

Town Council Meeting
July 13, 2023

The July 13, 2023 Town Council Meeting was called to order by Denise L. DiFranco, President, in Foster, RI at 6:00 p.m. at the Benjamin Eddy Building.

The following members were present:	Also present:
Chris Stone	Kelli Russ, Finance Director
David Paolino	Julia Chretien, Assistant Solicitor
Heidi Rogers	Grant McGregor, Planner
Denise L. DiFranco, President-Excused	Anthony Renzi, Planning Board Chair

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| I. | PLEDGE OF ALLEGIANCE | The Pledge of Allegiance was recited. |
| II. | ANNOUNCEMENTS / PUBLIC COMMENT | <p>Lynne Rider objected to the installation of plastic fencing in a Historic district and it is completely inappropriate, especially when they are going for grants and they look at the whole area.</p> <p>Heidi Rogers noted that Denise L. DiFranco was excused. Ms. Rogers also announce the “Coffee with the Chief” event on July 25 from 10 to 12 at the Ben Eddy Building. Chief Lindell said everyone is invited. From 10 to 11 people will mingle and at 11 she will talk about the direction of the department and information about the new building, and from 11 to 12 coffee and taking questions.</p> |
| III. | CONSENT AGENDA | <p>1. Meeting Minutes
Approval of May 25, 2023, May 23, 2023, June 1, 2023, and June 22, 2023</p> <p>2. Warrants
Approval of General Warrant FY2023 #22
\$25,888.02</p> <p>Chris Stone moved, David Paolino seconded to accept the consent agenda as presented.
Discussion: None.
Motion passed 3 - 0.
Heidi Rogers, aye; Chris Stone, aye; and David Paolino, aye.</p> |
| IV. | NEW BUSINESS
Farmer’s Market proposal on the corner of Rt. 6 and Rt. 94 | <p>Heidi Rogers explained the Planner Grant McGregor and Gordon Brayton had filled out the application for this. Julia Chretien said it was not on for licensing tonight for two reasons. One, it’s not listed as licensing on the agenda, and two it requires advertising because a public hearing in necessary.</p> <p>Ms. Rogers asked what the next step would be. Ms. Chretien said they cannot grant it tonight, but a public hearing can be scheduled and then go forward with the licensing.</p> <p>Ms. Rogers asked if there was any way to get that done before the next council hearing.</p> <p>Planning Board Chair Anthony Renzi asked even if the town is doing it? Town Clerk Susan Dillon said it’s not Gordy Brayton doing it, it’s the town. It’s August 10. Julia Chretien said it’s the town and South Foster [FC]. Mr. Renzi said the town has to get a license for itself? South Foster owns the property and gave the planning board the okay to do it. They’re not running it. This is a town thing.</p> <p>Ms. Chretien said they are on the application. It has to be a public hearing like any other license to make the people aware of what the situation is going to be.</p> <p>Mr. Grant said he thought it came under Open Recreational Events and in the Table of Uses, in a</p> |

municipal district, it's a permitted event. Ms. Chretien said she would have to look at that.

David Paolino said the town has other events; do they get permits? Mr. Grant said a Farmer's Market would match Open Recreation events. It says "events that are characteristic of the town, cause minimal vehicular traffic" and things of that nature.

David Paolino asked if Old Home Days gets a permit. Heidi Rogers said no. They get a liability policy and that's it. David Paolino said all we've done is approve their dates, we didn't have to have a drawn out process, and there is sales there. Mr. Paolino said he thinks precedent is set, they don't need a permit for this. Delaying it is only more of what my friends in the audience would say is kicking the can down the road. We paid \$50,000 for an economic development consultant to tell us we need to do this in the community, and here we are road blocking our own people.

Ms. Rogers asked Mr. Renzi what they have planned. Anthony Renzi said South Foster [FC] had a meeting. Eventually they are going to develop their side of the property. They are going to do what they are going to do. We just want to get things on the road. We would like to have by the end of July because if we keep waiting, everybody's produce and products are going to be gone. We were planning on a Thursday night before 4 and 8 o'clock. It's a good night and it doesn't interfere with Killingly or Scituate and it's in a great spot where everyone can see it.

Lynne Rider asked when the next meeting was. Ms. Rogers said August 10. Ms. Rider asked if there was any way to have a five-minute meeting before then? The issue of advertising was discussed.

Mr. Rogers asked if it was town property this was being held on. David Paolino said the police station property.

Ms. Rogers noted that we don't even own the property yet. Mr. Stone and Mr. Paolino said they would be happy to have a special meeting.

Mr. Renzi asked what Ms. Chretien wanted to look up. She said she had to look up ownership and not to treat the town differently. Ms. Rogers asked Ms. Chretien to look into that as soon as possible.

V. OLD BUSINESS
Food Truck Event –
additional date

Heidi Rogers said there was an additional date. Ms. Chretien said there was an issue during the public hearing. The motion made and voted on but they want another on the 23rd. You can't go back and change the vote retroactively so there will need to be another public hearing.

Ms. Rogers said she would like to address this further. For Foster Old Home Days, all we do is vote on dates. We don't have to have a public hearing. Ms. Chretien said the ordinance for the mobile food trucks is different. Ms. Rogers said but we can enter into an agreement with them; she knows Richmond did it. Tammy [Steinkamp] researched this. They entered into an agreement where this would be held every year, and they would pay their fees and we would just approve the dates as we do with Old Home Days. Ms. Chretien said she would have to review Richmond's

agreement. Ms. Rogers said it seems to her that this is very cumbersome to go through that, have a public hearing, when all we are doing is voting on dates. It's no different than Foster Old Home days. Lynne Rider asked how many weeks you would have to advertise. Ms. Dillon said two. Ms. Rider said the other thing is when you have to have a public hearing and when you don't because you have the whole town yard sale, and sometimes they have all these antique cars and people are selling stuff and we don't have a public hearing. And you have horse shows where people are probably getting monetary prizes. Ms. Rogers said and all we do is vote on dates. To her, she said all we are voting on is a date change. It shouldn't be this difficult. That is her opinion and she doesn't think they need to advertise again. Ms. Stone said he agreed. Ms. Rogers said that this is something she would like to put on a future agenda. Kelli Russ said we don't even vote on the dates for the yard sale. Ms. Rogers said she didn't think this should be any different. Ms. Dillon suggested we rewrite it, advertise it, and change it up so next year we don't have this problem. Ms. Rogers agreed. Ms. Russ said there is enough time to advertise and hold a public hearing on the 10th.

VI. PUBLIC HEARINGS
Flood Plain Ordinance
Update

Heidi Rogers said that next was an update to the Flood Plain Ordinance and that the town planner, Grant McGregor would explain. Mr. McGregor said the purpose of the ordinance was that FEMA has produced new flood maps, so we need to update the ordinances to meet FEMA standards. David Paolino read the advertisement (See Exhibit A). Heidi Rogers opened the Public Hearing. Ms. Rogers asked three times if anyone would like to speak in favor of the ordinance. Mr. McGregor reviewed the changes. Gordon Rogers explained the insurance companies behind the changes. Helene Dolce asked what percentage would be affected by the changes. Mr. McGregor said he didn't have the percentage but he thought it would be less than five. There are 12 properties that have flood insurance. Heidi Rogers asked if anyone would like to speak in opposition to the change. There was none. Heidi Rogers closed the public hearing.

Five Ordinances
Recommended by the
Planning Board

David Paolino read the advertisement for the five ordinances recommended by the Planning Board (see Exhibit B). Grant McGregor reviewed the ordinance changes. Heidi Rogers opened the public hearing. Ms. Rogers asked if anyone would like to speak in favor. Lynne Rider spoke about landscaping and said it would hopefully attract businesses that want to be in an area that is visibly conducive to people coming out. If it would be around any other businesses that were unattractive would be a good idea.

Anthony Renzi spoke on the last ordinance on the restriction on the houses. That’s the only income we have in this town; besides that, this ordinance expired in 2010. Gordon Rogers said that if it expired in 2010, there was no need to have a meeting to remove it. Why are we having a public hearing? Mr. McGregor said to clarify that.

Ms. Rogers asked two more times for people to speak in favor.

Ms. Rogers asked if anyone who would like to speak in opposition.

Lynne Rider asked about the one where everything is being removed; is that because it is redundant? Mr. McGregor said it was because it expired.

Ms. Rogers asked two more times if anyone would like to speak in opposition.

There was none.

Ms. Rogers closed the public hearing.

- VII. EXECUTIVE SESSION**
§42-46-5(a)(2)
Litigation
1.PC-2020-01954 Town of Foster v. R.P. Investment Company, LLC d/b/a Price Auto
2.§42-46-5(a)(2) Bankruptcy No. 23-10308, re: objection to discharge of outstanding car tax owed to Town

Chris Stone moved, David Paolino seconded, to go into Executive Session pursuant to RIGL 42-46-5 for a work session regarding Litigation according to RIGL 42-46-5-(A)2 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. Motion passed 3-0.

Heidi Rogers, aye; Chris Stone, aye; and David Paolino, aye.

Heidi Rogers reconvened the open session and said there was one vote taken not to challenge the dischargability of the car taxes owed relative to Bankruptcy Court #23-10308.

Vote was 3 – 0.

VIII. ADJOURNMENT

Chris Stone moved, David Paolino seconded to adjourn.

Meeting ended at 7:30 p.m.

Submitted by,

Susan M. Dillon, Town Clerk

TOWN OF FOSTER

The Foster Town Council will hold a Public Hearing on July 13, 2023 at 6:00 PM in the Benjamin Eddy Building, 6 South Killingly Road, Foster, RI 02825. FEMA is providing updated FIRMs (Flood Insurance Rate Maps) and an updated FIS (Flood Insurance Study) for Providence County, RI on July 19, 2023.

The Town of Foster has elected to comply with the requirements of the National Flood Insurance Act of 1968 (PL 90-488, as amended). To remain compliant with the minimum criteria of the National Flood Insurance Program Floodplain Management Regulations, the Town of Foster is required to amend or add the following ordinances: Foster Code of Ordinances Sec. 26-132, Sec. 26-133, Sec. 26-134, and Sec. 26-138.

The proposed amendments, existing ordinances, as well as existing and proposed FIRM Panels and FIS Reports can be found at:

- <https://www.townoffoster.com/planning-department/pages/proposed-floodplain-ordinance-updates-chapter-26-article-v>

All interested persons are invited to attend the Public Hearing and be heard. Modifications to the proposal may occur as a result of further study. The proposed amendments can be reviewed at Town Hall at 181 Howard Hill Road in the Planning Department during normal business hours by appointment only. The Town Council Agenda will be posted to <https://opengov.sos.ri.gov/openmeetings> at least 48 hours prior to the start of the meeting.

Individuals requiring interpreter service must notify the Town Clerk's Office at (401) 392-9200 at least 72 hours in advance of the hearing date.

By order of the Town Council, Susan M. Dillon, Town Clerk

TOWN OF FOSTER

On July 13, 2023 The Foster Town Council will conduct a Public Hearing at 6:00 PM at 6 South Killingly Road (Benjamin Eddy Building). On the agenda will be discussion/action of/on five ordinances, recommended by the Planning Board at its May and June meetings. The recommendations include amendments to Sec. 38-191 – Public and Semi Public Uses - #2 & #3, Sec. 38-191 – Business Uses #19, Sec 38-191 – Notes: #3. The recommendations also propose an addition to Sec. 38-191 Wholesale Business and Storage. The recommendations propose the removal of Sec. 10-101 – 10-113.

Copies of the proposed amendments, additions, and removals can be found online at <https://www.townoffoster.com/planning-department/pages/planning-board-recommended-ordinances-be-voted-july-13-2023-town-council>. Copies can also be obtained from the Foster Planning Office during regular business hours by appointment only. The proposed amendments, additions, and removals may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any alteration or amendment must be presented for comment in the course of the hearing.

Individuals requiring interpreter service must notify the Town Clerk's Office at (401) 392- 9200 at least 72 hours in advance of the hearing date.

By order of the Town Council, Susan M. Dillon, Town Clerk