

**DECEMBER 4, 2014**  
**TOWN COUNCIL MEETING**

The December 4, 2014, Town Council Meeting was called to order by John L. Lewis, Jr., President of the Foster Town Council, at the Capt. Isaac Paine School, 160 Foster Center Road, 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,**  
**Roger L. Hawes,**  
**Gordon Rogers,**  
**and Jon Restivo.**

Also present were:

Renee M. Bevilacqua, Town Solicitor  
Kelli Russ, Town Treasurer  
Lillian Jackson, Deputy Treasurer  
Nancy Deleare, Tax Collector  
Susan Sprague, Deputy Town Clerk  
William Ziehl, Police Chief  
Joseph Cardillo, DPW Director  
Peter Scorpio, Building and Zoning

- I. PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was recited.
- II. MINUTES** Denise DiFranco moved, Roger Hawes seconded, and it was so voted to approve the minutes of **November 13, 2014.**
- John L. Lewis, Jr. aye; Pamela Fontaine, abstained; Roger Hawes, aye; Neal Whitelaw, aye; Denise DiFranco, aye. Motion passed 4-0, one abstention.
- III. SEATING OF NEW COUNCIL** Mr. Whitelaw thanked the assembled Council and residents for the honor and privilege of serving four years on the Council.
- Neal Whitelaw and Pamela Fontaine removed themselves from the council table in order for the newly elected council to proceed with the remainder of the Town Council Meeting.
- John Restivo and Gordon Rogers took their places at the table with John L. Lewis, Jr, Roger Hawes and Denise DiFranco.
- IV. SWEARING-IN CEREMONY** Reverend Barry Arruda of the North Foster Baptist Church gave the invocation and led the assembly in prayer.
- Senator Nicholas D. Kettle administered the oath of office to all the Council members.
- V. ELECTION OF COUNCIL OFFICIALS** Gordon Rogers moved, Denise DiFranco seconded, and it was so voted to elect Denise DiFranco as Council President.
- Discussion: John L. Lewis, Jr. stated that he has sat on the Council in a leadership position for 6 of the last 8 years and asked to be considered for the President's position as well.

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**ELECTION OF**  
**COUNCIL**  
**OFFICIALS,**  
**CONTINUED.**

John L. Lewis, Jr., nay; Denise DiFranco, aye; Roger Hawes, nay; Jon Restivo, nay; and Gordon Rogers, aye. Motion failed 3-2.

Roger Hawes moved, Jon Restivo seconded, and it was so voted to elect John L. Lewis, Jr. as President of this Council for 2015 and 2016.

John L. Lewis, Jr. aye; Denise DiFranco, nay; Roger Hawes, aye ; Jon Restivo, aye; and Gordon Rogers, nay. Motion passed 3-2.

Gordon Rogers moved, Roger Hawes seconded, and it was so voted to elect Denise DiFranco as Council Vice President.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**VI. APPOINTMENT**  
**OF TOWN**  
**OFFICIALS**

Roger Hawes moved, Jon Restivo seconded, to appoint Renee Bevilacqua as Town Solicitor for the Council and Town of Foster for 2015 and 2016.

Discussion: Gordon Rogers asked what are the parameters and duties of the solicitor? Were they all-inclusive or were some items not included. Did Ms. Bevilacqua have an existing contract? Mr. Lewis explained that every appointee serves at the will of the Council; and the salary for the Solicitor was determined at the Financial Town Meeting. The previous Council had a letter of agreement from Ms. Bevilacqua outlining responsibilities and expectations. Mr. Lewis suggested that there be no change to her existing letter of agreement. The Town Charter says the Treasurer and Solicitor have to be appointed tonight.

John L. Lewis, Jr., aye; Denise DiFranco, nay; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, nay. Motion passed 3-2.

Denise DiFranco moved, Gordon Rogers seconded, to appoint Paula Cuculo as Probate Judge for the Town of Foster, for the term of 2015-2016.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

Gordon Rogers moved, Roger Hawes seconded, to re-appoint Kelli Russ as Treasurer for the Town of Foster for a two year term.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

Roger Hawes moved, Denise DiFranco seconded, to appoint Nancy Deleare as Tax Collector for the Town of Foster.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

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**APPOINTMENT  
OF TOWN  
OFFICIALS  
CONTINUED**

Roger Hawes moved, Denise DiFranco seconded, to re-appoint Patti Moreau as Tax Assessor for the Town of Foster for 2015-2016.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

Denise DiFranco moved, Roger Hawes seconded, to appoint Juliana King as Town Planner for the Town of Foster for 2015-2016.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

Roger Hawes moved, Jon Restivo seconded, to appoint Joseph Cardillo as Director of Public Works for the Town of Foster for 2015-2016.

Discussion: Gordon Rogers moved to amend the motion to appoint Robert Clarkin, former DPW director to the Town, to the position. There was no second, the amendment failed.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, nay. Motion passed 4-1.

Denise DiFranco moved, Gordon Rogers seconded, to appoint Carol Moreau as Director of Human Services for the Town of Foster for 2015-2016.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

Gordon Rogers moved, Denise DiFranco seconded, to appoint Peter Scordio as Building and Zoning Inspector for the Town of Foster for the next two years.

John Lewis, did not vote; Denise DiFranco, aye; Roger Hawes, did not vote; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 3-0.

Denise DiFranco moved, Roger Hawes seconded, to appoint Mike Caprarelli as Animal Control Officer and Appraiser of Dog Damages for the Town of Foster for 2015-2016.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

Roger Hawes moved, Denise DiFranco seconded, to appoint Jeff Lowe as Plumbing and Mechanical Inspector for the Town of Foster.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

Denise DiFranco moved, Gordon Rogers seconded, to appoint Peter DeSpigno as Electrical Inspector for the Town of Foster for 2015-2016.

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John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

This concluded the appointment of town officials.

**VII. APPROVAL OF DEPUTIES**

Approval of Deputies: Council President John Lewis stated that the Deputy Town Clerk and the Deputy Treasurer appointments are recommended to the Council by the Town Clerk and the Treasurer for their consent.

John Lewis stated that the Council had a letter from the Town Clerk (see "Exhibit A") to reappoint Susan Sprague as Deputy Town Clerk.

Gordon Rogers moved, Roger Hawes seconded, to accept the nomination.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

Mr. Lewis stated that the Council also had a letter from the Treasurer (see Exhibit B) requesting that Lillian Jackson be reappointed as Deputy Treasurer.

Roger Hawes moved, Gordon Rogers seconded, to accept the nomination.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**VIII. APPOINTMENT OF NON-STANDARD EMPLOYEES**

Council President John Lewis listed the names and positions of the applicants who had sent in letters of interest as follows:

**Kenneth Knight, Sealer of Weights and Measures;**

Roger Hawes moved, Gordon Rogers seconded, to appoint Mr. Knight as Sealer of Weights and Measures.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**Corder of Wood:** there was no response and the Council would readdress this at a future meeting.

**Thomas D'Agostino, Fence Viewer;**

Denise DiFranco moved, Roger Hawes seconded, that the Council appoint Thomas D'Agostino as Fence Viewer for the year 2015-2016.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

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**APPOINTMENT**  
**OF NON-**  
**STANDARD**  
**EMPLOYEES,**  
**CONTINUED.**

**Mike Polouski, Recreation Director;**

Roger Hawes moved, Denise DiFranco seconded to appoint Mike Polouski as Recreation Director for the years 2015-2016.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**Aden Mott Restivo, Keeper of the Keys;**

Denise DiFranco moved, Gordon Rogers seconded, to appoint Aden Mott Restivo as Keeper of the Keys for the years 2015-2016.

John L. Lewis, Jr., aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, recused; and Gordon Rogers, aye. Motion passed 4-0, one recusal.

**Edward Balfour, Town Historian;**

Gordon Rogers moved, Roger Hawes seconded, to appoint Edward Balfour as Town Historian for the years 2015-2016.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**EMA Director;**

John Lewis said that they had received no letters of interest. Sharon Cotter, Assistant Director of Emergency Management has indicated she would stay on as Assistant Director and ask for assistance in a identifying a Director at the next Engineering Board meeting.

Denise DiFranco moved, Roger Hawes seconded, to appoint Sharon Cotter as Assistant Director of Emergency Management for the term of 2015-2016.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**Tom Walden, Engineering Board Liaison;**

Denise DiFranco moved, Roger Hawes seconded, to appoint Tom Walden as Engineering Board Liaison for the term of 2015-2016.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**Tree Warden;**

Mr. Lewis stated that there had been no response for this position.

Gordon Rogers moved, Roger Hawes seconded, to appoint Brad Smith as tree warden for the next two years.

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**APPOINTMENT**  
**OF NON-**  
**STANDARD**  
**EMPLOYEES,**  
**CONTINUED.**

Discussion: Denise DiFranco asked if they had to be a licensed arborist. Mr. Rogers said he would check, and withdrew his motion, Roger Hawes withdrew his second.

**Constables;**

Mr. Lewis stated that the appointed constables were usually the Chiefs of the Fire Departments, the Commander of the Ambulance Corps, the members of the Council, and occasionally other people who submit a letter of interest. Mr. Cardillo had also sent a letter of request.

Roger Hawes moved, Denise DiFranco seconded, that the Council appoint Aaron Marsland, Chief of Foster Center Volunteer Fire Company; Paul Cunniff, Chief of Moosup Valley Volunteer Fire Department; Gordon Brayton, Chief, South Foster Volunteer Fire Company; Sharon Cotter, Commander, Foster Ambulance Corps; Joe Cardillo, Foster DPW Director; Denise DiFranco, Council Member; Roger Hawes, Council Member; John Lewis, Jr. Council Member; Jon Restivo, Council Member; and Gordon Rogers, Council Member.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**IX. APPOINTMENT**  
**TO BOARDS**  
**AND**  
**COMMISSIONS**

Mr. Lewis said that all the people listed are currently on their respective Boards and Commissions; their terms are expiring, and all have asked to be reappointed, as follows:

**Tom Mercier, Planning Board;**

Roger Hawes moved, Denise DiFranco seconded, to appoint Tom Mercier to the Planning Board for a five year term.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**Paula Mottshaw, Zoning Board;**

Denise DiFranco moved, Roger Hawes seconded, to reappoint Paula Mottshaw to the Zoning Board for a five year term;

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**Tom DiRaimo and John Esposito, Zoning Board alternates;**

Denise DiFranco moved, Gordon Rogers seconded, to reappoint Tom DiRaimo and John Esposito as alternates to the Planning Board for one year terms.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

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**APPOINTMENT  
TO BOARDS  
AND  
COMMISSIONS,  
CONTINUED.**

**Linda Tibbetts and Walter May, Land Trust;**

Roger Hawes moved, Gordon Rogers seconded, to appoint Walter May and Linda Tibbetts to the Land Trust for three year terms.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**Tammy Steinkamp and Danielle Scott, Recreation Committee;**

Denise DiFranco moved, Roger Hawes seconded, to reappoint Tammy Steinkamp and Danielle Scott to the Recreation Committee for five year terms.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

This concluded the appointments.

- X. SWEARING-IN OF APPOINTED OFFICIALS**
- Mr. Lewis called upon Senator Kettle to swear in Town Clerk Jane Christopher, Town Moderator Robert Boyden, Town Sergeant Michael Coggeshall and Tax Board of Review member Maggie Fennessey, and all other appointees.

- XI. WARRANTS**
- Gordon Rogers moved, Roger Hawes seconded, and it was so voted to approve **Payroll Warrant #19**, in the amount of \$26,953.65.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

Gordon Rogers moved, Roger Hawes seconded, and it was so voted to approve **General Warrant #10** in the amount of \$50,755.23.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

- XI. NEW BUSINESS: TOWN COUNCIL RESOLUTION, RhodeMapRI**
- John L. Lewis, Jr, stated that both Gordon Rogers and Denise DiFranco had requested this topic be put on the agenda regarding RhodeMapRI, and preparation of a resolution against the adoption of the plan. Mr. Rogers gave a brief explanation of this plan as an economic driver for the State, which is up for adoption by the State on December 11, 2014. Mr. Rogers asked for a resolution to delay the December 11<sup>th</sup> decision so the citizens, general assembly and interested parties could gather more information.

Denise DiFranco read the proposed resolution (Exhibit C).

Denise DiFranco moved, Gordon Rogers seconded, to adopt the resolution as read. Ms. DiFranco also added that Representative Mike Chippendale had also contacted some members of the Council asking they support delaying the adoption of the plan statewide.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon

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Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

**XII. FUTURE  
AGENDA ITEMS**

- Corder of Wood
- Director of Emergency Management
- Tree Warden
- Concerned Citizens, disc/action
- Foster Home Journal, disc/action
- Liaisons to various boards and committees, disc/action

**XIII. ADJOURNMENT**

Roger Hawes moved, Gordon Rogers seconded, and it was so moved to adjourn the meeting. All in attendance were invited to stay for refreshments.

John L. Lewis, Jr. aye; Denise DiFranco, aye; Roger Hawes, aye; Jon Restivo, aye; and Gordon Rogers, aye. Motion passed 5-0.

The meeting adjourned at 7:41 p.m.

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

Submitted by

Jane H. Christopher  
Town Clerk