

MAY 14, 2015
TOWN COUNCIL MEETING

The May 14, 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 7:06 p.m.

The following members were present:
John L. Lewis, Jr., President
Denise DiFranco, Vice President,
Roger L. Hawes,
Gordon Rogers, and
Jon Restivo

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

**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 asked for a moment of silence for Marshall Spaulding, and Bill Jones. Mr. Lewis also announced that the flags would be at half mast on May 15th per order of the President, to commemorate fallen police officers.

**III. PUBLIC
COMMENT**

Police Chief William Ziehl thanked the Department of Public Works for their assistance at a recent major accident scene on Route 6 and also at a separate police operation.

Planning Board President Joe Carey asked about the placement of the Providence Water Supply Board in Executive Session.

IV. MINUTES

Denise DiFranco moved, Roger Hawes seconded, to approve the minutes of April 9, 2015 as presented.

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

Denise DiFranco moved, Roger Hawes seconded, to approve the minutes of April 23, 2015 as presented.

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

V. WARRANTS

Denise DiFranco moved, Roger Hawes seconded, to approve Payroll Warrant #42 for \$26,850.86.

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

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**WARRANTS,
CONT.**

Denise DiFranco moved, Roger Hawes seconded, to approve Payroll Warrant #43 for \$27,200.97.

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

Denise DiFranco moved, Roger Hawes seconded, to approve Payroll Warrant #44 for \$29,070.07.

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

Denise DiFranco moved, Roger Hawes seconded, to approve General Warrant #20 for \$152,578.63.

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

**VI. OLD
BUSINESS**

**a.) Building and
Zoning
Official
Update**

John L. Lewis, Jr. stated that only one certified applicant had applied for the open position, but was not accepted. The Council was waiting for an updated list of qualified inspectors from the Building Commissioner's office. It was determined that the Town Clerk would reach out to adjoining towns to inquire about sharing an inspector.

**b.) Tax Relief
Ordinance,
Resolution
2015-04**

Mr. Lewis outlined residents' confusion about town resolution 2015-04, presented at the April 9th Council meeting, which addressed the elimination of senior tax freezes. He explained that people currently on a senior tax freeze would be "grandfathered" in, but that modifications to the freezes were in order going forward, as they are unsustainable as presently written. The percentage of homes currently on the freeze was discussed, as well as future projections. Council members Roger Hawes, Jon Restivo and Denise DiFranco gave their opinions. Council member Gordon Rogers recused himself. Treasurer Kelli Russ and Tax Assessor Patti Moreau spoke to the financial ramifications of continuing the freeze program as it currently exists, past attempts to bring the issue to the forefront, and its potential restructuring. Various residents spoke to express concerns.

**VII. NEW
BUSINESS**

**a.) Pole Petition,
Gold Mine
Road**

Denise DiFranco moved to look at the pole petition for a proposed Solely Anchor for Gold Mine Road, for discussion purposes. Councilman Rogers asked if the position of this pole is on private property and does not fall under the town's jurisdiction. The map indicated that it was, and it was advised to refer this to the property owner.

**b.) Request for
Contingency
Funds, LESO
Dump Truck
Freight
Charges**

John L. Lewis, Jr. stated that the Council had received a letter from DPW Director Joe Cardillo and Chief Ziehl (Exhibit A) requesting contingency funds not to exceed \$6,000.00 to cover the costs of a dump truck, acquired free of charge, by the police department through the LESO program.

Gordon Rogers moved, Roger Hawes seconded, to approve up to \$4,999.00 from the contingency fund to cover the shipping charges.

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

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NEW
BUSINESS,
cont.

**c.) Resignation
from
Planning
Board**

John L. Lewis, Jr. stated that the Council had received the resignation of John Bevilacqua from the Planning Board. (Exhibit B)

Jon Restivo moved, Roger Hawes seconded, to accept the resignation of John Bevilacqua, Sr., from the Planning Board.

Discussion: It was decided that the Town Clerk would reach out to three previous applicants to the Planning Board and check their interest in being considered for the Board.

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

**d.) Disposal
of Used
Electronic
Equipment**

The Town Clerk requested approval of a means of disposal for used computer equipment, desktop printers and one copy machine. Any usable computer hard drives would be retained at town hall, others destroyed through a certified source.

John L. Lewis, Jr. moved, Roger Hawes seconded, to offer usable equipment to other town departments and discard the rest.

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

**MOTION TO
CHANGE
AGENDA
ORDER**

Jon Restivo moved, Gordon Rogers seconded, to rearrange the order of the agenda to hear the PRISM presentation next.

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

**i.) PRISM
Streetlight
Management
Presentation,
Thomas Gentz**

Thomas Gentz presented data to the Council regarding cost savings to municipalities through purchasing their own LED streetlights, which have a 20 year lifespan. Liability issues were discussed. The Council agreed to explore the option further.

**MOTION TO
CHANGE
AGENDA
ORDER**

Jon Restivo moved to change the order of the agenda a second time to hear the matter of Spears Cemetery next.

**h.) Request for
Contingency
Funds for
Mowing Spears
Cemetery**

John Neale, representing the Spears Cemetery Association, referred to a \$1600.00 mowing invoice for 2013 and 2014 presented by J. Carlton Landscaping to the cemetery and spoke to that company's history of mowing there. Mr. Lewis responded that the Town currently hires an individual to do mowing of all perpetual care graves and the Town would not pay others for the same service.

Denise DiFranco moved, Roger Hawes seconded, to approve the payment of \$800.00 to J. Carlton Landscaping for the mowing of Spears Cemetery, out of

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**NEW
BUSINESS,
cont.**

the contingency fund.

John L. Lewis, Jr, nay; Denise DiFranco, aye; Roger Hawes, aye; Gordon Rogers, nay; and Jon Restivo, aye. Motion carried 3-2.

Mr. Lewis stated that as of this night, Spears Cemetery was on notice that the Town would not pay any further invoices. Councilwoman Denise DiFranco asked the Town Clerk to send a letter to cemeteries to let them know that Ken Battey was responsible for mowing the perpetual care grave.

**e.) Request for
Class F Liquor
License,
Thornton Beagle
Club, 5/2/2015**

Denise DiFranco moved, Gordon Rogers seconded, to approve all three applications for the Class F liquor licenses for the Thornton Beagle Club for 5/21, 6/18 and 7/15/2015.

**f.) Request for
Class F Liquor
License,
Thornton Beagle
Club, 6/18/2015**

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

**g.) Request for
Class F Liquor
License,
Thornton Beagle
Club, 7/15/2015**

**VIII. FUTURE
AGENDA
ITEMS**

- EMA Director Job Description
- Tannerite Binary Exploding Rifle Targets/Use of
- Policy for Utilization of Town Facilities
- Request for Use of Fairgrounds, The Kibble Closet
- Request for Use of Fairgrounds, Grimley/Hearn Wedding
- Legislation regarding RhodeMapRI as presented by M. Chippendale
- RI Property Assessed Clean Energy Program (PACE)
- Disposal of Computers

**IX. 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.

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

Open session ended at 9:39 p.m. Executive session convened at 9:51p.m.

Councilman Rogers left the meeting during executive session.

**RECONVENE
TO OPEN
SESSION**

Jon Restivo moved, Denise DiFranco 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

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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; Roger Hawes, aye; and Jon Restivo, aye. Motion carried 4-0.

Open session reconvened at 10:51p.m.

John L. Lewis, Jr. announced that one vote was taken in Executive Session, to allow council member Jon Restivo to have contract language discussions with the Providence Water Supply Board. The motion carried 4-0.

**X. ADJOURN-
MENT**

Roger Hawes moved, Jon Restivo seconded, and it was so moved to adjourn the meeting.

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

Meeting adjourned at 10:52 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