

**NOVEMBER 14, 2013
TOWN COUNCIL MEETING**

The November 14, 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 7:04 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
Patti Moreau, Tax Collector
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.

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 **October 24, 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 #16** for \$29,295.87.

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 #17** for \$27,652.12.

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 #18** for \$25,975.84.

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 **General Warrant #9** for \$441,306.89.

Discussion: Gordon Rogers asked if the large amount of this warrant was due to a payment to New England Building and Bridge due at the 60% completion mark of the Plainwoods Road bridge. This was answered in the affirmative.

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

**V. PAST DUE
MONTHLY
REPORTS**

Denise DiFranco moved, Roger Hawes seconded, to accept the following monthly reports: **Building & Zoning, RIRRC, School Committee.**

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 **Ambulance Corps, Conservation Committee, Land Trust, Libraries, and School Committee.**

It was noted that the following reports had not yet been received: Civil Preparedness, Engineering Board, Moosup Valley Volunteer Fire Company, and Zoning Board.

John Lewis reported that an email had been received from Heidi Rogers stating that she had been unable to do the Moosup Valley Fire Department report due to a family illness.

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. Additions & Abatements

Denise DiFranco moved, Roger Hawes seconded, to approve the abatements of \$456.77.

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

b. Request from Foster Center Baptist Church

John Lewis reported that a letter had been received from the Foster Center Baptist Church (see exhibit A). Denise DiFranco read the letter aloud, in which the Church is asking that the Church be allowed to tie in to the Town public water supply, as their well is silting in and their property constraints do not meet State regulations for the construction of a new well.

Denise DiFranco moved, Pamela Fontaine seconded to accept the request of the Church.

Discussion: Questions regarding liability issues, the amount of water required, and State regulations were considered. It was decided to contact Roy Shippee from Foster Center Baptist Church to request his presence at the December 12, 2013 Town Council Meeting for further discussion.

Ms. DiFranco and Ms. Fontaine withdrew their motion and second.

c. Bid Opening Statistical evaluation

John Lewis opened the bid from Vision Solutions in Northborough, Massachusetts, and read the basic fees for the itemized options. Mr. Lewis next opened an envelope from Tyler Technologies of Norwich CT, and read their letter declining the opportunity to bid. (See Exhibit B)

Pamela Fontaine moved, Neal Whitelaw seconded, to give the bid from Vision to Patti Moreau, Tax Collector for review.

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

d. RIDEM Recreation Grant

Mr. Lewis stated that the RIDEM was offering a recreational grant opportunity and asked the Town Planner to give details. Ann-Marie Ignasher explained the grant application had an extended deadline of December 6 and that two levels of funding were available, (less than and greater than \$75,000.00) requiring matching funds from the Town. The Town has approximately \$143,000.00 in a recreation fund She recommended applying for a \$100,000.00 grant and matching that amount from the Town fund, and utilizing the money for site preparation of the recreational field the Town purchased 3-4 years ago on Foster Center Road. The Town might also try to get additional funds from the Champlin Foundation. The DEM requires a positive vote from the Town Council in order to consider a proposal from the Town.

Mr. Lewis asked for Council discussion.

Denise DiFranco noted that the date on the letter was October 2. Ms. Ignasher said that she had not received the letter in the mail but had downloaded from the DEM website when she found out about the grant in November. MS. DiFranco noted that there wasn't much time remaining until the deadline. Ms. Ignasher also noted that she had previously written two other grants for that property and that she could pick up much of the wording from those grants to expedite the writing of this new grant.

**d. RIDEM
Recreation
Grant
(cont.)**

Mr. Whitelaw commented that he would have a hard time voting tonight on this grant without seeing more information and site plans.

Mr. Lewis stated that existing plans are about 5 years old. Mrs. Rider said realistically it was unlikely the Town would get a large lump sum in grant money to complete the project of a recreational field. This grant would allow the Town to begin work incrementally – since nothing else could be done with the property, the Town would be one step closer to making the property usable.

Mr. Cervasio noted how much money the Town loses from the tax roles due to properties taxed as open space. It is a waste of the money already spent on the purchase of this property if the Town doesn't act to proceed even incrementally on the recreational field, and encouraged the Council to vote yes on applying for the grant.

Denise DiFranco asked the Planner how much time it would take for her to complete the grant? She responded that the format was similar to other grants and she would be able to complete the grant quickly. Ms. Ignasher also noted that this grant is also a “leftover” grant, where monies that were not given out earlier in the year are being used up. This grant would be awarded in January, and has a two year time frame, during which time the Town can pursue additional grants for the same property.

Denise DiFranco asked what Ann-Marie would be applying for in this grant? Removing trees and stumps? Ms. Ignasher responded that she would be inquiring as to the cost of that removal.

JL moved, Roger Hawes seconded, to authorize the planner to go forward and write a RIDEM grant for the removal of trees and clearing of stumps, whatever the amount allows, towards preparation of that recreational field and to utilize as matching funds our fee in lieu of funds, not to exceed \$100,000.00.

Renee Bevilacqua asked, should the Treasurer earmark the money? The Treasurer responded that the money is in a special revenue fund for recreation use only and cannot be spent any other way

Lynn Rider asked if the Council approves the grant to be written, and it is awarded, can the Town decline the grant if they change their mind? John Lewis said that he did not think it advisable, the Town may not be considered again.

Ms. Rider asked how far will \$200,000.00 go? Mr. Cervasio asked what the Town paid for the land. Mr. Lewis responded that it was \$75,000.00, but that was paid for by a grant so it didn't really cost the Town anything. Mr. Rogers advised that it was a difficult piece of property with a difficult grade and a lot of the money would be used up in grading the property and the \$200,000.00 might only cover the grading.

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

**e. December
meeting
schedule**

Pamela Fontaine moved, Neal Whitelaw seconded to cancel the second meeting in December scheduled for December 26, pending need for any emergency or special meeting.

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. Update on
Hopkins
Mills Bridge**

DPW Director Robert Hohler reported there was a meeting coming up with RIDOT on November 19th.

**b. Update on
Mill Road
Bridge**

Mr. Hohler stated that he had received the plans for the Mill Road Bridge for the scouring of the under structure. Mr. Lewis said that what the Council had to decide tonight was whether to abandon the project or proceed? Neal Whitelaw expressed concern that there were never quarterly reports presented by FEMA: Ann-Marie Ignasher responded that she thought there had been. Neal Whitelaw asked that a phone call be made to see if there is an active grant available, John Lewis agreed. Mr. Lewis stated that he was hesitant to pull the plug on the grant but to let the project go out to bid and see what response is received. The grant is a 90% grant, \$163,300.00, and the cost to the Town to repair the bridge would be only \$16,300.00

Neal Whitelaw moved, Pamela Fontaine seconded, to allow the DPW Director to put the Mill Road Bridge project out to bid. Mr. Whitelaw also requested that the timing of the advertisement, writing of the specs and availability of the plans be completed as quickly as possible, as the time limit for the grant was March of 2014.

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

**IX. PUBLIC
HEARING
Liquor Licenses**

The Public Hearing began at 7:55 pm.

Mr. Lewis stated that he held a number of liquor licenses and a spread sheet for those licenses. He referenced the lack of a Fire Marshall inspection for each facility, but that appointments had been scheduled. Mr. Lewis opened the public hearing, and listed the types of licenses being requested for the various establishments, and asked for anyone to speak in opposition.

Lynn Rider questioned the limited access and egress from Woodland Meeting House. The attorney for Woodland Meeting House responded that the former police chief had approved the fencing around the facility. Mrs. Rider asked that the Building Inspector review the fencing again. Mr. Rogers spoke in support of the fencing and lighting at Woodland Meeting House.

Mr. Lewis moved, Roger Hawes seconded, to extend the existing licenses through December 12, 2013, 11:59 p.m. Pamela Fontaine requested the police chief and the Building Inspector be present at that meeting.

Renee Bevilacqua clarified that the liquor licensees have difference classes of licenses. Mr. Lewis said that the Council is extending their current license type as they currently exist.

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

**X. Future agenda
items**

- Bid award for Eval
- Report from Personnel Committee
- Bid Award for Mill Road Bridge
- Liquor Licenses
- All Other licenses
- Missing Quarterly Reports

**XI. EXECUTIVE
SESSION**

John L. Lewis, Jr. announced that there was nothing to report 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 8:40 p.m.

A digital sound file is made a part of the record for a complete account of the council meeting.

Submitted by

Jane Christopher
Deputy Town Clerk