

**OCTOBER 24, 2013**  
**TOWN COUNCIL MEETING**

The October 24, 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  
Ann-Marie Ignasher, Town Planner  
Robert Hohler, DPW Director  
Kelli Russ, Treasurer  
Lillian Jackson, Deputy Treasurer  
Chief Wm. Ziehl

**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.

John L. Lewis, Jr. also announced that the Foster Police were sponsoring a collection of prescription drugs on October 26 from 10 – 2.

John L. Lewis, Jr. also announced that the holder of the Boston Post Cane, Dorothy Kilham had passed away and asked for a moment of silence.

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, Roger Hawes seconded, and it was so voted to approve the minutes of **September 26, 2013.**

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 the minutes of **October 10, 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, to approve **Payroll Warrant #14** for \$26,499.98.

John L. Lewis, Jr., aye; Pamela Fontaine, no; Roger Hawes, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 4-1.

Neal Whitelaw moved, Roger Hawes seconded, to approve **Payroll Warrant #15** for \$25,988.67.

John L. Lewis, Jr., aye; Pamela Fontaine, no; Roger Hawes, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 4-1.

Pamela Fontaine stated that many people had asked her why she votes “no” on the Payroll Warrants. She stated that she wanted to make it clear that she does not sanction professional fees.

Denise DiFranco moved, Roger Hawes seconded, to approve **General Warrant #8** for \$43,183.00. Pamela Fontaine asked if the \$2,285.00 amount was for 90-day notices or title exams. Treasurer Kelli Russ stated that they were title exams. They had started at fifteen, went down to eight and are now down to five.

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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**WARRANTS,  
cont.**

General Warrant #7 showed the remainder of the Gas Boy bill in the amount of \$2,250.00 that had been carried over from the last meeting. Treasurer Kelli Russ stated that there was an additional \$3,600.00 charge for replaced equipment added to that bill, so that would surpass the \$2,500.00 deductible. The Trust should be able to cover the entire \$2,250.00 amount in that case so she will be forwarding that bill to them. Also the town would be able to recoup some additional money by returning the used equipment that had been replaced.

**V. MONTHLY  
REPORTS**

Denise DiFranco moved, Roger Hawes seconded, to accept the following monthly reports: **Dept. of Public Works, Finance, Human Services, Planning, Tax Assessor, and Police**. It is noted that the following reports have not been received: Building & Zoning, RIRRC, and School Committee. Discussion: Denise DiFranco noted that the tax collections were up 1.53% and questioned why that was so. Treasurer Kelli Russ explained that there were more payments being made from last year. Ms. DiFranco asked if they were making a greater effort to which Ms. Russ said that they always make an effort, but not more so from last year.

Denise DiFranco stated that the custodian appointed to dissolve WRIHR, LGC&D, is making great progress according to the report, and asked if Ms. Russ was monitoring them because she thought this project was done. Ms. Russ replied that LGC&D reports in by email and that they will have questions, so she cannot say that she is completely done. Denise DiFranco also wanted to know if she was spending time with the auditor to which Ms. Russ replied in the affirmative and that it was during the greater amount of the day.

Pamela Fontaine questioned the Planner regarding the Comprehensive Plan and its completion date. Town Planner Ann-Marie Ignasher said they are comparing all the new sections with the old ones to make sure nothing is left out. Pamela Fontaine also asked about current grants. Ms. Ignasher replied that there was one for DEM, and one for DEM Hazard Mitigation.

Denise DiFranco questioned why there was Zoning on the Planning Report for Tuesday, September 3. Ms. Ignasher reported that her job description included assisting people regarding zoning and that she helps when the Zoning Inspector is out.

Ms. DiFranco also noted that regarding the bridge project in Hopkins Mills, RIDOT is contacting the Planner, and should be contacting the DPW director.

Neal Whitelaw requested more details on the Professional Services part of the Planner's report in the future.

Ron Cervasio, School Committee member, asked that a letter be sent to the new school superintendent regarding late School Committee reports.

Pamela Fontaine wanted to know where the Building & Zoning Report was. The Town Clerk responded that the current clerk was learning the program and had not gotten to it yet and that the Building & Zoning Inspector had been out. Ms. Fontaine said that didn't matter, the report due date is known.

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, Pamela Fontaine seconded, to accept the Quarterly Reports from the **Board of Canvassers, Foster Center Volunteer Fire Company, Planning Board, South Foster Volunteer Fire Company, Foster Recreation Committee** and the **Tax Board of Review**. Discussion: Pamela Fontaine noted that some reports are signed and some are not; she requested that all Quarterly Reports be signed. The Town Clerk was asked to issue this request.

It was noted that the following reports had not yet been received: Ambulance Corps, Civil Preparedness, Conservation Commission, Engineering Board, Land Trust, Libraries, Moosup Valley Volunteer Fire Company, School Committee, and Zoning Board.

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

Pamela Fontaine moved, Neal Whitelaw seconded, to notify the departments that the quarterly reports will be required at the next Town Council meeting.

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. Boston Post  
Cane Award**

John L. Lewis, Jr. mentioned at the beginning of the meeting that Mrs. Kilham had passed away, so it was time to award the Boston Post Cane to someone else. Mr. Lewis and the Town Clerk researched who the current oldest resident in Foster might be and it appears that Ann Rapson, who is 99, should be awarded the Gold Cane. Currently a plaque is made up and awarded rather than the cane itself which is on permanent display in the Town Hall.

Neal Whitelaw moved, Pamela Fontaine seconded to name Ann Rapson as the next holder of the Boston Post Cane award.

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

**b. Thanksgiving  
Proclamation**

There is an annual ecumenical service on the Sunday before Thanksgiving at the Town House. The Town Council traditionally issued a proclamation for this event in the past and John L. Lewis, Jr. would like to continue it. He stated that he had updated one from the past and read the proclamation into the record (see Exhibit A).

Neal Whitelaw moved, Denise DiFranco seconded, to issue the proclamation.

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

**c. Keeper of the  
Keys**

The council received an application from Aden Mott Restivo to hold the honorary position of Keeper of the Keys.

Denise DiFranco moved, Roger Hawes seconded, and it was so voted to appoint Aden Mott Restivo as Keeper of the Keys.

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

**d. Resignation  
from Planning  
Board**

Denise DiFranco read the resignation of Susan Mara from the Planning Board.

Neal Whitelaw moved, Pamela Fontaine seconded, to accept her resignation with regret.

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

**e. Hazard  
Mitigation Plan**

Neal Whitelaw noted in the last Town Council packet a letter regarding the Hazard Mitigation Plan. He spoke to Jessica Simpson who is the Program Manager regarding the plan and about grants that can not be obtained unless a plan is in place. He would like to see a plan put together and also noted that a joint plan with Gloucester and Scituate could be arranged. Mr. Whitelaw said he would follow up with a phone call to FEMA. John L. Lewis, Jr. suggested a letter be dispatched to Randy Parrott and Sharon Cotter regarding their participation in drawing up this plan.

**VII. OLD  
BUSINESS  
a. Plainwoods  
Road Bridge**

DPW Director Robert Hohler provided an update on the Plainwoods Road Bridge project stating that the footings are in, forms are there and they may pour the headwalls. Going good and they are on schedule. Neal Whitelaw asked for a meeting with RIEMA regarding closeout date and bill payments. We could recoup all expenses if we could find documentation. Chief Ziehl noted that proper recordkeeping would be necessary in the future for these events.

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**b. Mill Road Bridge** DPW Director Rober Hohler said he is still waiting for plans, should be another week. John L. Lewis, Jr. stated that a decision will be needed at next meeting.

**c. Planning Board Appointment(s)** John L. Lewis, Jr. notes there was an advertisement for a Planning Board position with application due on the 17<sup>th</sup>. With the resignation of Susan Mara, two positions are open. Three applicants have applied: John Bevilacqua, Gordon Rogers and Todd Sholly. Neal Whitelaw stated that he would like to separate these and that he had someone contact him who expressed interest but did not get an application in before the deadline.

Roger Hawes moved, Pamela Fontaine seconded, to appoint John Bevilacqua and Todd Sholly to the Planning Board.

Gordon Rogers requested that his resume be read. Denise DiFranco read the applications of all three candidates.

John L. Lewis, Jr., aye; Pamela Fontaine, no; Roger Hawes, aye; Denise DiFranco, no; and Neal Whitelaw, no. Motion failed 3-2.

Pamela Fontaine moved, Roger Hawes seconded, to appoint John Bevilacqua to the Planning Board.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Roger Hawes, aye; Denise DiFranco, abstained; and Neal Whitelaw, no. Motion carried 3-1 with one abstention.

Denise DiFranco moved, Pamela Fontaine seconded, to advertise for the second position and continue the present applications.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Roger Hawes, no; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 4-1. Roger Hawes stated that there are already two in the pool and there is no need to advertise.

**IX. PUBLIC HEARING Peddler's License**

John L. Lewis, Jr. read the advertisement for the Peddler's License for applicant Timothy Whall, d/b/a Protection One Alarm Monitoring, Inc. requesting a license for door-to-door sales of home security systems based in Westwood, MA. Mr. Lewis opened the public hearing.

John L. Lewis, Jr. requested anyone to speak for the license. There were none. John L. Lewis, Jr. requested anyone to speak against the license. There were none.

Denise DiFranco moved, Neal Whitelaw seconded, to grant the Peddler's license.

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

**X. FUTURE AGENDA ITEMS**

- Gold Cane Award Plaque
- Mill Road Bridge
- Plainwoods Road Bridge
- Report from Personnel Committee
- Planning Board Appointment (December 12)
- Liquor License Renewals

**XI. EXECUTIVE SESSION**

Neal Whitelaw moved, Roger Hawes seconded, to go into Executive Session pursuant to a work session regarding 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.

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**RECONVENE** Open session reconvened at 10:13 p.m.  
**INTO OPEN**  
**SESSION** John L. Lewis, Jr. announced that no votes were taken in Executive Session.

**XII ADJOURNMENT** Neal Whitelaw moved, Pamela Fontaine seconded, to adjourn the meeting.

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 10:14 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