

SEPTEMBER 22, 2016
TOWN COUNCIL MEETING

The September 22, 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 7:00 p.m.

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

Also present:
Renee M. Bevilacqua, Town Solicitor
Police Chief William Ziehl
Joe Carey, Planning Board Chair

- I. OPEN SESSION 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** None.
- IV. MINUTES** Denise DiFranco moved, Gordon Rogers seconded, to approve the minutes from the September 15, 2016 meeting.
- Discussion: Ms. DiFranco questioned Chief Ziehl as to whether the Verizon phone lines had been brought to the police station from Howard Hill Road.
- John Lewis moved to amend the motion to correct the listing of a vote within those minutes.
- John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Amended motion passed 5-0.
- John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Main motion passed 5-0.
- V. WARRANTS** Denise DiFranco moved, Cheryl Hawes seconded, to approve Payroll Warrant #9 in the amount of \$33,584.71.
- John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Motion passed 5-0.
- Denise DiFranco moved, Cheryl Hawes seconded, to approve Payroll Warrant #10 in the amount of \$36,437.82.
- John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Motion passed 5-0.

SEPTEMBER 22, 2016
TOWN COUNCIL MEETING

Warrants, cont. Denise DiFranco moved, Cheryl Hawes seconded, to approve General Warrant #6 in the amount of \$51,711.06.

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

VI. MONTHLY REPORTS

Denise DiFranco moved, Gordon Rogers seconded, to accept the August, 2016 monthly reports from the Building and Zoning Department, Human Services Department, Police Department, RIRRC, and Tax Assessor, as presented.

Ms. DiFranco also made note of an upcoming flu clinic at Hemlock Village.

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

VII. QUARTERLY REPORTS

The Land Trust quarterly report was carried to a future agenda item.

VIII. OLD BUSINESS

There was none.

IX. NEW BUSINESS

a.) Additions & Abatements, Tax Assessor

Denise DiFranco moved, Gordon Rogers seconded, to honor the request of the Tax Assessor for the following changes to the 2016 tax roll: motor vehicle abatements in the total amount of \$388.82. (see Exhibit A)

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

b.) Appointment of David Paolino as Alternate to Zoning Board of Review

Mr. Lewis stated that he had a letter from Mr. Paolino requesting appointment as an alternate to the Zoning Board, and that the Zoning Board Chair Joseph Walsh had sent an endorsement.

Denise DiFranco moved, Gordon Rogers seconded, to appoint David Paolino to the Zoning Board of Review, as an alternate, through December of 2016.

Discussion: Mr. Rogers expressed concern about making an appointment strictly on the Zoning Board Chair's recommendation, and asked when this position had become available. Mr. Lewis explained that when Mr. Esposito moved from an alternate to a full member in December 2015, it left the alternate position open. Mr. Rogers asked if the position had been advertised, and stated that he would vote "no" based on the chair's sole recommendation and the absence of advertising. Mr. Lewis pointed out this was a three month position, and the position would be up for either appointment or re-appointment in January.

Ms. DiFranco asked, is it possible that this position not be open for re-appointment without advertising? Mr. Lewis answered that that would be up to the next Town Council.

John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, recused; Gordon Rogers, nay. Motion passed 3-1, one recusal.

Mr. Paolino was present, and was sworn in by the Town Clerk.

SEPTEMBER 22, 2016
TOWN COUNCIL MEETING

NEW
BUSINESS, cont.

c.) Reappointment to the Juvenile Hearing Board, James Janis & Steve Croteau Gordon Rogers moved, Cheryl Hawes seconded, to reappoint James Janis and Steve Croteau to another one-year term on the Juvenile Hearing Board.
John L. Lewis, Jr., aye; Denise DiFranco aye; Cheryl Hawes, aye; Jon Restivo, aye; Gordon Rogers, aye. Motion passed 5-0.

d.) Schedule Public Hearing for Amendments to Dog Ordinances Committee A draft of potential changes to the dog ordinances had been put before the Council for discussion and determination as to whether to take it to a public hearing. Mr. Lewis stated that this draft was based upon the changes that had been introduced in the State House by Representative Chippendale last year, after approval at a public hearing at a Council meeting.
Also included in the packet was a copy of this upgraded State legislation, with the new wording that applies to Foster, highlighted in blue, on page 3 of 4 of the Act. (see Exhibit B) This wording allows the Council the ability to update the current town ordinance to reflect what the State has allowed.

Up for discussion at this meeting:

- Increasing the fine for maintaining an unlicensed and/or uncollared dog from the existing \$10, to \$25, in Sec. 8-102.
- Establishing a consistent license fee; written as \$3 in Sec. 8.102 of the ordinance, as \$7 in Sec. 8-126).
- Establishing license renewals on an annual or biennial basis, Sec. 8-102
- Adding a separate line item noting the \$1 canine surcharge fee, per RIGL §4-24-9, to appear in Sec. 8-102.
- Establishing the license late fee in Sec. 8-102, currently \$5.
- Establishing the pound fee, per day, in Sec. 8-102, currently \$2; and adding language to state “or such amount as may otherwise be determined by the pound”, in the eventuality that the Scituate pound changes their rates.
- The addition of new language under the pound fee, stating that the license fee amount may be increased to an amount not to exceed \$15, at the Town Clerk’s reasonable discretion, if it is found that the licensing fee does not cover the administration costs for issuance of said licenses.

Discussion was held regarding a replacement tag fee; a reduced fee for owners over 65; allotting a window of time to allow a dog owner to license a dog, and to be fined an additional \$25 every 14 days if no license was obtained. The language, “licensure must be in place within 14 calendar days of any violation by law enforcement” was considered. Enforcement of the late license fees, and database changes were also discussed.

Mr. Lewis asked the Council what license fee they would like to impose; and whether it should be an annual or biennial fee.

Ms. DiFranco expressed her opinion of keeping the \$7 fee as it exists, and as the current annual fee. All council members were in agreement.

SEPTEMBER 22, 2016
TOWN COUNCIL MEETING

NEW

BUSINESS, cont. Cheryl Hawes moved, Gordon Rogers seconded, to move the topic to a public hearing, as discussed.

d.) Schedule

Public

Hearing for John Lewis moved, Jon Restivo seconded to amend the motion to state the date of the hearing as October 27th at the regular council meeting.

Amendments

to Dog

Ordinances

Committee,

cont.

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

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

X. FUTURE AGENDA ITEMS

- PRISM Streetlight
- LESO Program Update
- Financial Statements and Standards Policies & Procedures for Non-Town Entities Receiving Appropriations
- Kennel Ordinance Revisions
- Public Hearing for second hand license, October 13
- Public Hearing to Amend Dog License Ordinance(s), October 27
- Quarterly Reports

XI. EXECUTIVE SESSION

There was no Executive Session.

XII. ADJOURNMENT

Gordon Rogers moved, Cheryl Hawes 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 7:48 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