

NOVEMBER 10, 2016
TOWN COUNCIL MEETING

The November 10, 2016 Town Council Meeting was called to order by John L. Lewis, Jr., President of the Foster Town Council, at the Benjamin Eddy Building, Foster, Rhode Island, at 7:04 p.m.

The following members were present:	Also present:
John L. Lewis, Jr., President	Police Chief William Ziehl
Denise DiFranco, Vice President	Kelli Russ, Treasurer
Cheryl Hawes,	Patti Moreau, Tax Assessor
Jon Restivo, and	Joe Carey, Planning Board Chair
Gordon Rogers.	Guenter Bay, Assistant EMA Director

- I. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.
- II. ANNOUNCEMENTS

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

Resident Walter May offered congratulations to the new Council members and wished a happy birthday to any marines in the audience. Mr. May then urged the incoming Council not to follow the lead of previous Councils by changing the DPW director every time the Council changes.

Mr. May stated that the Council is making the taxpayer pay a penalty every time the Council decides to change personnel, due to the learning curve that occurs with any new employee learning their job. Jobs should be changed only due to poor job performance, not at the whim of the Council.
- IV. MINUTES

There were no minutes to be voted on at this meeting.
- V. WARRANTS

Denise DiFranco moved, Gordon Rogers seconded, to approve Payroll Warrant #16 for \$34,744.03.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

Denise DiFranco moved, Gordon Rogers seconded, to approve Payroll Warrant #17 for \$32,950.83.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

Denise DiFranco moved, Gordon Rogers seconded, to approve General Warrant #9 for \$90,150.43.

Ms. DiFranco questioned a petty cash amount for election expenses. Treasurer Russ explained the money was used for food for the election workers on election day.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

Denise DiFranco moved, Gordon Rogers seconded, to approve General Warrant #29 for \$24,210.00.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.
- VI. MONTHLY REPORTS

Denise DiFranco moved, Gordon Rogers seconded, to accept the September 2016 report from the Planning Department, as presented, and the October 2016 monthly reports from the Building and Zoning Department, the Department of Public Works, the Finance Department, Human Services Department, Planning Department, Police Department, RIRRC, and Tax Assessor, as presented.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

VII. QUARTERLY REPORTS Denise DiFranco moved, Gordon Rogers seconded, to accept the July through September 2016 quarterly reports from the EMA, Engineering Board, Foster Center Volunteer Fire Company, Land Trust, Libraries, Moosup Valley Fire Department, Planning Board, South Foster Volunteer Fire Company, Tax Board of Review and Zoning Board of Review. It was noted that the Board of Canvassers reports were not included.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

VIII. OLDBUSINESS N/A

IX. NEW BUSINESS Denise DiFranco moved, Gordon Rogers seconded, to honor the request of the
a.) Additions and Abatements, Tax Assessor Tax Assessor for the following motor vehicle abatements, in the amount of \$395.82 to the 2016 tax roll. (Exhibit A)

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

b.) Letter from EMA Director/ Assistant EMA Director, Requesting to Switch Positions John L. Lewis, Jr. read a letter from EMA Director Sharon Cotter requesting that, due to her workload at the Ambulance Corps, Guenter Bay take over the Director position, with Ms. Cotter assuming the Assistant Director position; and that the pay rates be switched correspondingly.

Denise DiFranco moved, Cheryl Hawes seconded, to honor the request of the EMA Director and Assistant EMA Director to make the change in positions as requested.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

c.) Web Site Presentation Town Clerk Jane Christopher passed out paper samples illustrating the design for the new website currently in progress.

Ms. Christopher and Treasurer Kelli Russ outlined the difficulties inherent in managing the current web site computer program, particularly emphasizing the fact that the program was only licensed for one computer, creating a bottleneck.

The design and content of the new website will be easier for multiple department heads to update, will provide information in a more accessible way, act as a resource for residents, and include notification systems that residents can opt in to, and out of, at any time.

The new site is scheduled to go live in late January.

d.) Bid Award for Revaluation John L. Lewis, Jr. stated that the bid opening for the Town’s Property Revaluation was held on November 8th at 3:00 p.m. There were two bids, as follows:

Tyler Technologies	\$92,800.00
Vision	\$97,000.00

Mr. Lewis read a letter of recommendation from Tax Assessor Patti Moreau recommending that the award be given to Vision, as theirs was an all-inclusive price, and Tyler Technologies had outlined several add-on expenses in their bid.

Cheryl Hawes moved, Denise DiFranco seconded, to honor the recommendation of the Tax Assessor and award the bid to Vision for \$97,000.00.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

e.) Bid Award, Heating Oil Mr. Lewis announced that no bids had been received, and the request for proposals would be re-advertised for a later date.

NEW BUSINESS.
cont.

f) Bid award,
Winter Sand

This bid opening took place at Town Hall on November 3rd at 3:00 p.m. The only bidder was:

Rawson Materials	\$12.00/ton delivered, \$8.99/ton picked up
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Mr. Lewis read a letter of recommendation from DPW Director Joe Cardillo to award the bid to Rawson Materials. Their price matched their previous year’s price, and they had proven to be a dependable supplier.

Cheryl Hawes moved, Gordon Rogers seconded, to honor the recommendation of the DPW Director and award the bid to Rawson Materials at the price of \$12.99/ton delivered, \$8.99/ton picked up.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

g) Bid Award,
Digital Microwave
Communications
System

John L. Lewis, Jr. reported that this bid opening at taken place at town hall on November 8th at 4:00 p.m. Mr. Lewis read the three bids received, as follows:

Bidder	Amount	
Airosmith Development	\$15,295.00 \$ 2,550.00 \$ 2,675.00 \$ 175.00/hr.	Supply and install Maintenance Year 1 (30 hrs) Maintenance years 2-3 Emergency svcs. after 30 hrs
Cyber Communications	\$15,713.37	8-channel radio circuit Price includes complete supply and installation of product No price for maintenance – would be a separate service agreement if wanted an agreement vs. hourly rate. Per conversation – hrly rate \$160/hr. Most things are under warranty. Normally wait until warranty expires before starting a service contract.
D&R Communications	\$15,380.00 \$19,170.00	4-channel radio circuit 8-channel radio circuit Price includes complete supply and installation of product

Mr. Lewis asked Chief Ziehl for his recommendations. The Chief talked about the recent steps to fix the immediate problems with the radio back up system; but cautioned that a lightning strike could disable it. He recommended the digital microwave system as a more reliable way of ensuring good radio communications. Chief Ziehl recommended Cybercom as the preferred provider, both for price and their proven service reliability.

Cheryl Hawes moved, Denise DiFranco seconded, to honor the Chief’s recommendation, and award the bid to Cybercom for \$15,713.37.

Discussion: Treasurer Russ cautioned that some of the money budgeted from contingency for a solution to the communications problems had already been expended for the emergency repairs recently completed. Ms. DiFranco asked if secondary wires could be fed through the new pipes to act as a backup. Mr. Rogers expressed his feeling that this project/expenditure should be put in front of the Planning Board as a capital expenditure.

John L. Lewis, Jr, aye; Denise DiFranco, nay; Cheryl Hawes, abstained; Gordon Rogers, nay; and Jon Restivo, nay. Motion failed 3-1, with one abstention.

NEW BUSINESS.
cont.

**h.) Letter from
Glocester Town
Council**

John L. Lewis, Jr. stated that this topic was placed on the agenda due to a letter from the Glocester Town Council questioning expenditures approved by the Regional School Committee. (see Exhibit B)

Superintendent of Schools Michael Barnes had responded with a follow-up letter (see Exhibit C), and had come to this Council meeting to answer any questions this Council might have. Council Vice-President DiFranco and Councilwoman Hawes both stated that Mr. Barnes' letter of response had answered any questions they had had. Mr. Barnes spoke briefly to the Council.

**X. PUBLIC
HEARING
Liquor Licenses**

John Lewis stated that there was a Public Hearing on the agenda pertaining to liquor licenses issued in the Town. Mr. Lewis read aloud the advertisement that was published for the liquor licenses.

The hearing for liquor license renewals opened at 7:46 p.m.

John L. Lewis, Jr. asked for anyone who was in favor of any of the licenses to speak. There were no comments. Mr. Lewis asked if anyone wanted to speak in opposition of the licenses. Again, no comments.

Mr. Lewis closed the public hearing at 7:47 p.m. and asked for a motion. The following eleven motions pertaining to liquor licenses were made:

1.) Gordon Rogers moved, Jon Restivo 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 Licenses shall be and are hereby fixed at Four Hundred Dollars (\$400.00) each.

That the Annual Fee for Class B Victualers (BV and BVL) shall be and is hereby fixed at Four Hundred Dollars (\$400.00) each.

That the Annual Fee for Class D unlimited shall be and is hereby fixed at Eight Hundred Dollars (\$800.00) each.

That the Annual Fee for extra hour closing shall be and is hereby fixed at Two Hundred Dollars (\$200.00)

That the Annual Fee for an Entertainment License shall be and is hereby fixed at Two Hundred Dollars (\$200.00)

That the Annual Fee for Sunday and Holiday Sales is Twenty-five Dollars (\$25) for each.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

2.) Gordon Rogers moved, Jon Restivo 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.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

3.) Gordon Rogers moved, Jon Restivo seconded, and it was so voted to approve 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 will be allowed without a specific consideration and determination by the Town Council.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

PUBLIC
HEARING
Liquor Licenses,
cont.

4.) Gordon Rogers moved, Jon Restivo seconded, and it was so voted to approve that the following persons and corporations be 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 of the Police Chief, Tax Collector, Building Inspector, Fire Chief and the RI Department of Health Certificate of Server Training program.

A.) Class A Package Store, including Sunday and Holiday Sales

- License for Healey's Liquor Inc., d/b/a Healey's Liquors, 144 Danielson Pike;
- License for The Watering Hole, LLC, d/b/a The Watering Hole, 185 Hartford Pike;

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

B.) Jon Restivo moved, Gordon Rogers seconded, and it was so voted to approve 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 of the Police Chief, Tax Collector, Building Inspector, Fire Chief and the RI Department of Health Certificate of Server Training program.

B.) Class BV

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

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

C.) Class BVL

Jon Restivo moved, Gordon Rogers seconded, and it was so voted to approve 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 of the Police Chief, Tax Collector, Building Inspector, Fire Chief and the RI Department of Health Certificate of Server Training program.

- License for Shady Acres, LLC, d/b/a Shady Acres Restaurant, 164 Danielson Pike;

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

D.) Class D

Jon Restivo moved, Gordon Rogers seconded, and it was so voted to approve 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 of the Police Chief, Tax Collector, Building Inspector, Fire Chief and the RI Department of Health Certificate of Server Training program.

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

PUBLIC
HEARING
Liquor Licenses,
cont.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

E.) Denise DiFranco moved, Gordon Rogers seconded, and it was so voted to approve that the number of liquor licenses to be granted and issued for and during the current term next ensuing December 2, 2016, and ending December 1, 2017, shall be as follows:

<u>Class A Package Store</u>	<u>Two (2)</u>
<u>Class B Victualers</u>	<u>Four (4)</u>
<u>Class BVL Victualers</u>	<u>One (1)</u>
<u>Class D Unlimited</u>	<u>One (1)</u>

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

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

9) Entertainment/Ongoing Open Recreational Licenses

Denise DiFranco moved, Gordon Rogers seconded, and it was so voted to approve that the following persons and corporations be and are hereby granted Entertainment/Ongoing Open Recreational Event 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 of the Police Chief, Tax Collector, Building Inspector, Fire Chief and the RI Department of Health Certificate of Server Training program.

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

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

10.) Game and Amusement Devices Licenses

Cheryl Hawes moved, Gordon Rogers seconded, and it was so voted to approve the following businesses that have applied for renewal of Game and Amusement Devices Licenses:

- Lucky’s Pizza - 2 machines, 1 pool table
- Helen’s Place - 1 pool table
- Woodland Meeting House - 1 machine, 2 pool tables

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

11.) Cheryl Hawes moved, Gordon Rogers seconded, and it was so voted to approve 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 provision for any and all laws affecting such licenses shall apply and such licenses are hereby granted subject to such rules and regulations and conditions 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, 2017 at twelve o’clock midnight, unless sooner revoked for cause.

John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.

NOVEMBER 10, 2016
TOWN COUNCIL MEETING

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| XI. FUTURE
AGENDA
ITEMS | <ul style="list-style-type: none">• Council Transition Meeting November 17• New Council Swearing-In December 8• LESO Program• Financial Statements and Standard Policies and Procedures, From Non-Town Entities Receiving Appropriations• Kennel Ordinance Revisions• Bid Award, Natural Hazard Mitigation Plan, December 8• Renewal of Animal Shelter Agreement |
| XII. EXECUTIVE
SESSION | N/A |
| XIII. ADJOURN-
MENT | <p>Gordon Rogers moved, Jon Restivo seconded, and it was so moved to adjourn the meeting.</p> <p>John L. Lewis, Jr, aye; Denise DiFranco, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Jon Restivo, aye. Motion carried 5-0.</p> <p>Meeting adjourned at 7:56 p.m.</p> |

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

Submitted by

Jane Christopher
Town Clerk