

**Town Council Meeting
September 13, 2018**

The September 13, 2018, Town Council Meeting was called to order by Denise L. DiFranco, President of the Foster Town Council, at the Foster Town House, 180 Howard Hill Road, at 7:00 p.m.

The following members were present:	Also present:
Denise L. DiFranco, President	Joanna Achille, Town Solicitor
Chris Stone, Vice President	Kelli Russ, Treasurer
Gordon Rogers	Chief David Breit
Cheryl Hawes	
Michael Dillon	

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| I. | PLEDGE OF ALLEGIANCE | The Pledge of Allegiance was recited. |
| II. | PUBLIC COMMENT | Jon Restivo spoke on refuse pickup problems. |
| III. | MINUTES | <p>Gordon Rogers moved, Chris Stone seconded, to approve the minutes of August 9, 2018.
Discussion: None.
Motion passed 4 – 0.</p> <p>Gordon Rogers moved, Chris Stone seconded, to approve the minutes of July 19, 2018.
Discussion: None.
Motion passed 5 – 0.</p> |
| IV. | WARRANTS | <p>Gordon Rogers moved, Chris Stone seconded, to approve Payroll Warrant #6 for \$33,690.50.
Discussion: None.
Motion passed 5 – 0.</p> <p>Gordon Rogers moved, Chris Stone seconded, to approve Payroll Warrant #7 for \$33, 829.63.
Discussion: None.
Motion passed 5 – 0.</p> <p>Gordon Rogers moved, Chris Stone seconded, to approve Payroll Warrant #8 for \$32,919.53.
Discussion: None.
Motion passed 5 – 0.</p> <p>Gordon Rogers moved, Chris Stone seconded, to approve Payroll Warrant #9 for \$36,778.92.
Discussion: None.
Motion passed 5 – 0.</p> <p>Gordon Rogers moved, Chris Stone seconded, to approve Payroll Warrant #10 for \$33,930.04.
Discussion: None.
Motion passed 5 – 0.</p> <p>Gordon Rogers moved, Chris Stone seconded, to approve FY 2018 General Warrant #27 for \$15,878.74.
Discussion: None.
Motion passed 5 – 0.</p> <p>.</p> <p>Gordon Rogers moved, Chris Stone seconded, to approve General Warrant #3 for \$279,205.81.
Discussion: None.
Motion passed 5 – 0.</p> <p>Chris Stone moved, Mike Dillon seconded, to approve General Warrant #3A for \$406.67. Gordon Rogers recused himself.
Discussion: None.
Motion passed 4 – 0 – 1 with one recusal.</p> <p>Gordon Rogers moved, Chris Stone seconded, to approve General Warrant #3B for \$120.00. Mike Dillon recused himself.
Discussion: None.
Motion passed 4 – 0 – 1 with one recusal.</p> |

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**V. OLD BUSINESS
A. Wright’s Auto**

Kevin Salvaggio appeared representing Mr. Ricci. He stated that Mr. Ricci removed 400 cars through July 13th – August 9th; and another 200 cars from August 10th to present. Maximum amount that can be removed is 200 cars per month. Denise L. DiFranco told Mr. Ricci that he does not have a license to operate. Mr. Salvaggio asked for a limited license on a month-to-month basis to sell parts so that Mr. Ricci can make a living. A public hearing would be required for a license which also must be advertised in advance. Ms. Achille was asked to write up stipulations for the license.
Discussion: Gordon Rogers, Mr. Salvaggio, Mr. Ricci, Cheryl Hawes, Denise DiFranco, Jon Restivo, and Lynne Rider.
Cheryl Hawes moved, Chris Stone seconded, to have Mr. Salvaggio sit down with the solicitor and formulate an agreement and to have a public hearing on a limited license.
Motion passed 5 – 0.

**B. Henry Phillips
Recreational Field
– bid update.**

Denise L. DiFranco reiterated the need for a fence placed around the field as required by the Interlocal Trust. Bids were requested. DPW Director Bob Lohr stated that no bids were received. In speaking with fence companies, an estimate would be \$60,000 for chain link, but net fencing would be \$30,000. A request was made to the solicitor to contact DEM.
Discussion: Ron Cervasio, Cheryl Hawes, Chris Stone, Heidi Rogers, Bob Moreau, Gordon Rogers, and Lynne Rider.
Cheryl Hawes moved, Chris Stone seconded, to ask the solicitor to contact DEM as soon as possible to changed the proposal to fit the area.
Joe Carey noted that the original plans were drawn up by an engineer to fit.
Cheryl Hawes withdrew her motion, Chris Stone withdrew his second.

Denise L. DiFranco stated there were four bids for completion of the Recreation Field..
Cheryl Hawes moved, Mike Dillon seconded, to go forward with awarding the bid to DaSilva Builders for the amount of \$379,900.00. Gordon Rogers recused himself.
Discussion: Ron Cervasio, Mike Dillon, Denise L. DiFranco.
Motion passed 4 – 0 – 1 with one recusal.

**VI. NEW BUSINESS
A. Quahog Solar
Farm**

Discussion: Amita Rodman, 27 Tucker Hollow Road, an abutter, submitted a two-page request for a moratorium on solar farms (see Exhibit A).
Discussion: Bob Moreau, Lynne Rider, Ron Cervasio, Donna Fontanneau, Joe Carey, Gordon Rogers.
Denise L. DiFranco placed it on Future Agenda Items. She also noted that this is the second time Quahog Solar has not appeared at the meeting.

**B. Foster School
District**

Dr. Michael Barnes, Superintendent presented a new Five-Year Capital Plan in response to an impending bond referendum at the State level that will provide additional funds, and also because of changes to State law which will require 3% of the school’s operational budget be directed to maintenance. He stated that he wanted to make sure they are ahead of these changes. To do so he needs a town official’s signature.
Discussion: Gordon Rogers, Cheryl Hawes, Michael Barnes, Kelli Russ.
Gordon Rogers moved, Cheryl Hawes seconded, to sign the letter stipulating the Paine School’s Stage 1 submission and intent to submit Stage 2.
Discussion: Kelli Russ, Gordon Rogers, Michael Barnes, and Ron Cervasio,..
Motion passed 5 – 0.

**C. Public Hearing -
Marijuana
Ordinance**

Denise L. DiFranco reviewed the rules for a public hearing. She read the proposed ordinance (see Exhibit B).
Amita Rodman, 27 Tucker Howard Road, spoke against home cultivation. She asked how it will be administered.
Patti Moreau, 157 Central Pike, stated that the ordinance is according to state law but does not protect the town. What needs to be done is to somehow permit and only have some people know who they are.
Bob Moreau, 157 Central Pike, stated he was against the Ordinance because there was no permitting process.
Jon Restivo, 27 Mill Road, clarified a distinction between commercial growing and selling, and personal cultivation. There are restrictions on a town’s ability to restrict personal use for medicinal patients. A permitting process would be a problem with that. On the commercial side for cultivation and compassion centers there is some room for improvement. The ordinance should be loosened. A compassion center may cultivate and sell, a cultivation center cannot sell but

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		<p>requires a special use permit. There are only 3 licensed compassion centers in the state and that is not likely to change soon, and not realistically expected in Foster. Cultivation is worthwhile for the town to consider because it is well-regulated and monitored.</p> <p>Lynne Rider, Burgess Road, noted the difference in wording from Residential caregiver cultivation and personal cultivation with one’s own dwelling.</p> <p>Mr. Rogers noted there would be a HIPAA violation in requiring a permit for an individual cardholder. He agreed with Jon Restivo regarding licensed cultivation.</p> <p>Denise L. DiFranco discussed licensing. Cheryl Hawes stated that she did not think the Ordinance was in its final stage. Mr. Rogers said after input it will go back to Planning.</p> <p>Cheryl Hawes moved, Chris Stone seconded, to send the Ordinance back to the planner to review.</p> <p>Discussion: Amita Rodman, Chief Breit, Cheryl Hawes.</p> <p>Motion passed 5 – 0.</p>
	D. Letter from Planning Board	<p>Gordon Rogers read the letter to the Town Council from the Planning Board regarding anti-blight enforcement and the request for a full-time building and zoning official to do so (see Exhibit C).</p> <p>Discussion: Cheryl Hawes, Gordon Rogers, Joe Carey, Lynne Rider, Patti Moreau, and Denise DiFranco.</p>
	E. Adoption of the Hazardous Mitigation Plan	<p>Denise L. DiFranco read the Resolution adopting the Hazard Mitigation Plan (see Exhibit D).</p> <p>Gordon Rogers moved, Mike Dillon seconded, to adopt the Hazard Mitigation Plan.</p> <p>Discussion: Lynne Rider.</p> <p>Motion passed 5 – 0.</p>
	F. Request for Fairground Use	<p>South Foster Fire Department submitted a letter requesting use of the Fairgrounds for their Annual Road Race on Saturday, October 13, 2018.</p> <p>Gordon Rogers moved, Chris Stone seconded, to accept the request for the use of the Fairgrounds for the Annual 5K road race. Denise L. DiFranco recused herself.</p> <p>Discussion: None.</p> <p>Motion passed 4 – 0 – 1 with 1 recusal.</p>
	G. Additions and Abatement	<p>Gordon Rogers moved, Chris Stone seconded, to accept the 2018 Motor Vehicle Additions of \$104.86; the 2016 Motor Vehicle Abatements of \$19.40; the 2017 Motor Vehicle Abatements of \$20.51; the 2018 Motor Vehicle abatements of \$134.13; the 2018 Real Estate Abatements of \$187.29; the 2018 Tangible Abatements of \$696.89; and total 2018 1st appeals for a total abatement of \$1,555.39.</p> <p>Discussion: None.</p> <p>Motion passed 5 – 0.</p>
VII.	FUTURE AGENDA ITEMS	<ul style="list-style-type: none">• Central Pike Covered Bridge• Wright’s Auto• Solar Farm Moratorium• Foster Regionalization
VIII.	EXECUTIVE SESSION	<p>Gordon Rogers moved, Chris Stone seconded, to go into Executive Closed Session according to RIGL 42-42-4 for the reasons stated in RIGL 42-46-5a (1) Personnel.</p> <p>Motion passed 5 – 0.</p> <p>Executive Session convened at 9:40 p.m.</p>
	RECONVENE IN OPEN SESSION	<p>Denise L. DiFranco announced that two votes were taken. One to develop a contract for a Finance and Human Resources Director.</p> <p>Motion passed 5 – 0.</p> <p>The second vote was to offer that contract for consideration.</p> <p>Motion passed 5 – 0.</p>
IX.	ADJOURNMENT	<p>Meeting adjourned at 10:10 p.m.</p>

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

Susan Dillon
Town Clerk