

JUNE 11, 2015
TOWN COUNCIL MEETING

The June 11, 2015, Town Council Meeting was called to order by John L. Lewis, Jr., President of the Foster Town Council, at the Town House, Foster, Rhode Island, at 7:07 p.m.

The following members were present:

John L. Lewis, Jr., President
Denise DiFranco, Vice President,
Roger L. Hawes, excused,
Gordon Rogers, and
Jon Restivo

Also present:

Renee M. Bevilacqua, Town Solicitor
Kelli Russ, Treasurer,
Patti Moreau, Tax Assessor
Police Chief William Ziehl

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| I. OPEN
SESSION
PLEDGE OF
ALLEGIANCE | The Pledge of Allegiance was recited. |
| II. ANNOUNCE-
MENTS | John L. Lewis, Jr. stated that the notice of the meeting was properly posted on the Secretary of State's web site. |
| III. PUBLIC
COMMENT | None |
| IV. WARRANTS | <p>Denise DiFranco moved, Jon Restivo seconded, to approve Payroll Warrant #47 for \$28,150.20.</p> <p>John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.</p> <p>Denise DiFranco moved, Gordon Rogers seconded, to approve Payroll Warrant #48 for \$32,107.05.</p> <p>John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.</p> <p>Denise DiFranco moved, Gordon Rogers seconded, to approve General Warrant #22 for \$99,676.36.</p> <p>Discussion: Denise DiFranco asked for clarification of an invoice from CMB Landscaping for spring cleanup. Kelli Russ informed the council that it was for the spring cleanup of the Woody Lowden baseball field and came out of the Recreation Committee's budget.</p> <p>Denise DiFranco questioned the date of a Zoning Board expense for a stenographer and was informed that it was for a meeting that took place in March.</p> <p>Ms. DiFranco also asked about two expenses in the warrant that were reimbursable through the CAST Program.</p> <p>John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.</p> |

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V. OLD BUSINESS None

VI. NEW BUSINESS
a.) Bid Opening
Moosup
Valley Fire
Co., Fire
Engine

John L. Lewis Jr. stated that there were two bids received for the Moosup Valley Fire Company's Fire Engine. He proceeded to open the bids.

The first bid came from Rosenbauer New England LLC, 19 Summer St., Brunswick, ME 04011 for \$344,965.00.

The second bid was received from C and S Specialty Inc., 1181 Old Smithfield Rd., N. Smithfield, RI 02896. Mr. Lewis stated that there was a list of options that would change the price, but that the base price was \$372,948.00.

Gordon Rogers moved, Jon Restivo seconded, to refer the bids to the engineering board for their review.

Discussion: An audience member asked if there was a law stating how long a fire engine had to be kept in a town before resale or replacement and asked if we could keep a fire engine as long as we wanted. The town solicitor stated that she didn't know of any laws regarding this.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

b.) Resolution In
Opposition to
H6100
Substitute A

Mr. Lewis asked the Town Planner, Juliana King, to briefly explain the resolution. Ms. King made note of the Right To Farm Act and explained that H6100A is legislation proposed to change a portion of the Right To Farm Act. The resolution was to oppose the changes because they opened the door to absolve non-agricultural, commercial activities on a farm from nuisance complaints without adequately defining a farm. There was lengthy discussion in favor of and against the resolution.

John L. Lewis Jr. moved, Denise DiFranco seconded, to adopt The Resolution In Opposition to H6100, Substitute A as it had been written.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, nay; and Jon Restivo, nay. Motion failed 2-2.

c.) Liquidation
of 2004 Ford
F-150 Animal
Control
Truck

President John L. Lewis Jr. noted letters received from DPW Director Joe Cardillo, Police Chief William Ziehl, and the DPW Mechanic, recommending liquidation of the 2004 Ford F-150 Animal Control Truck by sending it to the scrap yard.

Gordon Rogers moved, Denise DiFranco seconded, to approve the recommendation of the DPW Director and the Police Chief to send the F-150 to the scrap yard.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

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- d.) Conservation Commission Request to Plant Chest-Nut Trees With DPW Oversight** Conservation member Ed Schernau informed the council of the efforts of The American Chestnut Foundation to try and restore the native American Chestnut Tree to the Eastern half of the country, by cross-breeding it with the Chinese Chestnut Tree. The Chinese Chestnut is immune to the blight that had originally decimated most of the American Chestnuts. The contract was discussed and reviewed briefly by the Town Solicitor.
- Gordon Rogers moved, Jon Restivo seconded, to sign the agreement, move forward and get a couple of chestnuts growing on town property.
- John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.
- e.) Planning Board Appointment** Gordon Rogers moved to appoint Anthony Renzi to the Planning Board. John Lewis stated that Jon Restivo was recusing himself due to an application before the planning board at this time. There was no second, and the motion failed.
- Denise DiFranco moved, John Lewis Jr. seconded to appoint Richard Sparks to the Planning Board.
- Discussion: An audience member asked if Mr. Sparks was qualified for the position. Ms. DiFranco stated that she did not have his resume, but that she had seen it in the past and that he had been involved at the state level and was in finance as well as being a civil engineer. Mr. Rogers also stated that his resume was impressive.
- John L. Lewis, Jr, aye; Denise DiFranco, aye; and Gordon Rogers, aye. Motion carried 3-0.
- President John Lewis Jr. asked that Mr. Sparks be notified and sworn in at his earliest convenience.
- f.) Letter of Resignation, Erin Moyer, Recreation Committee** Denise DiFranco moved, Gordon Rogers seconded, to accept the resignation letter from Erin Moyer of the Recreation Committee with regrets.
- Discussion: Gordon Rogers stated that Ms. Moyer had done an excellent job over the 12 years she had been on the committee and also stated that she would be sorely missed.
- John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.
- g.) Carryover of Unused Comp Time, Tax Assessor, Planner, DPW Director** John L. Lewis Jr. produced letters from the Tax Assessor, the Town Planner and the DPW Director, regarding the carryover of unused comp. time into the new fiscal year. He verified that the Town Planner had 19.5 hours to be carried over.
- Denise DiFranco moved, Gordon Rogers seconded, that the Council approve the carryover of unused comp. time for the Tax Assessor, Planner and DPW Director to be used by December 31, 2015.

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Discussion: John L. Lewis Jr. verified that the motion was to accept the numbers as presented in the letters.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

**VII. FUTURE
AGENDA
ITEMS**

- Tannerite Binary Exploding Rifle Targets/Use of
- Request for Use of Fairgrounds, The Kibble Closet
- Request for Use of Fairgrounds, Grimley/Hearn Wedding
- PRISM Streetlight Management Program
- LESO Program
- EMA Director Job Description
- 2014 CDBG Grant Award
- Public Hearing on Ordinance Changes
- Policy for Use of Town Grounds

**VIII. EXECUTIVE
SESSION**

Jon Restivo moved, Gordon Rogers seconded, to go into Executive Closed Session pursuant to RIGL 42-42-4 for the reasons stated in RIGL 42-46-5a(2), for discussions or work sessions regarding Collective Bargaining /Contract Negotiations/Litigation.

John L. Lewis, Jr, aye; Denise DiFranco, Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

Open session ended at 8:03 p.m. Executive session convened at 8:15 p.m.

**IX. RECONVENE
TO OPEN
SESSION**

Jon Restivo moved, Gordon Rogers 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.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0.

Open session reconvened at 9:02 p.m.

John L. Lewis, Jr. announced that no votes were taken.

**X. ADJOURN-
MENT**

Gordon Rogers moved, Jon Restivo seconded, and it was so moved to adjourn the meeting.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 4-0

Meeting adjourned at 9:03 p.m.

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A digital sound file is made a part of the record for a complete account of the council meeting.

Submitted by,

Susan E. Sprague
Deputy Town Clerk