

**Town Council Meeting  
December 12, 2019**

The December 12, 2019 Special Town Council Meeting was called to order by Denise L. DiFranco, President of the Foster Town Council, at the Foster Town House at 6:30 p.m.

The following members were present:

**Denise L. DiFranco, President**  
**Cheryl Hawes, Vice President**  
**Chris Stone**  
**Heidi Rogers**  
**Joe Cardillo**

Also present:

Joanna Achille, Assistant Town Solicitor  
Kelli Russ, Treasurer  
Jennifer Siciliano, Planner  
Rhett Bishop, Building & Zoning Official  
Patti Moreau, Tax Assessor

**EXECUTIVE SESSION**

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 RIGL 42-46-5 aA (2) Collective Bargaining and Litigation  
Motion passed 5 – 0.

**RETURN TO OPEN  
SESSION**

**I. PLEDGE OF  
ALLEGIANCE**

The Pledge of Allegiance was recited.

**II. PUBLIC COMMENT  
/ ANNOUNCEMENT**

Denise L. DiFranco said she received an email from Carol Mauro thanking volunteers for helping the Human Services Dept. with Christmas donations.  
Bright Night was last Friday and was wonderful.  
She wished everyone a Merry Christmas and Happy New Year.

Other Public Comment: Lynne Rider.

Cheryl Hawes moved that items A. & B. under New Business be moved to first position. Heidi Rogers seconded.  
Discussion: None.  
Motion passed 5 – 0.

**A. Foster Fire and EMS  
Report**

Commander Ginny Colwell, 2 Salisbury Road, reported that there was an increasing lack of volunteers throughout the country. Chief Brayton suggested an independent study be carried out for Foster. Three independent fire chiefs performed an extensive study. She asked if there could be input from each member of the council on ways to increase volunteer help.

Joe Cardillo suggested getting together with the chiefs and discussing recommendations, particularly incentives. Charles Stockwell spoke about coordinated efforts. Heidi Rogers spoke regarding student involvement with community service. Cheryl Hawes discussed council support. Chris Stone suggested forming a committee. Denise L. DiFranco discussed financial issues and recruitment.  
Chris Stone moved, Joe Cardillo seconded, to form a committee of two council members and the four chiefs.

Tom Walden, Engineering Board Chair, noted that they could just as easily come to an Engineering Board meeting.  
Alternating attendance of two council members was suggested.

Chris Stone withdrew his motion, Joe Cardillo withdrew his second.

Chris Stone moved, Cheryl Hawes seconded, that two council members attend each Engineering Board meeting, alternating once a month, and report back to the whole council. Next meeting would be January 28, 2020. Denise L. DiFranco and Chris Stone will attend.  
Motion passed 5 – 0.

**Town Council Meeting  
December 12, 2019  
B. Engineering Board**

Denise L. DiFranco presented a letter from Tom Walden dated June 17, 2019, and a response letter from solicitor Joanna Achille regarding the transfer of an excess balance in the stipend account to be moved to supplement the depleted training fund account. The transfer had been denied because it was not a bottom line budget but a separate line item and those are voted on separately.

Kelli Russ, Treasurer, stated that this was why the request was denied, and that the costs were able to be covered anyway. Kelli Russ and Denise L. DiFranco explained that it is not something that needs correcting but something to be aware of when voting on the budget. Denise L. DiFranco said that Ms. Achille’s reply letter had not been sent.

Cheryl Hawes moved, Heidi Rogers seconded to send the letter to the Engineering Board.

Discussion: None.

Motion passed 5 – 0.

**III. CONSENT AGENDA**

- **Approval of the Town Council Meeting minutes**
  - a. November 14, 2019
  - b. November 20, 2019
  
- **Approval of Warrants**
  - 1. Payroll Warrants
    - a. #20 \$33,885.13                      b. #21 \$34,458.03
    - c. #22 \$34,985.70                      d. #23 \$39,358.40
  - 2. General Warrant #8 \$313,259.82
  
- **Second Hand Sales License Renewals:**

Russell Smith, d/b/a Chelsea’s Trading Post, 151 Danielson Pike  
CBI LLC, d/b/a Cooke Brother’s Imports, 184A Danielson Pike  
MCC Inc., d/b/a Mike’s Auto Repair, 45 Anthony Rd.  
Paul Hayhurst, d/b/a GCC Auto Sales, 175 Danielson Pike  
Keith LaFazia, d/b/a Rhody Outdoors, 2 Goldmine Rd.  
Certified Automotive Inc., d/b/a Steve’s Gun Shop, 66 Central Pike  
Adam David Dacko, d/b/a Route 6 Outpost, 52 Danielson Pike  
Danny’s Auction Barn LLC, d/b/a Danny’s Auction Barn, 150 Danielson Pike  
Nick Guarino, d/b/a Old Volks Haus, 10A Danielson Pike  
Lisa Johnston, d/b/a Old Man Mercantile & Antiques, 52 Danielson Pike
  
- **Victualing License Renewals**

410 Drake Petroleum, d/b/a Foster Xtra Mart, 188 Danielson Pike
  
- **Gun Shop License Renewals:**

Laurence Costa Mello, d/b/a Alarry Farm, 7 Rickard Road  
Keith LaFazia, d/b/a Rhody Outdoors, 2 Goldmine Road  
Adam David Dacko, d/b/a Route 6 Outpost, 52 Danielson Pike  
Certified Automotive Inc., d/b/a Steve’s Gun Shop, 66 Central Pike
  
- **Holiday Sales Renewals:**

Adam David Dacko, d/b/a Route 6 Outpost, 52 Danielson Pike  
Bonita Lambert, d/b/a Lladly Love Llama, 82 Cucumber Hill Rd.  
Drake Petroleum, d/b/a Foster Xtra Mart, 186 Danielson Pike  
Russell Smith, d/b/a Chelsea’s Trading Post, 151 Danielson Pike  
Lisa Johnston, d/b/a Old Man Mercantile & Antiques, 52 Danielson Pike
  
- **Private Investigator’s License Renewal**

Alan Pittman, d/b/a Alan Pittman Investigations, 117 Central Pike
  
- **Camp Ground License Renewals:**

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

Chris Stone moved, Joe Cardillo seconded, to accept the Consent Agenda with the exception of November 14, 2019.

Heidi Rogers recused herself as she was not present for that meeting.  
Motion passed 4 – 0 – 1.

Chris Stone moved, Cheryl Hawes seconded, to accept the November 14, 2019 minutes.  
Motion passed 5 – 0.

**IV. PUBLIC HEARINGS  
A. JP General Store**

Denise L. DiFranco opened the public hearing and reviewed the procedures.  
Paul Oueidat of 189 Hartford Pike presented his request for Holiday and Victualling Licenses at 189-A Hartford Pike at the corner of Rt. 101 and Mt. Hygeia Road.  
Audrey Carey spoke in favor. Jennifer Siciliano asked about zoning. Denise L. DiFranco closed the public hearing.  
Heidi Rogers moved, Chris Stone seconded, to approve the application of Paul Oueidat for JP’s General Store, LLC, 189-A Hartford Pike.  
Discussion: None. Motion passed 5 – 0.

**B. Solar Ordinance**

Denise L. DiFranco opened the public hearing and explained the procedure.  
Jennifer Siciliano, Town Planner, read a letter stating that the planning board had revised the Solar Ordinance over the course of several meetings. They recommended continuing the moratorium on major installations for another six months until the end of June 2020. Patti Moreau, Tax Assessor, explained that there is legislation in process to lower the taxes of solar installations by stating that the companies are public utilities and thus the land should not be taxed. She supports extending the moratorium until that determination is made. She also said that lead contamination was reported in the soil from the panels installed in Rhode Island.  
Julia Parmentier, Robert Moreau, Jennifer Siciliano, Joanna Achille, Anthony Renzi, Lynne Rider, Paul Allen, Lisa Johnston, and Joe Carey spoke.  
Denise L. DiFranco closed the public hearing.

Discussion: Cheryl Hawes, Denise L. DiFranco, Joanna Achille, Jennifer Siciliano, Lisa Johnston, and Anthony Renzi. spoke.  
Heidi Rogers moved, Joe Cardillo seconded, to continue the public hearing to January 23<sup>rd</sup>.  
Heidi Rogers withdrew her motion, Joe Cardillo withdrew his second.  
Heidi Rogers moved, Joe Cardillo seconded, to continue the public hearing until February 13, 2020.  
Discussion: None.  
Motion passed 5 – 0.

**V. OLD BUSINESS  
A. Historic Building Committee**

Denise L. DiFranco stated that a letter was received from Bob Boyden, Chair of the Historic Oversight Committee on the committee’s progress and what was possible (see Exhibit A).  
Joe Cardillo moved, Heidi Rogers seconded, to accept the report as written.  
Motion passed 5 – 0.

**B. Economic Development Committee Report**

Bob Moreau, Chair of the Economic Development Committee present a report of their activities (see Exhibit B). Cheryl Hawes moved, Joe Cardillo seconded, to accept the report as written.

**Planning Board  
Correspondence *moved up  
from New Business***

Denise L. DiFranco requested a motion to move Item H under New Business “Planning Board Correspondence (Recommendations to Town Council)” to this position so they can be discussed together.  
Heidi Rogers moved, Joe Cardillo seconded, to move that Item to this position. Motion passed 5 – 0.

Denise L. DiFranco stated that they had received a letter from the Planning Board (see Exhibit C).

Heidi Rogers read the letter. Denise L. DiFranco suggested that the Planning Board and the Economic Development Committee meet together and discuss ways to move forward.

Discussion: Anthony Renzi, Bob Moreau, Denise L. DiFranco, Heidi Rogers, Joanna Achille, and Patti Moreau.

**VI. NEW BUSINESS**  
**A. Zoning Board**  
**Appointments**

Denise L. DiFranco stated that Paula Mottshaw was no longer interested in serving on the Zoning Board. Bradford Smith is an Alternate and Nicholas Guarino is an Alternate and both want to continue as Alternate board members. Heidi Rogers moved, Chris Stone seconded, to appoint Brad Smith and Nick Guarino to one year terms ending December 31, 2020.

Discussion: None

Motion passed 5 – 0.

Heidi Rogers asked if there was a applicant for the 5-year term position. There was one but Denise L. DiFranco was unable to contact her.

Heidi Rogers moved, Chris Stone seconded, to readvertise for the positon.

Discussion: None.

Motion passed 5 – 0.

**C. Planning Board**  
**Appointments**

Heidi Rogers moved, Chris Stone seconded, to appoint Warren Ducharme to a 5-year position on the Planning Board expiring December 31, 2024.

Discussion: None.

Motion passed 5 – 0.

Heidi Rogers moved, Chris Stone seconded, to appoint Bob Moreau to the Planning Board.

Discussion: Denise L. DiFranco, Anthony Renzi, Joanna Achille, Julia Parmentier, and Patti Moreau. Motion passed 5 – 0.

**D. Land Trust**  
**Appointment**

Chris Stone moved, Joe Cardillo seconded, to appoint Dennis Therrien to the Land Trust for a 3-year term.

Discussion: Denise L. DiFranco, Susan Dillon

Motion passed 5 – 0.

**E. Value Finder-Tax**  
**Assessor Department**

Patti Moreau, Tax Assessor, explained that the company Value Finder can come in for a year and, by using our records and an overlay, can detect changes made in buildings. They get fifty percent of what is newly-discovered in the tax increase for that year. If the town is already aware of the change, they would not get reimbursed.

Joe Cardillo moved, Heidi Rogers seconded, to enter a 1-year contract with Value Finder.

Discussion: None.

Motion passed 5 – 0.

**F. Hemlock Bridge**

Mary Agnes Fennessey of 52 Hemlock Road, a resident of 49 years, appeared before the council with a statement advocating for opening of the bridge and how its closing has affected her in her home.

Discussion: Denise L. DiFranco, Patti Moreau, Mary Agnes Fennessey, Anthony Renzi , Heidi Rogers, Cheryl Hawes, Kelli Russ

**G. Planning Board**  
**Correspondence**

*Moved up to Old Business*

**H. Ordinance Updates:**  
**Food Trucks, Vendors**

Cheryl Hawes asked about the solicitor's billing for ordinance updates.

Discussion: Denise L. DiFranco, Susan Dillon, Cheryl Hawes, Kelli Russ

**Town Council Meeting  
December 12, 2019**

- I. Municipal Leaf & Yard Debris Transfer**
- Joe Cardillo explained that the Town of Cranston would like to dispose of their leaves using our cap for leaf and yard disposal because we do not use it.  
Chris Stone moved, Joe Cardillo seconded, to allow Cranston to use our 50 tons of leaf and yard disposal cap.  
Discussion: None  
Motion passed 5 – 0.
- J. Rt. 94 Ball Field Change Order \$1800.00**
- Kelli Russ, Treasurer, explained what the change order was about and that it had already been done.  
Heidi Rogers moved, Joe Cardillo seconded, to approve the Rt. 94 ball field change order in the amount of \$1,800.00 to add a Hammer ledge outcrop to the parking lot and stone dust walkway.  
Discussion: None.  
Motion passed 5 – 0.
- K. Rt. 94 Ball Field Warranty Bond or Legal Letter**
- Solicitor Joanna Achille stated that the builder wanted to give a letter instead of a bond to respray the grass seed and install trees if they do not take. Kelli Russ read the letter explaining that touch-ups that will be made in the Spring. The town must do the work and then collect from them.  
Discussion: Kelli Russ, Anthony Renzi, Cheryl Hawes, Joe Cardillo, Denise L. DiFranco  
Chris Stone moved, Joe Cardillo seconded, to tell the builder that he has to have a bond of \$20,000.00  
Discussion: None  
Motion passed 5 – 0.
- L. Additions and Abatements**
- Heidi Rogers, Chris Stone seconded, moved to accept the Tax Assessor’s Additions and Abatement for Motor Vehicles in 2018 for \$8.89, and for Motor Vehicles in 2019 of \$123.62.  
Discussion: None  
Motion passed 5 – 0.
- VII. EXECUTIVE SESSION**
- Heidi Rogers moved, to go into Executive Session  
PURSUANT TO RIGL 42-46-5A (2) Litigation  
Lifetime Contract Law  
PURSUANT to RIGL 42-46-5a (2)  
Plat 20 Lot 0009 South Killingly Road Land.
- After executive session at the end, the council re-opened the meeting, Denise stated that three votes were taken.  
A vote was taken in the affirmative that will remain confidential  
Motion passed 5 – 0 .
- A second vote taken to join in the litigation in the lifetime contract lawsuit.  
Motion failed 0 - 5.
- A third vote taken to add Wrights Auto to executive session for discussion only.  
Motion passed 5 – 0.
- VIII. ADJOURNMENT**
- Meeting adjourned at 11:20 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