

**Town Council Meeting  
December 13, 2018**

The December 13, 2018, Town Council Meeting was called to order by Denise L. DiFranco, President of the Foster Town Council, at the Benjamin Eddy Building at 6:00 p.m.

The following members were present:	Also present:
<b>Denise L. DiFranco, President</b>	Mark Tourgee, Town Solicitor
<b>Chris Stone, Vice President</b>	
<b>Cheryl Hawes</b>	
<b>Heidi Rogers</b>	
<b>Joe Cardillo was excused.</b>	

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| <b>I.</b>   | <b>PLEDGE OF ALLEGIANCE</b>                 | The Pledge of Allegiance was recited.  |
| <b>II.</b>  | <b>PUBLIC COMMENT ANNOUNCEMENTS</b>         | Dennis Therrien asked about the new posting website issues. Denise L. DiFranco gave him a list of instructions for the new site.<br>Denise L. DiFranco noted that Joe Cardillo was excused.  |
| <b>III.</b> | <b>WORKSHOP CONSULTATIONS</b>               | <b>Land Trust</b> – Lawrence Chapman<br><b>EMA Director</b> – Michael Dexter (he was not present; Heidi Rogers read a letter from him). Ms. Rogers recommended him.<br><b>Planning Board</b> – there are two vacancies and three applicants. Lynne Rider (Cheryl Hawes read Ms. Rider’s letter of intent); Paul Allen (Ms. DiFranco read his letter of intent); Lisa Johnston (Heidi Rogers read Ms. Johnston’s letter of intent). Mr. Stone asked each one how they would increase revenue for the town.<br><br>Heidi Rogers moved, Chris Stone seconded, to move the item “Boards and Committees Appointments” on the agenda to after “Public Comment”.<br>Motion passed 4 – 0.  |
| <b>IV.</b>  | <b>APPOINTMENT TO BOARDS AND COMMITTEES</b> | Cheryl Hawes moved, Chris Stone seconded, to appoint Lynne Rider to the Planning Board.<br>Motion failed 3 – 1.<br>Heidi Rogers moved, Chris Stone seconded, to appoint Lisa Johnston to the Planning Board.<br>Motion passed 3 – 1.<br><br>Heidi Rogers moved, Chris Stone seconded, to reappoint Helen Hardy to the Planning Board.<br>Motion passed 4 – 0.<br><br>Denise L. DiFranco noted there were two alternate positions open on the Planning Board. Nicholas Guarino and Brad Smith who were serving as alternates at present.<br>Chris Stone moved, Heidi Rogers seconded, to reappoint Brad Smith and Nicholas Guarino to the Zoning Board.<br>Motion passed 4 – 0.<br><br>Denise L. DiFranco noted that Michael Polouski had resigned as Director of the Recreation Committee. Nicholas Guarino applied for a member position.<br>Chris Stone moved, Heidi Rogers seconded, to appoint Nick Guarino to the Recreation Committee to fill the vacated position.<br>Motion passed 4 – 0.<br><br>Denise L. DiFranco noted there are three openings on the Land Trust. Myra Mercier requested reappointment, Tom Boyden requested reappointment, and Mr. Chapman who submitted his letter of intent.<br>Chris Stone moved, Heidi Rogers seconded, to reappoint Myra Mercier and Tom Boyden to the Land Trust.<br>Motion passed 4 – 0.<br><br>Heidi Rogers moved, Chris Stone seconded, to appoint Lawrence Chapman to the Land Trust.<br>Motion passed 4 – 0.<br><br>Denise DiFranco stated that there were three position open on the Conservation Commission. David Rathbun requested reappointment. Lou Vinagro resigned |

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		<p>Heidi Rogers moved, Chris Stone seconded, to reappoint David Rathbun to the Conservation Commission. Motion passed 4 – 0.</p> <p>Denise L. DiFranco stated that there was one opening on the Juvenile Hearing Board. Mary Jo Chretien submitted a letter of intent. Heidi Rogers moved, Chris Stone seconded, to appoint Mary Jo Chretien to the Juvenile Hearing Board. Motion passed 4 – 0.</p>
<b>V.</b>	<b>MINUTES</b>	<p>Chris Stone moved, Cheryl Hawes seconded, to approve the minutes of December 6, 2018. Motion passed 4 – 0.</p>
<b>VI.</b>	<b>WARRANTS</b>	<p>Chris Stone moved, Heidi Rogers seconded, to approve Payroll Warrant #23 in the amount of \$35,528.16. Motion passed 4 – 0.</p> <p>Chris Stone moved, Heidi Rogers seconded, to approve General Warrant #9 in the amount of \$35,975.46. Motion passed 4 – 0.</p>
<b>VII.</b>	<b>OLD BUSINESS</b>	
	<b>a. Plumbing Inspector</b>	<p>Denise L. DiFranco stated that Mr. Lowe submitted a letter requesting reappointment as the Plumbing Inspector. Chris Stone moved, Cheryl Hawes seconded, to appoint Mr. Lowe as plumbing inspector. Motion passed 4 – 0.</p>
	<b>MONTHLY REPORTS</b>	<p>Heidi Rogers moved, Chris Stone seconded, that the monthly reports for September and October and the quarterly reports for July, August &amp; September be moved to this point on the agenda. Denise L. DiFranco noted that although there was no monthly report from Finance the council was given a year-to-date report. Motion passed 4 – 0.</p>
<b>VIII.</b>	<b>NEW BUSINESS</b>	
	<b>A. Adoption of Rules of Order</b>	<p>Chris Stone moved, Heidi Rogers seconded, to adopt the Democratic Rules of Order. Motion passed 4 – 0.</p>
	<b>B. Heating Oil Bid</b>	<p>Denise L. DiFranco stated that they received one bid from Rambone &amp; Sprague. Cheryl Hawes moved, Chris Stone seconded, that they accept the bid for \$2.12 per gallon from Rambone and Sprague. Motion passed 4 – 0.</p>
	<b>C. Appointment of Non-Standard Officials</b>	
	<b>1. Corder of Wood and Tree Warden</b>	<p>Denise L. DiFranco stated that Robert Thurber has held the position before and has asked to be reappointed. Heidi Rogers moved, Chris Stone seconded, to reappoint Robert Thurber to the position of Corder of Wood and Tree Warden. Motion passed 4 – 0.</p>
	<b>2. Fence Viewer</b>	<p>Denise L. DiFranco stated that Tom D’Agostino was willing to be reappointed as Fence Viewer. Chris Stone moved, Cheryl Hawes seconded, to reappoint Tom D’Agostino as Fence Viewer. Motion passed 4 – 0.</p>
	<b>3. Recreation Director</b>	<p>Denise L. DiFranco stated that Michael Polouski has retired. Tammy Steinkamp is interested in the position. Chris Stone moved, Heidi Rogers seconded, to appoint Tammy Steinkamp as the Recreation Director. Motion passed 4 – 0.</p>
	<b>4. Keeper of the Keys</b>	<p>Denise L. DiFranco stated that Aden Restivo was interested in reappointment as Keeper of the Keys. Cheryl Hawes moved, Heidi Rogers seconded, to appoint Aden Restivo as Keeper of the Keys. Motion passed 4 – 0.</p>

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5. Town Historian

Denise L. DiFranco stated that the current Historian is Stanley Hopkins. Chris Stone moved, Cheryl Hawes seconded, to reappoint Stanley Hopkins as Town Historian.  
Motion assed 4 – 0.
6. Emergency Management Director

Denise L. DiFranco noted that the position of Civil Preparedness was combined with EMA on August 25, 2015.  
Heidi Rogers moved, Chris Stone seconded, to appoint Mike Dexter to the position of EMA Director.  
Motion passed 4 – 0.
7. Constables

Denise L. DiFranco noted that all Town Council members are considered constables as are each of the Fire Chiefs.  
Heidi Rogers moved, Cheryl Hawes seconded, to appoint Christie Stone, Denise DiFranco, Cheryl Hawes, Heidi Rogers, Joe Cardillo, Paul Cunniff, Gordon Brayton, and Aaron Marsland as constables.  
Motion passed 4 – 0.
8. Liaisons

Cheryl Hawes moved, Heidi Rogers seconded, to appoint Chris Stone as liaison to Building & Zoning and DPW.  
Motion passed 4 – 0.

Chris Stone moved, Heidi Rogers seconded, to appoint Cheryl Hawes as Police Department liaison.  
Motion passed 4 – 0.

Chris Stone moved, Cheryl Hawes seconded, to appoint Heidi Rogers as liaison to the Finance Department.  
Motion passed 4 – 0.

Cheryl Hawes moved, Chris Stone seconded, to appoint Joe Cardillo as liaison to the Planning Department.  
Motion passed 4 – 0.

Heidi Rogers moved, Cheryl Hawes seconded, to appoint Denise DiFranco as liaison to Human Services.  
Motion passed 4 – 0.

Heidi Rogers moved, Chris Stone seconded, to appoint Cheryl Hawes as liaison to the Tax Assessor’s office.  
Motion passed 4 – 0.

Cheryl Hawes, Chris Stone seconded, to appoint Denise L. DiFranco as liaison to the School Committee.  
Motion passes 4 – 0.

EMA and Engineering liaison appointments will be placed on Future Agenda Items.

Susan Dillon swore in the new appointments.

**XI. PUBLIC HEARING  
A. Business License Renewals**

- Denise L. DiFranco reviewed the rules for a Public Hearing. Ms. DiFranco opened the public hearing for the business license renewals.
- Heidi Rogers moved, Chris Stone seconded, to approve the following Secondhand Licenses upon receipt of annual licensing and advertising fees, and approvals from the Building Official, Tax Collector, and Police Chief where applicable:

**December 31, 2018 – 2019 Secondhand License Renewals**

1. Russell Smith, d/b/a Chelsea’s Trading Post, 151 Danielson Pike
2. Newell Wright II, d/b/a/ Hemlock Brook Auto Sales & Service, 37A Mill Road
3. MCC Inc., d/b/a Mike’s Auto Repair, 45 Anthony Road
4. Paul Hayhurst, d/b/a GCC Auto Sales LLC, 175 Danielson Pike
5. Keith LaFazia, d/b/a Rhodex Outdoors, 2 Goldmine Road
6. Certified Automotive Inc., d/b/a Steve’s Gunshop, 66 Central Pike
7. Adam David Dacko, d/b/a Route 6 Outpost, 52 Danielson Pike

8. Danny’s Auction Barn, LLC, d/b/a Danny’s Auction Barn, 150B Danielson Pike

Discussion: Lynne Rider, and Carl Saccoccio  
Motion passed 4 – 0.

**December 31, 2018 – 2019 Victualing License Renewals**

Heidi Rogers moved, Chris Stone seconded, to approve the following **Victualling Licenses** upon receipt of annual licensing fee and approvals from the Building Official, Tax Collector, and Police Chief where applicable:

1. Reichert Energy Corp., d/b/a Reichert Energy – Corner Store, 189 Hartford Pike
2. Drake Petroleum, d/b/a Foster Xtra Mart, 188 Danielson Pike

Discussion: Lynne Rider  
Motion passed 4 – 0.

**December 31, 2018 – 2019 Gun Shop License Renewals**

Heidi Rogers moved, Chris Stone seconded, to approve the following **Gun Shop** Licenses upon receipt of annual licensing fee and approvals from the Building Official, Tax Collector and Police Chief where applicable:

1. Laurence Costa Mello, d/b/a/ Allary Farm, 7 Rickard Road
2. Keith LaFazia, d/b/a/ Rhody Outdoors, 2 Gold Mine Road
3. Adam David Dacko, d/b/a Route 6 Outpost, 52 Danielson Pike
4. Certified Automotive Inc., d/b/a/ Steve’s Gun Shop, 66 Central Pike
5. Leon DeFranco, d/b/a/ LJD Gun & Supplies, 9 King Road

No discussion.  
Motion passed 4 – 0.

Heidi Rogers moved, Chris Stone seconded, to approve the following Holiday Sales Licenses upon receipt of annual licensing fee and approvals from the Building Official, Tax Collector and Police Chief where applicable:

**December 31, 2018 – 2019 Holiday Sales License Renewals**

1. Reichert Energy Corp., d/b/a/ Rheichert Energy - Corner Store, 189 Hartford Pike
2. Adam David Dacko, d/b/a Route 6 Outpost, 52 Danielson Pike
3. Star Petro Inc. d/b/a/ Foster Quick Stop, 173 Danielson Pike
4. Bonita Lambert, d/b/a/ Lladyllove Llama, 82 Cucumber Hill Road
5. Drake Petroleum, d/b/a Foster Xtra Mart, 186 Danielson Pike
6. Russell Smith, d/b/a Chelsea’s Trading Post, 151 Danielson Pike
7. Tykamac Enterprises, LLC, d/b/a Foster Golf & Country Club Inc. 67 Johnson Rd.

**December 31, 2018 – 2019 Campground License Renewals**

Heidi Rogers moved, Chris Stone seconded, to approve the following **Campground** Licenses upon receipt of annual licensing fee and approvals from the Building Official, Tax Collector and Police Chief:

1. Virginia Bassett, d/b/a/ Ginny B Campground, 7 Harrington Road
2. Legacy Land Preservation LLC, d/b/a Dyer Woods Campground, 114 Johnson Road

No discussion.  
Motion passed 4 – 0.

**December 31, 2018 – 2019 Private Investigator’s License**

Heidi Rogers moved, Chris Stone seconded, to approve the following **Private Investigator’s License** upon receipt of annual licensing fee and approvals from the Police Chief, Building Official and Tax Collector where applicable:

1. Alan Pittman d/b/a Alan Pittman Investigations, 117 Central Pike

No discussion:  
Motion passed 4 – 0.

Denise L. DiFranco closed the Business License Renewals public hearing.

**B. Foster Auto Parts**

Denise L. DiFranco opened the public hearing for Foster Auto Parts, secondhand sales for Mr. Wilber, 40 Mill Road.  
Ms.DiFranco asked if there was anyone who wished to speak in favor. There were none.  
Ms. DiFranco asked if there was anyone who wished to speak against. The following people spoke against: Kim Gallagher, Jacklyn Bowen, Carl

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Saccoccio, Renee Prone, and Linda Tibbits.  
Atty. Tim Kane, representing Mr. Wilber, addressed the concerns.  
Discussion: Cheryl Hawes, Atty. Tim Kane, Mr. Wilber, Denise DiFranco, Heidi Rogers, Mark Tourgee, and Lynne Rider.

Denise L. DiFranco closed the Public Hearing.  
Heidi Rogers moved, Chris Stone seconded, to grant a Secondhand license for Foster Auto Parts, William J. Wilber, Coastal Atlantic with the following stipulations that the hours of operation will be Monday through Saturday, 7 a.m. to 6 p.m., that there be screening along Mill Road, that the front of the property will be cleaned up in accordance with the suggestion of the Building & Zoning official, and there will be no working on vehicles or unloading of vehicles in the roadway.  
Motion passed 4 – 0.

Denise L. DiFranco opened the public hearing for the Old Volkshaus, owner Nick Guarino. Mr. Guarino explained the nature of his restoration business and the need to sell older parts to customers in order to restore their VWs. Denise L. DiFranco asked if anyone would like to speak in favor. There were none.  
Ms. DiFranco asked if anyone would like to speak against. The following people spoke: Pam Fontaine, Robert Fontaine, Pat Morgan (in favor), Lynne Rider, and Carl Saccoccio.  
Denise L. DiFranco closed the public hearing.

Heidi Rogers moved, Cheryl Hawes seconded, to grant the Secondhand License for Nick Guarino d/b/a Old Volkshaus.  
Discussion: Heidi Rogers  
Motion passed 4 – 0.

**X. EXECUTIVE  
SESSION**

Heidi Rogers moved to go into Executive Session according to RIGL RIGL 42-46-5, (a), (1) Litigation.  
Motion carried 4 – 0.

**RECONVENE IN  
OPEN SESSION**

Heidi Rogers moved, Chris Stone seconded, to approve, adopt and seal the minutes – with or without corrections – of all prior executive closed session minutes and to close and seal the current executive closed session minutes in RIGL 42-46-4 and 5; and further move to reconvene into public open session to announce any votes taken during executive closed session that must be disclosed as required under Rhode Island General Laws 42-46-4.

- Denise L. DiFranco stated that two votes were taken:
- 1 Heidi Rogers moved, Chris Stone seconded to go into litigation against Wrights Auto 4 – 0.
  - 2 Heidi Rogers moved, Chris Stone seconded, that contingent upon no appeal to proceed with litigation against Price Auto 4 – 0.

**XI. ADJOURNMENT**

Meeting adjourned at

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