

Denise L. DiFranco, President, called the Foster Town Council to order on September 17, 2020 at 6:30 p.m. This was a virtual meeting using Zoom via computer or phone.

The following members were present:	Also present:
<b>Denise L. DiFranco, President</b>	Mark Tourgee
<b>Cheryl Hawes, Vice President</b>	Susan Dillon
<b>Chris Stone</b>	Kelli Russ
<b>Heidi Rogers</b>	Michael Antonellis
<b>Bob Moreau</b>	Joanna Achille
	Joe Walsh
	Gordon Brayton

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| <b>I.</b>   | <b>PLEDGE OF ALLEGIANCE</b>                    | The Pledge of Allegiance was recited.  |
| <b>II.</b>  | <b>PUBLIC COMMENT</b>                          | None.  |
| <b>III.</b> | <b>PROPOSED NEW POLICE BUILDING DISCUSSION</b> | <p>Denise L. DiFranco noted that there had been two presentations so far. After the presentation on Saturday there was much discussion, and on Tuesday they realized that there were legalities they had not anticipated.</p> <p>The special Financial Town Meeting was postponed because they would not be ready, and they want it to go smoothly. Denise L. DiFranco said they have several things to go through. She asked the members of the committee who were present to speak. She asked them if it was correct that the deed had not been drawn up yet. Gordon Brayton said it had not.</p> <p>Denise L. DiFranco verified the acreage of the site as 4.97 acres which is not large enough to subdivide.</p> <p>Joe Walsh laid out three options:</p> <p>One is to add language to the Zoning Ordinance which is allowed by the Zoning Enabling Act, to the best of his knowledge, that any building or use employed by the Town of Foster in the performance of its governmental functions shall be exempt from the operation of this ordinance.</p> <p>Option two would be to rezone it to Municipal and change the language in the ordinance to the Municipal District includes other locations such as the Town Center and other locations for the Town Clerk or Town House, Town Hall, Police Station, Highway Department, and where other uses are located.</p> <p>The third option is to rezone it as Manufacturing / Industrial which has no square footage required and the police station is allowed there by Special Use Permit; and just for clarity it would need a Special Use Permit on any of the zoning regulations of this town.</p> <p>He further stated that these were what he thought were the easiest workarounds.</p> <p>Town Planner Michael Antonellis said that what Mr. Walsh put forward made sense, and out of the three, he was not sure what might be the easiest.</p> <p>Joanna Achille said that she thought the first option would take too long and not accomplish the goal because the issue is with the subdivision. Option two would be the best and easiest to accomplish. Neither has a minimum acreage. Rezoning as Municipal if you are going to subdivide it makes sense. Mr. Antonellis agreed.</p> <p>Denise L. DiFranco verified that the fire department wanted to deed 1.5 to 2 acres, whatever is needed. So</p> |

we would need to get some things in place. She had hoped to get this done but may have been over zealous.

Heidi Rogers asked if the entire parcel would be rezoned as municipal. Joanna Achille said yes.

Otherwise the remaining lot would be unusable. Ms.

Rogers asked if that restricted anything from the fire

station? Ms. Achille said no because the use is quasi

municipal. Heidi Rogers said she wanted to be sure it

wouldn't restrict the fire company from what they

needed to do. Her second question is how long would

it take. Ms. Achille said she thought it would be at

least two months. Ms. Rogers said that then this would go to 2021.

Mr. Antonellis said the earliest planning board

meeting would be October 7, the next, the 16<sup>th</sup>. A

week out from that to start the advertisement.

Denise L. DiFranco said they had to think of a few

things. First, the property has to be in the hands of the

fire department. Then after the election even if the

council is comprised of the same members, they could

not take action until after the first meeting in

December. Rushing it doesn't do much; they would

not be able to vote on it.

Bob Moreau stated that he felt it was being rushed

before the town even owns the property. Gordon

Brayton said Mr. Valentine and the fire department

are trying to get it done before the end of the month.

Everything is ready to go except for the accountant's

valuation of the property. If it got done by the 25<sup>th</sup>,

would that be enough time to be on the agenda for the Planning Board?

Ms. Achille said in order to apply for the zone change,

the applicant could be the fire department. If you have

the deed in hand next week, okay.

Patti Moreau asked what was taking so long with the

deed. Mr. Brayton said the accountant valuating the

property. Ms. Moreau asked if there were going to be

any conditions. Mr. Brayton said there likely would be

regarding development, but if we change it to

municipality, it wouldn't be developed anyway.

Ms. Achille asked for a draft of the deed because if

there are conditions, there may be conditions

preventing what they need. Ms. Moreau said she

would like to see the deed.

Lynne Rider stated that this is extremely important to

the town, why can't the planning board have a special

meeting? Denise L. DiFranco said because we don't

have everything in place yet.

Ms. Rider said that with the barn and the Preservation

Society, the town deeded the land under that building

to the society in perpetuity as long as the building was

standing. Why can't the fire company do that? Heidi

Rogers thought it was already municipal property.

Denise L. DiFranco said because they don't own it

yet. Ms. Rider said when they do own it. Ms. Achille

said because of the lot size. Ms. Rider asked if the

town subdivided the land for the barn. Ms. Achille

said there were underlying reasons. Ms. Rider hoped

with a special planning board meeting it could be done

before the end of the year.

Joe Walsh said, yes you can call meetings whenever

you want. He thought Mr. Valentine may want to get

it done before the end of the year. He also said that at some point in time, twenty years from now, there won't be two fire companies a couple miles apart from each other. A merger is likely and should be kept in mind for the future.

Bob Moreau said that before they take any action the fire department needs to own the property. He wants the attorneys to make sure there are no encumbrances.

Cheryl Hawes noted that there is a lot of misinformation going around and she wanted to clarify that when there is a special Financial Town Meeting, people are not going to be voting on where the station is located; they're going to be voting on the money. Denise L. DiFranco agreed though she noted that where it is located will play into it. Cheryl Hawes said we should be clear.

Heidi Rogers said that at the last meeting they did approve a mailer. When everything is finalized, the location, date, and dollar amount will go out.

Joe Walsh said anyone who goes out on "hatebook" will see there's a very good disinformation campaign going on. People think that it doesn't matter if they vote it down because we will just merge with Scituate or the State Police will handle it. Both of these ideas were put to bed a long time ago.

Lynne Rider said she remembered that Kelli Russ said the voters will vote on a money amount. If none of this pans out, then you just won't do it. Just get the consent of the people. Denise L. DiFranco doesn't want people to think they are pulling a fast one. Ms. Rider would think they would be moving heaven and earth to get this done, yet she hasn't seen one word from a council member to educate people about this. Denise L. DiFranco and Heidi Rogers disagreed. Ms. Rogers said that if the deed isn't ready, that's not our fault. We are moving it forward.

Joe Walsh said that even though it has been 3 to 4 years, it is a public process and a public process is slow.

Guenter Bay agreed with Mrs. Rider. Denise L. DiFranco disagreed.

Joe Walsh said that the Town Clerk removed the presentation because there were changes, and that he has a new one incorporating what is current to put up online. It is pretty clear on where it started and where it's going.

Kevin Donovan arrived late and asked if the title had been transferred yet, and if we have an estimated time, when that will occur, and what is holding it up. He was brought up to speed. Atty. Tourgee discussed reverter deeds. Mr. Donovan said that until such time as the deed is received it would be inappropriate to have a financial meeting.

Bob Moreau discussed hiring a real estate attorney. Atty. Tourgee said, yes, they would be hiring Karen Grande to look into it.

Heidi Rogers said she assumed the purpose of this meeting is to postpone the Special Financial Town meeting. She wanted to make the appropriate motion. Heidi Rogers moved, Chris Stone seconded, to cancel the September 29th Financial Town Meeting to a future date to be set.

Discussion: Anthony Renzi asked how much the real estate lawyer would charge. Atty. Tourgee said they would get a letter of understanding.

Motion passed 5 – 0.

Heidi Rogers, aye; Chris Stone, aye; Bob Moreau, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye.

#### **IV. ADJOURNMENT**

Chris Stone moved to adjourn, Cheryl Hawes seconded.

Motion passed 5 - 0.

Heidi Rogers, aye; Chris Stone, aye; Bob Moreau, aye; Cheryl Hawes, aye; Denise L. DiFranco, aye.

Meeting adjourned at 7:32 p.m.

Submitted by,

Susan M. Dillon, Town Clerk