

**Town Council Special Meeting  
September 12, 2019**

The September 12, 2019 Special Town Council Meeting was called to order by Denise L. DiFranco, President of the Foster Town Council, at the Benjamin Eddy Building at 7:00 p.m.

The following members were present: <b>Denise L. DiFranco, President</b> <b>Cheryl Hawes, Vice President</b> <b>Chris Stone</b> <b>Joe Cardillo</b> <b>Heidi Rogers</b>	Also present: Joanna Achille, Assistant Town Solicitor Kelli Russ, Treasurer
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| <b>I. PLEDGE OF ALLEGIANCE</b>  | The Pledge of Allegiance was recited.   |
| <b>II. PUBLIC COMMENT</b>   | None  |
| <b>III. CONSENT AGENDA</b>  | <ul style="list-style-type: none"><li>• Approval of the Town Council meeting minutes for August 22, 2019.</li><li>• Approval of Payroll Warrants<ul style="list-style-type: none"><li>a. #8 \$35, 976.05</li><li>b. #9 \$36,480.99</li><li>c. #10 \$35,081.95</li><li>d. FY2019 General Warrant #25 \$3,767.00</li><li>e. General Warrant # \$184.875.27</li></ul></li></ul> <p>Chris Stone moved, Joe Cardillo seconded, to accept the Consent Agenda as presented.<br/>Discussion: None<br/>Motion passed 5 – 0.</p> <p>Cheryl Hawes stated she had a question on one of the General Warrants. She thought that Joanna would be paid through Mark Tourgee, yet there is a bill from a different attorney. Kelli Russ stated that Mark gave her authority to pay her through her company instead of going through his. Ms. Hawes questioned whether they were paying two attorneys. Denise L. DiFranco stated they were not paying Mark Tourgee anything while he is on leave, when he returns they will pay her through his firm again. Litigation fees were discussed.</p>   |
| <b>IV. PUBLIC HEARING</b><br><b>1. Shady Acres Fry Shack Class BV License</b> | <p>Denise L. DiFranco explained that BV stands for Beverage &amp; Victualling. She opened the public hearing and reviewed the procedure.</p> <p>Owner applicant Desmond O’Donnell-Lawson explained that she was not looking for a bar but only wanted to be able to served drinks.</p> <p>Denise L. DiFranco asked if anyone wanted to speak in opposition.</p> <p>There were none.</p> <p>Denise L. DiFranco asked if there was anyone who wanted to speak in favor.</p> <p>Gordon Rogers, abutter and business owner, spoke in favor. Lynne Rider, Burgess Road, spoke in favor, noting that people are excited about it opening in the evening and supported the beverage addition. Robert DePalo, Plainfield Pike, spoke in favor and agreed with Lynne Rider’s statement. Heidi Rogers spoke in favor and emphasized the inclusion of fresh produce. Cheryl Hawes also spoke in favor and in agreement with Ms. Rogers and Ms. Rider’s statements.</p> <p>Heidi Rogers moved, Chris Stone seconded, to award a BV License to Shady Acres Fry Shack LLC, d/b/a Shady Acres at 164 Danielson Pike.</p> <p>Discussion: none.<br/>Motion passed 5 – 0.</p> |

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**V. OLD BUSINESS**

**1. Zoning Board  
Appointment**

Denise L. DiFranco discussed applicants. Donna Carchia appeared and expressed her interest. Cheryl Hawes asked if she knew what it entailed. Ms. Carchia stated she had contacted the town planner for information and acquainted herself with the zoning ordinances.

Heidi Rogers moved, Cheryl Hawes seconded, to appoint Donna Carchia as a full member of the Zoning Board to fulfill Tom DiRaimo's term.

Discussion: None.

Motion passed 5 – 0.

**2. Recreation  
Appointments**

Denise L. DiFranco stated that Jane and Joseph Stoos applied and she had spoken to them at a Recreation Meeting.

Heidi Rogers moved, Joe Cardillo seconded, to appoint Jane and Joseph Stoos to the Recreation Committee.

Discussion: Cheryl Hawes asked if Denise L. DiFranco had spoken to both. Mr. DiFranco said she had.

Motion passed 5 – 0.

**3. Economic Development  
Update / Discussion**

Robert Moreau, Chair of the Economic Development Committee, presented a report and requested an additional six months from the council. He explained that additional time is needed to form a workable plan in order for it to be included within the Comprehensive Plan.

Heidi Rogers moved, Joe Cardillo seconded, to grant an additional six months for the Economic Development Advisory Committee to come forward with their report.

Discussion: Robert Moreau, Ron Cervasio

Motion passed 5 – 0.

**4. Policies & Procedures:  
Vehicle Use**

Denise L. DiFranco stated that a letter is being developed regarding town and personal vehicle use. Solicitor Joanna Achille stated there was concern that the Trust would not cover employees driving their own vehicle for work purposes. That is not necessarily the case. Ms. Achille said the Trust will cover all liability but suggested that the person carry a policy of \$100,000 per person, \$300,000 per occurrence for bodily harm, \$100,000 for property damage.

The Trust suggested not allowing a person driving their own vehicle for work purposes. The Trust will cover bodily injuries but not property damage.

Discussion: Heidi Rogers, Denise L. DiFranco, Cheryl Hawes, Susan Dillon, Kelli Russ, Joanna Achille

Heidi Rogers moved, Joe Cardillo seconded, to create a letter to employees stating what the Trust is recommending to us for the use of town vehicles.

Discussion: None

Motion Passed 5 – 0.

Lynne Rider questioned the use of cars, especially during elections, and whether the town going to pay for the extra insurance otherwise you are forcing employees to pay for more insurance. Anthony Renzi, Cucumber Hill Road spoke.

**VI. NEW BUSINESS**

**1. Sale of DPW / Police  
Equipment**

Kelli Russ reviewed the equipment they no longer need or is not worth fixing. They want to put the property online to auction off and earmark the money received for new purchases or lease.

Heidi Rogers moved, Chris Stone seconded, to authorize the Treasurer and DPW Director and Police Chief to sell the 1995 truck, the 2001 truck, pressure washer, tank and body for the fire truck and the Audi Unilog and Humvee.

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Discussion: Harold Shippee, Mt. Hygeia Road mentioned the 2001 police car that was in an accident.  
Cheryl Hawes amended the motion to add the police vehicle.  
Joe Cardillo seconded.  
Amendment passed 5 – 0.  
Main motion passed 5 – 0.

<b>2. Additions and Abatements</b>	Heidi Rogers moved, Chris Stone seconded, to approve the Tax Assessor’s recommendations for 2019 Motor Vehicle additions in the amount of \$538.30, 2019 Motor Vehicle abatements in the amount of \$3,543.78, 2019 Tangible Abatements in the amount of \$1,438.53, and 2019 Real Estate abatements in the amount of 2,333.47. Discussion: None. Motion passed 5 – 0.
<b>3. Planning Board Resignation</b>	Cheryl Hawes moved, Joe Cardillo seconded, to accept Joe Carey’s resignation with regrets from the Planning Board. Discussion: None. Motion passed 5 – 0.
<b>VII. FUTURE AGENDA ITEMS</b>	<ul style="list-style-type: none"><li>• Planning Board</li><li>• Tri-Town Shelter Plan</li><li>• Status on the Recreation Field</li><li>• Police Building Committee</li></ul>
<b>VIII. OPEN EXECUTIVE SESSION</b>	<p>Denise L. DiFranco asked Ron Cervasio if he wanted an Open Session and he stated that he did. Cheryl Hawes suggested that Mr. Cervasio apologize to the town for his comments that he continues to make about the town and the townspeople that he is representing and also asks that if Mike Carpenter and Helen Hardy could come and speak on if what he is doing with the Planning Board, perhaps they might change their minds. They were not present.</p> <p>Ms. Hawes moved, Heidi Rogers seconded, to remove Mr. Cervasio from the Planning Board. Discussion: Lynne Rider, Anthony Renzi, Cheryl Hawes, Ron Cervasio, Denise L. DiFranco, Robert Moreau; Monique Taylor, Hartford Pike, asked if they had to sign a waiver saying that you cannot express opinions outside of his position, Heidi Rogers says it was only his actions as Chair. Ms. Achille stated that the Charter says that he can only be removed for cause the letter has to show the reasons for the removal, so that should be expressed when voted on.</p> <p>Heidi Rogers, aye, for the total disrespect for the citizens of the Town of Foster and the town itself. Denise L. DiFranco, aye, due to the disrespect not only of council members but the citizens of Foster. Cheryl Hawes, aye, for the disrespect to the citizens of the town that he represents when he sits on the planning board as chair. Joe Cardillo, no. Chris Stone recused himself. Motion passed 3 – 1 – 0.</p> <p>Anthony Renzi submitted a letter of resignation from the Planning Board.</p>
<b>CLOSED EXECUTIVE SESSION</b>	Heidi Rogers moved, Chris Stone seconded, to go into Executive Closed Session pursuant to RIGL 42-42-4 for the reasons stated in RIGL 42-46-5 for the discussion of Personnel and Job Performance according to RIGL 42-46-5 (A), (1) and (A) (2) Discussion: None Motion passed 5 – 0.

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**RETURN TO OPEN  
SESSION**

Return to Open Session. Denise L. DiFranco announced that two votes were taken: one to extend the Tax Assessor’s medical leave until October 31 2019 if necessary and grant her unpaid vacation time from October 7-21 if not cleared before then. Motion passed 5 – 0; one vote to add Price Auto and Wright’s Auto Parts to the agenda for discussion only. Motion passed 5 – 0.

**VIII. ADJOURNMENT**

Heidi Rogers moved, Chris Stone seconded, to adjourn. Motion passed 5 – 0.  
Meeting adjourned at 9:47 p.m.

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