

**Town Council Meeting
May 11, 2017**

The May 11, 2017, Town Council Meeting was called to order by Denise DiFranco, President of the Foster Town Council, at the Foster Town House, Foster, Rhode Island, at 7:00 p.m.

The following members were present:

Denise DiFranco, President
Chris Stone, Vice President
Gordon Rogers
Michael Dillon
Cheryl Hawes

Also present:

Solicitor, Atty. Mark Tourgee
Asst. Solicitor, Atty. Joanna Achille
Kelli Russ, Treasurer

**I. PLEDGE OF
ALLEGIANCE**

The Pledge of Allegiance was recited.

**II. EXECUTIVE
SESSION**

Executive Session began at 7:02 p.m.

Gordon Rogers moved, Chris Stone 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.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Denise DiFranco asked Joe Carey, Chair of the Planning Board, to join the meeting.

Executive Session ended at 7:20 p.m. Denise DiFranco stated that two votes were taken during Executive Session. The first vote was to offer the planner position to one applicant, and if that applicant did not accept, then the offer would be extended to the second applicant. Both votes were 5-0.

III. ANNOUNCEMENTS

None.

IV. PUBLIC COMMENT

None.

V. MINUTES

Gordon Rogers moved, Chris Stone seconded, to accept the meeting minutes for April 27, 2017.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye; Motion carried 5-0.

VI. WARRANTS

Gordon Rogers moved, Mike Dillon seconded, to accept Payroll
Warrant #42 for \$31,876.96

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers moved, Mike Dillon seconded, to accept Payroll
Warrant #43 for \$33,593.18.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

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Gordon Rogers moved, Chris Stone, to accept General Warrant #20 for \$105,674.53.

Discussion: Cheryl Hawes questioned the additional contingency payments to Inman and Tourgee. Gordon Rogers and Ron Cervasio commented.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

**(NEW BUSINESS
Item H moved ahead)**

Gordon Rogers moved, Chris Stone seconded, to move agenda item "H" under "New Business" to be heard before "Monthly Reports". Request to Alter freshwater wetlands for Town of Foster and Scituate Major Subdivision on Round Hill Road.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

**H. Request to Alter
Wetlands on Round
Hill Road**

Gordon Rogers moved, Cheryl Hawes seconded, to direct the Planning Board and the Solicitor to send a letter with all concerns to DEM regarding the proposed subdivision on Round Hill Road.

Discussion: Joe Carrey, Asst. Solicitor Joanna Achille, Ron Cervasio, Denise DiFranco, and Gordon Rogers.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0

VII. MONTHLY REPORTS

Gordon Rogers moved, Chris Stone seconded, to accept the March Monthly Reports for the Planning Department.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0

**VIII. QUARTERLY
REPORTS**

Gordon Rogers moved, Chris Stone seconded, to accept the Quarterly Reports as presented for March from the Board of Canvassers, Libraries, Planning Board, and Zoning Board.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

**IX. PUBLIC HEARING
Kennel License**

Denise DiFranco opened the public hearing for a Dog Kennel License for "Aye Chihuahua" at 3 Shippee Schoolhouse Road. Discussion: Jennifer Kozun, Stephen Kozun. Joe Barrett, Gordon Rogers, Cheryl Hawes, Denise DiFranco, and Lauren Bangs.

Gordon Rogers moved, Michael Dillon seconded, to table this issue for further research.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

X. OLD BUSINESS

**A. Appointment to
Advisory
Committee**

Gordon Rogers moved, Mike Dillon seconded, to appoint Paul Cuniff to the Natural Hazard Mitigation Plan Advisory Committee.

Discussion: Gunter Bay

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Gordon Rogers moved, Cheryl Hawes seconded, to appoint Denise DiFranco and Michael Dillon to the Natural Hazard Mitigation Plan Advisory Committee.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

XI. RETURN TO NEW BUSINESS

A. Request for use of Town House Grounds

Gordon Rogers moved, Cheryl Hawes seconded to accept the request from Foster Old Home Day use of Town Grounds on July 28-29-30, 2017.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0

B. Temporary Dog Ordinance

Cheryl Hawes read the proposed Temporary Dog Ordinance for Foster Old Home Days. (Exhibit A).

Discussion: Gunter Bay and Mrs. Mooney. No motions were made. No votes were taken.

C. Appointment of Town Planner

Denise DiFranco said that had been already discussed earlier after Executive Session.

D. Rental Policy for Town property

Michael Dillon moved, Chris Stone seconded, to approve the Rental Policy for Town Property and Fairgrounds.

Discussion: Cheryl Hawes, Denise DiFranco, Michael Dillon, and Gordon Rogers.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

Cheryl Hawes moved, Gordon Rogers seconded, to make an amendment to the Rental Agreement by adding to the flyer that any decorations specific to the Town House must be approved by the Town Clerk.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

E. Request from the Libraries for Halloween Event

Gordon Rogers moved, Cheryl Hawes seconded, to accept the request for the Libraries of Foster to use the Town House and Fairgrounds on October 28th from a Halloween Event.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

F. 4-H Rabbit Show

Gordon Rogers moved, Cheryl Hawes seconded, to accept the request for the use of the Fairgrounds for a Rabbit Show 4-H Event on June 3, 2017.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

G. Eagle Scout Project

Gordon Rogers moved, Cheryl Hawes seconded, to approve and thank Scout Alan Reuter for taking on the endeavor of improving the fire pit and bench area at the Woody Lowden for his Eagle Scout Project.

Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers, aye; and Michael Dillon, aye. Motion carried 5-0.

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**XII FUTURE AGENDA
ITEMS**

- Financial Statements and Standards Policies and Procedures for Non-Town Entities Receiving Appropriations.
- Temporary Dog Ordinance for Foster Old Home Days
- Zero Waste Presentation by Kristen Brown

XIII ADJOURNMENT

Gordon Rogers moved, Chris Stone seconded to adjourn the meeting
Denise DiFranco, aye; Chris Stone, aye; Cheryl Hawes, aye; Gordon Rogers,
aye; and Michael Dillon, aye. Motion carried 5-0.

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

Submitted by

Susan M. Dillon
Town Clerk

Proposed Ordinance

It is ordained by the Town Council of the Town of Foster to amend Article III, Section 8: Dogs

WHEREAS, the Town Council, as the governing body of the Town of Foster, has become aware of the public safety concerns regarding the presence of dogs, at the Foster Old Home Days.

WHEREAS, the Town Council has exclusive authority to enact such ordinances and regulations necessary to promote the health, welfare, and safety of the public and that restrictions on the presence of dogs and other pets to preserve and promote public safety and prevent public health hazards that may be associated with the presence of such animals at the Foster Old Home Days.

WHEREAS, the Town Council is mindful that certain animals are personal service animals or personal service animals in training to be of assistance to persons with disabilities and such animals shall be excluded from any such prohibition.

WHEREAS, the Town Council endeavors to preserve the aesthetic, cultural, and community event known as Foster Old Home Days.

Article III. Dogs

Division 1. Generally

Sec. 8-100.

Foster Old Home Days, Dogs restricted:

It shall be unlawful for any person or owner to permit or cause any dog, whether licensed or leashed, to be on or along the grounds and location designated for any Foster Old Home Days during any time which is designated for said event. However, this section shall not apply to Seeing Eye Dogs assisting the blind or handicap persons, or such other personal service dogs or animals that are controlled by such persons and/or their companions.

Effective Date: This Ordinance shall become effective upon passage.

I hereby certify that the foregoing Ordinance was adopted by the Honorable Town Council of the Town of Foster at a regular meeting held on the _____ day of _____, 2017.

Attest:

Sue Dillon
Town Clerk

Denise DiFranco, President
Town Council