURE AGENDA ITEMS

- Local Roads Program
- Bid Opening
- Moosup Valley Fire Co. Quarterly Report
- Fuel-Master System

X. EXECUTIVE SESSION

Neal Whitelaw moved, Roger Hawes 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; 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.

John L. Lewis, Jr. announced that no votes were taken.

XI. 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 9:21 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