

OCTOBER 27, 2016  
TOWN COUNCIL MEETING

The October 27, 2016 Town Council Meeting was called to order by John L. Lewis, Jr., President of the Foster Town Council, at the Foster Town House, Foster, Rhode Island, at 7:02 p.m.

|                                         |                                     |
|-----------------------------------------|-------------------------------------|
| The following members were present:     | Also present:                       |
| <b>John L. Lewis, Jr., President</b>    | Renee M. Bevilacqua, Town Solicitor |
| <b>Denise DiFranco, Vice President,</b> | Chief William Ziehl                 |
| <b>Cheryl Hawes,</b>                    | Kelli Russ, Treasurer               |
| <b>Gordon Rogers,</b>                   | Joe Carey, Planning Board Chair     |
| <b>and Jon Restivo.</b>                 |                                     |

**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. Mr. Lewis pointed out an article from the 10/23/16 Providence Journal regarding the potential upcoming passage of the Green Economy Bonds, which would ensure receipt of the \$400,000.00 grant for the Recreation Field. Ms. DiFranco questioned the Council article in the Foster Home Journal. Mr. Rogers asked who was overseeing the work at the new recreation field.

**III. PUBLIC  
COMMENT**

There was none.

**IV. MINUTES**

There were none.

**V. WARRANTS**

Denise DiFranco moved, Gordon Rogers seconded, to approve Payroll Warrant #14 in the amount of \$31,655.15.

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

Denise DiFranco moved, Gordon Rogers seconded, to approve Payroll Warrant #15 in the amount of \$35,875.00.

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

Denise DiFranco moved, Gordon Rogers seconded, to approve General Warrant #28 in the amount of \$1,640.00.

Discussion: Ms. DiFranco questioned the second payment for a rolling door for the Canvassers.

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

Denise DiFranco moved, Gordon Rogers seconded, to approve General Warrant #8 in the amount of \$74,151.48.

Discussion: Ms. DiFranco asked about the drag box equipment item on page two of six.

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

Denise DiFranco moved, Jon Restivo seconded, to approve General Warrant #8A in the amount of \$23.76.

John L. Lewis, Jr., recused; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Motion passed 4-0, one recusal.

**VI. MONTHLY  
REPORTS**

Denise DiFranco moved, Gordon Rogers seconded, to accept the September 2016 monthly reports from the Building & Zoning Department, DPW Department, Finance Department, Department of Human Services, Police Department, RIRRC, and Tax Assessor, as presented. It was noted that the

|                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>MONTHLY<br/>REPORTS,<br/>cont.</b>                                                                  | <p>Planning Department report had come in too late to be included in the packet.</p> <p>Discussion: Ms. DiFranco noted that the Capt. Isaac Paine School had donated \$16,000.00 over the past 16 years from their “Dress Down” days to the Foster Department of Human Services.</p> <p>John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Motion passed 5-0.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>VII. OLD<br/>BUSINESS<br/>a.) PRISM<br/>Streetlights,<br/>Purchase of<br/>Town<br/>Streetlights</b> | <p>Mr. Lewis recognized Tom Gentz, who explained where they were in the process of transferring streetlight purchase and maintenance from Narragansett Electric to PRISM. Mr. Gentz requested that the Council purchase the 25 streetlights in question for \$438.69, below \$1178.00 anticipated cost.</p> <p>Mr. Gentz asked for two approvals from the Council. The first, to approve the streetlight purchase and sign the documents. Second, once the documents come back, to approve PRISM to do the streetlight maintenance.</p> <p>He also asked for a listing of the lights that would be turned added and subtracted. It would take another month from the receipt of the list for PRISM to complete the system design and calculate the LED conversion pricing.</p> <p>Gordon Rogers moved, Cheryl Hawes seconded, to purchase 25 lights for \$438.69.</p> <p>Denise DiFranco moved, Cheryl Hawes seconded, to amend the motion contingent on the solicitor reviewing the contract.</p> <p>John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Amended motion passed 5-0.</p> <p>John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Main motion passed 5-0.</p> <p>Gordon Rogers moved, Cheryl Hawes seconded, to have PRISM do the maintenance on the streetlights, contingent on the solicitor’s approval of the contract.</p> <p>John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Main motion passed 5-0.</p> |
| <b>b.) Police<br/>Station Com-<br/>munications<br/>System:<br/>Repair/<br/>Funding,<br/>Update</b>     | <p>Police Chief Ziehl reported that Verizon had rerouted the damaged underground line to an above-ground fiber optic cable, so that all the phone lines were operational again. There had not been any further issues with the radios since the last rain storm; but the Council needed to determine next steps to solve future issues.</p> <p>Topics of discussion were:</p> <ul style="list-style-type: none"><li>• Replacing the old underground conduit and wiring.</li><li>• Associated costs with all options</li><li>• Going out to bid for the microwave system and new technology</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>VIII. NEW<br/>BUSINESS<br/>a.) Additions &amp;<br/>Abatements,<br/>Tax Assessor</b>                 | <p>Denise DiFranco moved, Gordon Rogers seconded, to honor the request of the Tax Assessor for the following additions and abatements: Motor Vehicle Abatements in the total amount of \$327.60, and Tangible Abatements in the total amount of \$237.60. (Exhibit A)</p> <p>Discussion: The tangible amount listed on the face sheet was incorrect; the actual amount was \$236.16.</p> <p>Denise DiFranco moved, Gordon Rogers seconded, to amend the motion to Tangible Abatements in the total amount of \$236.16.</p> <p>John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Amended motion passed 5-0.</p> <p>John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Main motion passed 5-0</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

- b.) Transfer of L&Y Cap Tonnage to Cranston and Westerly

John L. Lewis, Jr. referenced a letter from DPW Director Joe Cardillo about the transfer requests from Cranston and Westerly, and his recommendation of transferring only a portion of the town’s available 58.5 tons of the L&Y cap.  
  
Denise DiFranco moved, Gordon Rogers seconded, to transfer 12.5 tons each to Cranston and Westerly of our L&Y cap for FY 2016-17.  
  
John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Motion passed 5-0.

c.) Bid Award, Town House Concrete Steps

Mr. Lewis stated that there had been no bids received for the steps going down to the basement. This project would go out to bid at a future time.

d.) Resignation from Land Trust, Bill Fortier

Denise DiFranco read a letter of resignation from the Land Trust from Bill Fortier.  
  
Gordon Rogers moved, Denise DiFranco seconded, to accept the resignation with regrets.  
  
John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Motion passed 5-0.

e.) Appointment to Land Trust, Tom Boyden

John L. Lewis, Jr. referenced a letter from Tom Boyden of King Road, asking to be appointed to the Land Trust to fill Bill Fortier’s position.  
  
Denise DiFranco moved, Gordon Rogers seconded, to appoint Mr. Tom Boyden to the Land Trust for the amount left (of Mr. Fortier’s term).  
  
John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Motion passed 5-0.  
  
Mr. Boyden was in attendance, and was sworn in by the Town Clerk.

f.) New Wellness Committee Formation

Treasurer Kelli Russ explained the details of this committee, which would provide incentives to employees covered under the Town/Regional health care plan, to participate in wellness programs. Ms. Russ had invited Council Vice President DiFranco and School Committee chair Kathleen Swanson to join the committee. The school nurse from Paine School might also participate.  
  
Gordon Rogers moved, Cheryl Hawes seconded, to appoint Kelli Russ, Treasurer, Kathleen Swanson, School Committee member, and Denise DiFranco from the Council to the new Wellness Committee Formation.  
  
John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Motion passed 5-0.

g.) Letter from Foster Police Department Building Committee Regarding Funding

John L. Lewis, Jr. read a letter from the Chair of the Police Department Building Committee (Exhibit B). Based on the Committee’s review of the bids they had received from multiple architects, there was no need for a request for additional funding in the letter, and no action required by the Council at this meeting.

IX. PUBLIC HEARING

a.) Dog License Ordinance Revisions

Councilman Restivo presented the ordinance change language that had been discussed from a previous meeting.  
  
Chief Ziehl made suggestions regarding violation language, and some discussion ensued regarding fines, impoundment and district court appearances.  
  
Mr. Lewis stated that the initial thrust for changing the Town dog ordinances was to bring the fees for licensing, late fees and penalties in line with the State’s, and the Town’s own, fee schedules. Rearranging language for fines and district court could be a subsequent revision.  
  
Mr. Lewis outlined the ordinance revisions as follows:  
1.) The fine for maintaining an unlicensed and/or uncollared dog would rise from \$10.00 to \$25.00.
- iii

OCTOBER 27, 2016  
TOWN COUNCIL MEETING  
PUBLIC  
HEARING,  
cont.

- 2.) The annual license fee, currently listed as two different amounts in two separate ordinances, would now be consistent at \$7.00.
- 3.) The 2006 State-mandated canine surcharge, not previously added to the ordinances (but currently charged), would be listed at \$1.00.
- 4.) The license late fee would remain at \$5.00.
- 5.) The Pound fee, per day, would remain at \$2.00, but adding language stating “or such amount as may otherwise be determined by the pound”, in the event that the Town of Scituate changes the daily rate.

Mr. Lewis opened the public hearing at 7:51 p.m.

Mr. Lewis asked for any comments in favor of the application. Heidi Rogers spoke in favor of the fee changes, but cautioned against trying to take someone to court.

Mr. Lewis asked for comments in opposition: Mr. Rafe Kula questioned details of ordinance section 8-101 regarding the impoundment of unlicensed/uncollared dogs running free. He also spoke in favor of the fee structure.

The public hearing closed at 8:02 p.m.

Gordon Rogers moved, Denise DiFranco seconded, to accept the proposed ordinance revisions “B” (Exhibit C) as presented in the public hearing on the Foster dog ordinances.

(Also included, Exhibit D, for the revisions to State Law in effect as of July 2, 2016)

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

- X. FUTURE AGENDA ITEMS

- LESO Program Update
  - Financial Statements and Standards Policies & Procedures for Non-Town Entities Receiving Appropriations
  - Kennel Ordinance Revisions
  - Bid Award for Revaluation, November 10
  - Public Hearing for Liquor Licenses, November 10
  - Bid Award, Heating Oil, November 10
  - Bid Award, Winter Sand, November 10
  - Bid Award, Natural Hazard Mitigation Plan Update, December 8
  - Letter From Gloucester re: Regional School Committee Expenses, November 10

XI. EXECUTIVE SESSION

There was no Executive Session.

XII. ADJOURNMENT

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

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

Meeting adjourned at 8:05 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