

**SEPTEMBER 10, 2015**  
**TOWN COUNCIL MEETING**

The September 10, 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 7:03 p.m.

The following members were present:

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

Also present:

Renee M. Bevilacqua, Town Solicitor  
Joe Cardillo, DPW Director  
Juliana King, Town Planner  
Police Captain Robert Bolger

**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.

Councilwoman DiFranco and police Captain Bolger commented on the upcoming appearance of runner Aprylle Gilbert as she travels through Foster on her 3,652 mile Route 6 Charity Run 2015.

**III. PUBLIC  
COMMENT**

None.

**IV. MINUTES**

Denise DiFranco moved, Roger Hawes seconded, to approve the minutes from the August 26, 2015 special Town Council meeting, as presented.

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

Denise DiFranco moved, Roger Hawes seconded, to approve the minutes from August 27, 2015 as presented.

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

**V. WARRANTS**

Denise DiFranco moved, Roger Hawes seconded, to approve Payroll Warrant #8 in the amount of \$28,560.37.

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

Denise DiFranco moved, Roger Hawes seconded, to approve Payroll Warrant #9 in the amount of \$31,560.54.

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

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**WARRANTS,**  
**cont.**

Denise DiFranco moved, Roger Hawes seconded, to approve General Warrant #5 in the amount of \$451,303.31.

John L. Lewis, Jr. stated that this warrant included the expenditure of a new fire truck for Moosup Valley Volunteer Fire Department.

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

Denise DiFranco moved, Roger Hawes seconded, to approve General Warrant #5A in the amount of \$410.00.

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

Denise DiFranco moved, Roger Hawes seconded, to approve General Warrant #28 in the amount of \$33,872.25.

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

**VI. QUARTERLY**  
**REPORTS (past**  
**due)**

Denise DiFranco moved, Roger Hawes seconded, to accept two past due quarterly reports for January through March, 2015, and April through June, 2015, from the Recreation Department.

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

John L. Lewis noted those committees whose reports were still missing. Planner Juliana King notified the council that there had been a change of personnel with Foster Home Repair program.

**VII. OLD**  
**BUSINESS**  
**a.) Bid award,**  
**Johnson Rd.**  
**Bridge**  
**Culvert**

John L. Lewis, Jr. read a letter from DPW Director Joe Cardillo recommending that the bid be awarded to C.L.H. & Son, the low bidder on the project.

Denise DiFranco moved, Roger Hawes seconded, to accept the recommendation of the DPW Director and award the bid to C.L.H. & Son, Inc., to do the necessary work needed to the specifications of the bid, for the price of \$32,327.00.

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

**VIII. NEW**  
**BUSINESS**  
**a.) Request for**  
**Fairgrounds**  
**for**  
**Recreation**  
**Department**  
**Yard Sale,**  
**September 19**

John L. Lewis, Jr. read a letter from the recreation department requesting use of the fairgrounds for their annual Community Yard Sale.

Denise DiFranco moved, Roger Hawes seconded, to honor the request from the Recreation Committee for the use of town fairgrounds for the 7<sup>th</sup> annual Foster Community Yard Sale on Saturday, September 19<sup>th</sup> from 9 – 1, with a rain date of Sunday the 20<sup>th</sup>.

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**NEW BUSINESS  
(cont.)**

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

**b.) Proclamation, Emergency Responder Day, September 26**

John L. Lewis, Jr. noted that at the April 23, 2015 meeting the Council had approved a request from the Foster Clergy Association for use of the town fairgrounds on September 26, 2015, from 12 – 8 p.m., for their Emergency Service Volunteer Appreciation Day. The proclamation to be presented to each group was in front of the Council this evening for approval.

Denise DiFranco read the proclamation aloud.

Roger Hawes moved, Denise DiFranco seconded, to accept the proclamation as written.

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

**c.) Resolution to Amend State Law Title 4, Section 4-13-4, Dog Licenses**

John L. Lewis, Jr. noted that the Town Clerk had asked to put this on the agenda.

The Town Clerk explained that in doing research on Rhode Island dog licensing laws, it was noted that within Title 4 of RI General Law, section 4-13-4, fourteen Rhode Island towns had language specific to each of them within that law. That language stated the maximum amount any of those towns might charge for their dog licenses, through changes to their town ordinances. The charges listed varied from town to town.

Further individual inquiry with those towns informed that the maximum charges as listed for each town within section 4-13-4 were, in most cases, significantly higher than the actual current charges being collected in each town.

The Town Clerk brought this before the Council to consider if similar language specific to Foster should be presented to the State legislature in the form of a resolution, for inclusion within the law. This inclusion would give the Town the ability to revise their own dog license ordinance in future years, if deemed appropriate.

John L. Lewis, Jr. read the proposed resolution (see Exhibit A) into the record.

Denise DiFranco moved, Jon Restivo seconded, that the Council accept the Resolution as presented.

Discussion: Solicitor Renee Bevilacqua noted the increase in vicious dog hearings due to dog bites in town. Most often the dogs involved are not licensed nor do they have rabies shots.

John L. Lewis, Jr. stated that the purpose of the town dog license is not to charge a high fee and generate revenue, but to document a dog's existence and provide evidence of a current rabies inoculation.

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**NEW BUSINESS**  
**(cont.)**

Councilman Restivo referenced the language in the law for the town of Cumberland, with an optional two-year license.

Further discussion ensued regarding: multi-year licenses, one-year and three-year rabies vaccines; sending reminder postcards to past licensees; an increase in the fee imposed for penalties for vicious dogs; a different rate for spayed/neutered animals versus intact animals.

One resident argued that having language in State law giving the town the ability to increase the fees means that the fees will automatically be raised.

Jon Restivo moved, Denise DiFranco seconded, to amend the resolution to change the maximum annual licensing fee that could be imposed to read: “annual licensing fee not to exceed **\$15.00**”.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Roger Hawes, aye; and Jon Restivo, aye. Amended motion carried 4-0.

Jon Restivo moved, Denise DiFranco seconded, to further amend the resolution to allow for the possibility of issuing a license every two years by inserting “(and/or biennial)” after the word “annual” in sub part (a); to read: “Foster town council may provide by ordinance for an annual (and/or biennial) licensing fee not to exceed \$15.00”.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Roger Hawes, aye; and Jon Restivo, aye. Amended motion carried 4-0.

The Council returned to the main motion, to accept the resolution as written.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Roger Hawes, aye; and Jon Restivo, aye. Main motion carried 4-0.

**d.) Resolution**  
**Concerning**  
**Application**  
**to Solarize RI**  
**Program**

Town Planner Juliana King explained that ***Solarize RI*** is a pilot program providing an opportunity to aggregate multiple small-scale solar PV installations to realize cost savings for resident customers.

This program was opening up to allow at least five towns to apply for participation. Solar companies were also applying to be part of the program. If chosen, the town of Foster could review and select one or two of those companies to be associated with Foster to offer competitive prices to town residents.

The program would run mid-October through mid-February. The biggest commitment from the town would be staff time and outreach to the community. The municipal application to be part of 2015 ***Solarize RI*** is due before the next Council meeting on September 24, and a resolution is needed to authorize participation. Ms. King had drafted a resolution for the Council’s review and approval.

Discussion: Ms. King indicated to the council that interest in solar energy within the town was keen. Potential costs for this program included advertising costs and town hall staff time. A selection committee to interview

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**NEW BUSINESS** solar companies was also discussed.  
(cont.)

John L. Lewis, Jr. read the resolution into the record. (Exhibit B)

Denise DiFranco moved, Jon Restivo seconded, to proceed with Resolution 2015-10 regarding the ***Solarize RI*** program.

Discussion: Jon Restivo noted that he had researched this program and saw that it had been a successful program in the communities that had already participated. It was also a timely program as the federal tax benefits for installing solar will be eliminated at the end of 2016.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Roger Hawes, aye; and Jon Restivo, aye. Main motion carried 4-0.

**IX. FUTURE  
AGENDA  
ITEMS**

- Tannerite Binary Exploding Rifle Targets/Use of
- Policy For Use of Town Grounds
- Police Station Update
- Public Hearing, 9/24/2015 for Enduro Bike Race on 10-31-2015
- Prioritization of/Resolution Supporting 2015 CDBG application

**X. EXECUTIVE  
SESSION**

There was no executive session.

**XI. ADJOURN-  
MENT**

Denise DiFranco moved, Roger Hawes seconded, and it was so moved to adjourn the meeting.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Roger Hawes, aye; and Jon Restivo, aye. Main motion carried 4-0.

Meeting adjourned at 8:01 p.m.

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

Submitted by,

Jane H. Christopher  
Town Clerk