

**APRIL 25, 2013
TOWN COUNCIL MEETING**

The April 25, 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
Neal C. Whitelaw,
Denise DiFranco, and
Roger L. Hawes.

Also present:
Renee M. Bevilacqua, Town Solicitor
Robert Hohler, DPW Director
Chief Coyne, Foster Police
Bill Ziehl, Foster Police
Tom Walden, Engineering Board
Kelli Russ, Treasurer

**I. OPEN
SESSION**

**PLEDGE OF
ALLEGIANCE**

The Pledge of Allegiance was recited.

John L. Lewis, Jr. led those in attendance for a moment of silence for the victims of the Boston Marathon Bombing.

NOTICE

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.*

II. MINUTES

Neal Whitelaw moved, Roger Hawes seconded, to approve the minutes of **April 11, 2013.**

Denise DiFranco requested that these minutes (of 4/25/13) reflect the fact that the "Letter from the Building Inspector" that was tabled from the last meeting was not listed on the April 25th agenda as originally intended. John Lewis stated it was because it was not yet ready.

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

III. WARRANTS

Neal Whitelaw moved, Roger Hawes seconded, and it was so voted to approve **Payroll Warrant #40**, in the amount of \$28,269.09.

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 **Payroll Warrant #41**, in the amount of \$26,873.50.

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 #18**, in the amount of \$70,441.71.

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

**IV. MONTHLY
REPORTS**

Denise DiFranco moved, Roger Hawes seconded, to accept all monthly reports a.) through h.) as presented. (Reports include: Building & Zoning, Dept. of Public Works, Finance, Planning, Police, RIRRC, School Committee and Tax Assessor.)

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

**V. QUARTERLY
REPORTS**

Denise DiFranco moved, Neal Whitelaw seconded, to accept the quarterly reports as presented. (These include Civil Preparedness, Conservation Commission, FC Fire Dept., Human Services, Libraries, School Committee, Tax Board of Review, and Zoning.

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

**VI. NEW
BUSINESS
a. Police
Appointment**

Chief Robert Coyne introduced Thomas Pennell, formerly of the New Shoreham police force as a new police officer candidate. Neal Whitelaw moved, Roger Hawes seconded, to appoint Thomas Pennell to the position of police officer for the Town of Foster.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Roger Hawes, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 5-0. The Town Clerk swore Officer Pennell in.

**b. Appointment
of Constable**

Neal Whitelaw moved, Roger Hawes seconded, to appoint Kenneth Knight as a constable for the Town of Foster.

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

**c. Hemlock
Road Bridge**

Resident Maggie Fennessey spoke to the council about the bridge on Hemlock Road. Council member Denise DiFranco, DPW Director Robert Hohler, Town Treasurer Kelli Russ, Council member Pamela Fontaine, Council President John L. Lewis, Jr. , Gordon Rogers, and Kenneth Knight participated in the discussion. John L. Lewis, Jr. stated that the council is trying to identify funds for bridge repairs.

**OLD
VII. BUSINESS**

a. Abatements

Denise DiFranco moved, Roger Hawes seconded, to approve the abatements of \$4,352.52 as submitted 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. Cemetery
Fund**

The subject of the Cemetery Perpetual Care Fund was revisited. Denise DiFranco suggested that there could be another voluntary way to support it involving the Boy Scouts or school projects. She volunteered to coordinate.

**c. Plainwoods
Road Bridge**

Town Solicitor Renee Bevilacqua stated that the Town Planner put together a file of the information available on the bridge project. She noted that there was no award letter or performance bond included. She also could find no RFP. Then there were payments of \$3K and \$11K for Provost when there had never been a bid process.

Pamela Fontaine moved, Neal Whitelaw seconded, to direct Kelli Russ, Town Treasurer, to conduct further research with past DPW Directors on this issue; the Town Clerk to research the minutes for the previous bid opening and award; and Robert Hohler, DPW Director, to create bid specs and submit an RFP for the bridge engineering. All to be completed in two weeks for 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.

**d. Concerned
Citizens
Forum**

John L. Lewis, Jr. stated that some residents have requested that Concerned Citizens be placed on the agenda. Ron Cervasio, Gordon Rogers, Lynne Rider, Linda Proulx, Pamela Fontaine, Maggie Fennessey, John L. Lewis, Jr. and Renee Bevilacqua participated in the discussion.

**VIII. FUTURE
AGENDA
ITEMS**

- Quarterly Reports
- Letter from Building & Zoning Inspector
- Bid for Plainwoods Road Bridge

**IX. EXECUTIVE
SESSION**

Neal Whitelaw moved, Roger Hawes 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 for Personnel according to RIGL 42-46-5a(1) 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.

APRIL 25, 2013
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.

Neal Whitelaw moved, Roger Hawes seconded, to reconvene into Open Session at 11:10 p.m.. John L. Lewis, Jr. announced that one vote was taken to approve the Letter of Engagement with Atty. Renee Bevilacqua as Town Solicitor.

**X. ADJOURN-
MENT**

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 11:15 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