

**Town Council Meeting  
November 14, 2019**

The November 14, 2019 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.

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| The following members were present:<br><b>Denise L. DiFranco, President</b><br><b>Cheryl Hawes, Vice President</b><br><b>Chris Stone</b><br><b>Joe Cardillo</b><br><b>Heidi Rogers, excused</b> | Also present:<br>Joanna Achille, Assistant Town Solicitor<br>Kelli Russ, Treasurer<br>Patti Moreau, Tax Assessor |
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| <b>I. PLEDGE OF ALLEGIANCE</b>                             | The Pledge of Allegiance was recited.   |
| <b>II. PUBLIC COMMENT / ANNOUNCEMENT</b>                   | Denise L. DiFranco explained that Heidi Rogers was excused because her mother, Gwendolyn Wendy Iadevaia, passed away.   |
| <b>III. CONSENT AGENDA</b>                                 | <ul style="list-style-type: none"><li>• Approval of the Town Council meeting minutes for September 26, 2019 and October 24, 2019</li><li>• Approval of Payroll Warrants<ul style="list-style-type: none"><li>• PW #17 \$34,342.69      • PW #18 \$34,181.87</li><li>• F 2019 GW #27 \$3,688.67   • GW #7 \$285,992.90</li></ul></li></ul> <p>Chris Stone moved, Joe Cardillo seconded, to approve the Consent Agenda as presented.<br/>Discussion: None<br/>Motion passed 4 – 0.</p>  |
| <b>IV. RECOGNITION OF THE PROMOTION OF TYLER DOMINGOES</b> | Officer Tyler Domingoes was promoted to lieutenant. Police Chief David Breit spoke of Lt. Domingoes excellent work record.  |
| <b>V. PUBLIC HEARING Solar Ordinance</b>                   | Denise L. DiFranco explained that there had been more discussion at the planning board meeting and the ordinance needed to be postponed.<br>Chris Stone moved, Cheryl Hawes seconded, to table this public hearing and continue it to December 12, 2019.<br>Discussion: none.<br>Motion passed 4 – 0.   |
| <b>VI. PUBLIC HEARING Liquor License Renewals</b>          | <p>Denise L. DiFranco opened the public hearing.<br/>Cheryl Hawes moved, Chris Stone seconded, that in conformity with and under the authority of the provisions of Title 3, Chapter 3-5 of the General Laws of the State of Rhode Island, Revision of 1956, as amended, and any and all amendments thereto, the annual fees for Class A Package Store License shall be and are hereby fixed at Four Hundred Dollars (\$400.00) each.</p> <p>That the Annual Fees for Class B Victuallers (BV and BVL) shall be and is hereby fixed at Four Hundred Dollars (\$400.00) each.</p> <p>That the Annual Fees for Class D unlimited shall be and is hereby fixed at Eight Hundred Dollars (\$800.00) each.</p> <p>That the Annual Fee for extra hour closing shall be and is hereby fixed at Two Hundred Dollars (\$200.00)</p> <p>That the Annual Fee for an Entertainment License shall be and is hereby fixed at Two Hundred Dollars (\$200.00)</p> <p>That the Annual Fee for Holiday Sales is Twenty-five Dollars (\$25)<br/>Discussion: None.<br/>Motion passed 4 – 0.</p> |

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***Liquor License Renewals cont***

Cheryl Hawes moved, Chris Stone seconded, that all holders of such licenses hereunder granted, except Class A Package Store Licenses, are hereby granted permission to hold dances in their respective places so licensed.

Discussion: None

Motion passed 4 – 0.

Cheryl Hawes moved, Chris Stone seconded, that no transfer application or applications that may be made to have one or more granted licenses transferred from one person to another person or persons at the same location without a specific consideration and determination by the Town Council.

Discussion: None.

Motion passed 4 – 0.

Cheryl Hawes moved, Chris Stone seconded, that the following persons and corporations be and are hereby granted renewal licenses for their respective places of business pending receipt of Certificates of Good Standing from the Rhode Island Division of taxation to the Town Clerk, with the approval from the Police Chief, Tax Collector, Building Inspector, Fire Chief, and the Rhode Island Department of Health and Certificate of Server Training Program.

**Class A Package Store including Sunday and Holiday Sales:**

1. Licenses for Healey’s Liquor, Inc. d/b/a/ Healey Liquor Store, 144 Danielson Pike
2. License for the Watering Hole, LLC, d/b/a The Watering Hole, 185 Hartford Pike

Discussion: None

Motion passed 4 – 0.

Cheryl Hawes moved, Chris Stone seconded, to reiterate the motion for the following:

**Class BV Licenses:**

1. License for Thomas Breard d/b/a Lucky’s Pizza, 143 Danielson Pike
2. License for Tykamac Enterprises, LLC, d/b/a Foster Country Club, Inc. 67 Johnson Road
3. License for Helen’s Place, Inc. d/b/a Helen’s Place, 172 Danielson Pike
4. License for Woodland Meeting House, LLC d/b/a Woodland Meeting House, 115 East Killingly Road
5. License for Shady Acres Fry Shack, LLC d/b/a Shady Acres, 164 Danielson Pike

Discussion: None

Motion passed 4 – 0.

Cheryl Hawes moved, Chris Stone seconded, to reiterate the motion for the following:

**Class D License:**

1. License for Little Rhody Vasa Park, Inc., d/b/a Little Rhody Vasa Park, 10 Boswell Trail

Discussion: None

Motion passed 4 – 0.

Cheryl Hawes moved, Chris Stone seconded, that the number of liquor licenses be granted and issued for and during the current term next ensuing December 2, 2019 and ending December 1, 2020, shall be as follows:

Class A Package store.....Two (2)  
Class B Victuallers.....Four (4)  
Class D Unlimited.....One (1)

*Liquor License Renewals cont.*

And furthermore that the Town Clerk shall not received any other applications without the approval of the Town Council.

Discussion: Chris Stone noted that (5) was originally part of the motion for Class B Victuallers and it was corrected to (4).  
Motion passed 4 – 0.

Cheryl Hawes moved, Chris Stone seconded, that the following persons be and are herby granted Entertainment / Ongoing Open Recreation Event renewal licenses for their respective places of business with the approval from the Police Chief, Tax Collector, Building Inspector, Fire Chief and the RI Department of Health Certificates of the Server Training program.

**Entertainment / Ongoing Open Recreational Event Licenses:**

1. License for Thomas Breard d/b/a Lucky's Pizza, 143 Danielson Pike
2. License for Tykamac Enterprises, LLC, d/b/a Foster Country Club, Inc. 67 Johnson Road
3. License for Woodland Meeting House, LLC, d/b/a Woodland Meeting House, 115 East Killingly Road
4. License for Helen's Place, Inc., d/b/a Helen's Place, 172 Danielson Pike

Discusson: None  
Motion passed 4 – 0.

Cheryl Hawes moved, Chris Stone seconded, to approve that the following businesses have applied for renewal of **Game and Amusement Device Licenses:**

Lucky's Pizza.....2 machines....1 pool table  
Helen's Place.....1 pool table  
Woodland Meeting House...1 machine....1 pool table

Discussion: None  
Motion passed 4 – 0.

Cheryl Hawes moved, Chris Stone seconded, that it is ordered in granting the previously specified and numbered licenses that the provisions of said General Laws of 1956, as amended, and all amendments thereof and thereto, and also the provisions for any and all laws affecting such licenses shall apply and such licenses are herby granted subect to such rules and regulation and conditons heretofore established or that may hereafter be established by the Town Council of Foster and that licenses hereby granted shall expire on the first day of December 2020 at twelve o'clock midnight, unless sooner revoked for cause.

**VII. OLD BUSINESS**

**A. Letter from Sen. Rogers  
RE: Police Station  
Building**

Discussion: None  
Motion passed 4 – 0.

Denise L. DiFranco explained that this was a proposal from Senator Rogers regarding a joint venture with the Town of Scituate for a police building. Ms. DiFranco stated that she reached out to Mr. Brady of the Scituate Town Council by phone and email and has not heard back from him.

**B. Economic Development  
update**

Denise L. DiFranco stated that Mr. Moreau was not able to attend. Chris Stone moved, Joe Cardillo seconded, to table this item to the next meeting.

**C. Recreation Field  
Progress Report**

Discusson: None  
Motion passed 4 – 0.

DPW Director Bob Lohr stated it was 99 percent complete. His concern is that they s hould hold back payment until Spring to see if the seeding takes and if there is washout. The problem is that a certain amount has to be paid in order to be reimbursed. Denise L. DiFranco confirmed that this was the third payment. Kelly Russ

**VIII. NEW BUSINESS**  
**A. Use of Fairgrounds**

stated that if he bills us for \$180,000; we paid \$98,000. If we haven't paid it, will the State reimburse us? Cheryl Hawes said that he stated that he would return. Joanna Achille noted that there is a bond and can it be extended. Kelli Russ stated that they have written proof that there is an extension. Denise L. DiFranco stated that getting a new bond would be best.

Chris Stone moved, Cheryl Hawes seconded, to contact the contractor to ask for a landscaping bond for next Spring, and or a letter legal contract that he would sign, or funds would be withheld.

Discussion: None.

Motion passed 4 – 0.

Karen Dalton from Veterans' Fundraisers requested use of the fairgrounds on June 14 and 15, 2020.

Chris Stone moved, Cheryl Hawes seconded, to approve the use of the fairgrounds for a Veterans' Fundraiser.

Discussion: Karen Dalton of Dare to Dream Ranch on 12 Snagwood Road explained that she wanted to hold a ride including Beyond the Battle and Veteran Angler Charters, 3 non-profit fundraiser for veterans are hoping to use the facility to raise funds to offer their programs for free. They are hoping to do a 20-mile Trail Ride with their horses. There is some push-back walking horses on the pavement so unless there's an adjacent area that they can get 20 miles in they may have to move it. 20 veterans commit suicide every day. Includes a barbeque competition and cornhole competition when they come back to the fairgrounds. Some riders do not want to ride their horses on pavement. Her goal is 150 horses. Chris Stone stated there is a safety concern. Ms. Dalton stated that she is only trying to save the date as she works out the details. Jeremy Edwards from Exeter notes that when he works on a project they work with the police, fire, etc. so for a safety concern he would work it out as a group. Denise L. DiFranco was thinking about parking and safety.

Chris Stone moved, Joe Cardillo seconded, to save the date, June 12 & 13, and see if it can be worked out but waive the rental fee, and contingent upon working out the logistics.

Motion passed 4 – 0.

**B. Thanksgiving  
Proclamation**

Denise L. DiFranco signed the Thanksgiving Proclamation.

Chris Stone moved, Joe Cardillo seconded, to approve the Thanksgiving Proclamation as written.

Discussion: None.

Motion passed 4 – 0.

**C. Planning Board Letter  
RE: Truck Ordinance**

Jennifer Siciliano explained the proposed zoning code change. (See Exhibit A) regarding off street parking for commercial trucks 26,000 pounds or more with a Special Use Permit.

Chris Stone moved, Joe Cardillo seconded, to move the proposed ordinance change forward.

Discussion: None

Motion passed 4 – 0.

**D. Save America's  
Treasures Grant**

Denise L. DiFranco stated she received the grant suggestion from the head of the Preservation Society, Ed Robinson, who felt that it might be a good thing to go for for the Town House. Jennifer Siciliano stated that it is due December 10<sup>th</sup>. It is a dollar for dollar match.

Discussion: Lynne Rider, Kelli Russ, Bob Lohr, Denise L. DiFranco, Cheryl Hawes, Joe Cardillo, Jennifer Siciliano, Anthony Renzi  
Cheryl Hawes moved, Joe Cardillo seconded, to ask Jennifer Siciliano to move forward with the grant for up to \$150,000.

Discussion: None

Motion passed 4 – 0

**E. Planning Board  
Appointment**

Chris Stone moved, Denise L. DiFranco seconded, to appoint Bob Moreau to the Planning Board.

Discussion:

Motion failed: 2 – 2.

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Cheryl Hawes moved, Joe Cardillo seconded, to appoint Lynne Rider.  
Discussion: Cheryl Hawes, Lynne Rider, Joe Cardillo, Anthony Renzi. Denise L. DiFranco reiterated that the candidates were: Lynne Rider, Julia Parmentier, Bob Moreau, and Ann Grenier. Lisa Johnston, and Joe Carey also spoke.  
Motion failed 2 – 2.

Chris Stone moved, Joe Cardillo seconded, to continue this item until the next meeting.  
Discussion: It was suggested that an email blast be sent out for any interested parties to apply.  
Motion passed 4 – 0.

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| <b>F. Resignation of DPW Director</b>          | Denise L. DiFranco stated they received a resignation letter from Mr. Lohr stated a leave date of November 29 <sup>th</sup> .<br>Chris Stone stated he wanted to table the item and have a special meeting. Cheryl Hawes seconded.   |
| <b>G. Search for DPW Director</b>              | Discussion: Cheryl Hawes, Bob Lohr, Denise L. DiFranco. Meeting was set for Wednesday the 20 <sup>th</sup> at the Town Hall at 6:30 p.m.<br>Chris Stone amended the motion, Cheryl Hawes seconded, to include item G. Search for a DPW Director as well.<br>Amendment passed 4 – 0.<br>Main motion passed 4 – 0.   |
| <b>H. Thornton Beagle Club Class F license</b> | Mike Caprarelli requested a Class F Beer and Wine License for the Thornton Beagle Club for December 8, 2019.<br>Chris Stone moved, Joe Cardillo seconded, to approved the Class F license request.<br>Discussion: None<br>Motion passed 4 – 0.   |
| <b>IX. EXECUTIVE SESSION</b>                   | Cheryl Hawes 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 RIGL 42-46-5 aA (2) Collective Bargaining and Litigation and Personnel RIGL 42-46-5 (A), (1) Personnel<br>Discussion: None<br>Motion passed 4 – 0.<br><br>Return to Open Session:<br>One vote was taken:<br>Cheryl Hawes moved, Chris Stone seconded to add Balfour Litigation for discussion only.<br>Motion Passed 4 – 0.<br><br>Meeting adjourned at 10:30 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