

MAY 9, 2013
TOWN COUNCIL MEETING

The May 9, 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
Ann-Marie Ignasher, Town Planner
Peter Scorpio, Building/Zoning Inspector
Kelli Russ, Treasurer
Joseph Carey, Planning Board Appointee

**I. OPEN
SESSION
PLEDGE OF
ALLEGIANCE**

The Pledge of Allegiance was recited.

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 25, 2013.**

Discussion: Denise DiFranco stated that the previously amended minutes for April 25, which reflected a change concerning her request re: the Building Inspector's letter not being on that agenda as originally intended, were then combined with Mr. Lewis's reply that the inspector's letter "was not yet ready". She further requested that the two statements be shown as separate comments.

John Lewis moved, Roger Hawes seconded, to amend those minutes further to reflect Ms. DiFranco's request.

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

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

III. WARRANTS

Neal Whitelaw moved, Roger Hawes seconded, and it was so voted to approve **Payroll Warrant #42**, in the amount of \$26,992.97.

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 **Payroll Warrant #43**, in the amount of \$25,929.50.

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 #19**, in the amount of \$66,422.03.

Discussion: Pamela Fontaine asked Kelli Russ if she could give specifics on the line item on page 4 of 6 of the Warrant for \$2,730.04 for parts and repair. Ms. Russ stated it was for equipment repairs through DPW but did not have details with her. Ms. Fontaine said she would ask the DPW Director.

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**

There were no monthly reports

- V. QUARTERLY REPORTS** Denise DiFranco moved, Roger Hawes seconded, to accept the quarterly reports for the Ambulance Corps, Board of Canvassers and Recreation as presented.

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. Pole Installations

John Lewis stated there were two different documents and requests from the same individuals for pole installations on Isthmus Road.

Neal Whitelaw moved, Roger Hawes seconded, to accept the plans from Verizon New England Inc., & The Narragansett Electric Company, No. NE#14-13 (for two new poles on Isthmus Road to service the Tri-Town Rod & Gun club) as submitted.

Discussion: Neal Whitelaw further clarified there were two requests and that he had spoken to a Tri-Town member who said that the Club wasn't sure whether they needed permission from the Town Council for an additional five poles that they have requested from the utility company to carry the lines in from the road to the Sportsmen's club. The Club would pay for the additional poles on their property. Mr. Whitelaw's motion is to approve the request for two poles from the utility company, The Council would not vote on the additional five poles as the Club does not need approval from the Council to add poles on their private property.

Rene Bevilacqua asked for clarification as to the relationship between Verizon and Narragansett Electric.

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

b. Resignation from Planning Board

Neal Whitelaw moved, Pamela Fontaine seconded, to accept the resignation of Sisan Smallman from the Planning Board with regret.

John Lewis explained that Ms. Smallman and her husband are selling their house and moving to Hawaii.

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 direct the Town Clerk to write a letter to Ms. Smallman thanking her for her years of service.

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

c. Resignation from Housing Board

Neal Whitelaw moved, Denise DiFranco seconded, to accept the resignation of Joseph Carey from the Housing Board.

John Lewis passed out two letters from Mr. Carey – one for his resignation from the Housing Board and one expressing his wish to be appointed to the Planning Board.

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

d. Appointment to Planning Board

Denise DiFranco moved, Roger Hawes seconded, to appoint Joseph Carey to the Planning Board to complete Ms. Smallman's term ending 12/31/2016.

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

Mr. Carey was sworn in by the Deputy Town Clerk.

VII. OLD BUSINESS

a. Plainwoods Bridge

John Lewis stated that at the last meeting the Council made some requests in order to track down any additional documentation on the bridge. Ms. Russ, Treasurer, reported that she had spoken to three previous DPW heads and requested any information they had regarding older plans for the Plainwoods Bridge. None of them had any written information to provide.

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Plainwoods Bridge (cont.) John Lewis stated that the Town Clerk had been asked to find any previous meeting minutes referencing the bridge. Portions of the minutes from two meetings were provided. A bid had been awarded to Big Rock for the construction. However, there was no legitimate bid award to an engineer, and the Town will need to go out to bid for engineering. The current DPW head provided the Council with a bid spec sheet and an invitation to bid.

Mr. Lewis reviewed the dates and the timeline outlined in the RFP; and asked if there needed to be a special meeting to get the bids in a timely fashion. Pamela Fontaine suggested moving the date for the award bid to a special Town Council meeting on Thursday, June 20, 2013. John Lewis asked the Council if they were available for that date. It was agreed to hold that meeting on the date above mentioned.

Ann-Marie Ignasher asked that the bids be allowed to be delivered until 4:00 p.m. on June 13th. The bids would be opened at the regular Town Council meeting that night. The award would be given out at the special town meeting on Thursday June 20 at 6 pm.

Ann Marie Ignasher discussed revising the dates in the ad to reflect the changes agreed upon at this meeting. Gordon Rogers advised putting the ad in the Journal as well as the Valley Breeze Observer. Renee Bevilacqua mentioned that the Observer is now considered a publication of general circulation in the State.

Neal Whitelaw moved, Pamela Fontaine seconded to approve the ad as edited and it be placed in the Observer/Valley Breeze.

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

VIII. FUTURE AGENDA ITEMS

None.

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.

John L. Lewis, Jr., aye; Pamela Fontaine, aye; Roger Hawes, aye; Denise DiFranco, aye; and Neal Whitelaw, aye. Motion carried 5-0. Open session closed at 7:30 p.m.

Neal Whitelaw moved, Roger Hawes seconded, to reconvene into Open Session at 10:45 p.m.. John L. Lewis, Jr. announced that no votes were taken in Executive Session.

X. 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 10:47 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